

# Journal of the Senate

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FRIDAY, JANUARY 31, 2014

The Senate was called to order by the President.

## Devotional Exercises

A moment of silence was observed in lieu of devotions.

## Message from the House No. 12

A message was received from the House of Representatives by Ms. Melissa Kucserik, its Second Assistant Clerk, as follows:

Mr. President:

I am directed to inform the Senate that:

The House has passed House bills of the following titles:

**H. 356.** An act relating to prohibiting littering in or on the waters of the State.

**H. 577.** An act relating to ski tramways.

In the passage of which the concurrence of the Senate is requested.

The House has adopted joint resolution of the following title:

**J.R.H. 15.** Joint resolution urging Congress to support H.R. 485, The National Nurse Act of 2013.

In the adoption of which the concurrence of the Senate is requested.

## Message from the House No. 13

A message was received from the House of Representatives by Ms. Melissa Kucserik, its Second Assistant Clerk, as follows:

Mr. President:

I am directed to inform the Senate that:

The House has passed House bills of the following titles:

**H. 563.** An act relating to captive insurance laws and accreditation standards.

**H. 609.** An act relating to terminating propane service.

**H. 702.** An act relating to self-generation and net metering.

In the passage of which the concurrence of the Senate is requested.

The House has considered a bill originating in the Senate of the following title:

**S. 27.** An act relating to respectful language in the Vermont Statutes Annotated.

And has passed the same in concurrence with proposal of amendment in the adoption of which the concurrence of the Senate is requested.

The House has adopted joint resolutions of the following titles:

**H.C.R. 206.** House concurrent resolution congratulating Green Mountain RSVP on its 40th anniversary of community service.

**H.C.R. 207.** House concurrent resolution congratulating the Rutland Gift-of-Life Marathon on establishing a new national one-day blood donation record.

**H.C.R. 208.** House concurrent resolution recognizing the role of registered nurses in the delivery of quality health care in Vermont.

**H.C.R. 209.** House concurrent resolution congratulating the *Vermont Cynic* on its 130th anniversary.

**H.C.R. 210.** House concurrent resolution congratulating the 2013 Woodstock Union High School Wasps Division III championship football team.

**H.C.R. 211.** House concurrent resolution in memory of Chet Briggs of Calais.

**H.C.R. 212.** House concurrent resolution recognizing the innovative cross-cultural mission of the Izdahar arts exchange organization.

**H.C.R. 213.** House concurrent resolution in memory of Margaret Hurley Franzen of Montpelier.

In the adoption of which the concurrence of the Senate is requested.

**Committee Relieved of Further Consideration; Bill Committed**

**S. 281.**

On motion of Senator Ayer, the Committee on Health and Welfare was relieved of further consideration of Senate bill entitled:

An act relating to vision riders and a choice of providers for vision and eye care services,

and the bill was committed to the Committee on Finance.

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**Joint Resolution Referred****J.R.H. 15.**

Joint resolution originating in the House of the following title was read the first time and is as follows:

Joint resolution urging Congress to support H.R. 485, The National Nurse Act of 2013.

Whereas, every day, nurses provide critical health care services to individuals in hospitals, clinics, nursing facilities, and doctors' offices, and as nurse practitioners, and

Whereas, our nation continues to face an epidemic of preventable conditions and chronic diseases, and

Whereas, nurses are crucial to the promotion of preventative care by helping to inform and educate the public, and

Whereas, thousands of nurses and nurse educators live and work in Vermont, and

Whereas, U.S. Representative Eddie Bernice Johnson of Texas introduced H.R. 485, also known as "The National Nurse Act of 2013," on February 4, 2013, and

Whereas, H.R. 485 designates the Chief Nurse Officer of the U.S. Public Health Services as the National Nurse for Public Health, and

Whereas, under H.R. 485, the National Nurse for Public Health shall perform the following duties:

"(1) Provide leadership and coordination of Public Health Service nursing professional affairs for the Office of the Surgeon General and other agencies of the Public Health Service, including providing representation for the Government of the United States at the Global Forum for Government Chief Nursing and Midwifery Officers and serving as a member of the Federal Nursing Service Council.

"(2) Represent the Surgeon General and the agencies of Public Health Service in communications with groups and societies concerned with nursing issues at the local, State, national, and international levels.

"(3) Provide guidance and advice to the Surgeon General and the Nurse Professional Advisory Committee on matters such as standards, recruitment, retention, readiness, and career development of nurses employed by and contracted with agencies of the Public Health Service.

“(4) Conduct media campaigns and make personal appearances for purposes of paragraphs (5) through (7).

“(5) Provide guidance and leadership for activities to promote the public health, including encouraging nurses and other health professionals to be volunteers and developing projects that educate the public about and engage the public in prevention practices to achieve better health.

“(6) Provide guidance and leadership to encourage nurses to engage in furthering their education in order to conduct nursing research, increase the awareness of evidence-based practice, and educate future nurses.

“(7) Provide guidance and leadership for activities that will increase public safety and emergency preparedness,” and

Whereas, the National Nurse for Public Health will act to raise awareness of health issues, encourage volunteerism of nurses and other individuals, strengthen the relationship between government agencies and health-related national organizations, and participate in the identification of health priorities, thus raising the status and drawing attention to the importance of the nursing profession, now therefore be it

Resolved by the Senate and House of Representatives:

That the General Assembly urges Congress to support H.R. 485, known as “The National Nurse Act of 2013,” or similar legislation, designating the Chief Nurse Officer of the U.S. Public Health Service as the National Nurse for Public Health, and be it further

Resolved: That the Secretary of State be directed to send a copy of this resolution to the members of the Vermont Congressional Delegation.

Thereupon, in the discretion of the President, under Rule 51, the joint resolution was treated as a bill and referred to the Committee on Health and Welfare.

**Bills Referred**

House bills of the following titles were severally read the first time and referred:

**H. 356.**

An act relating to prohibiting littering in or on the waters of the State.

To the Committee on Natural Resources and Energy.

**H. 563.**

An act relating to captive insurance laws and accreditation standards.

To the Committee on Finance.

**H. 577.**

An act relating to ski tramways.

To the Committee on Economic Development, Housing and General Affairs.

**H. 609.**

An act relating to terminating propane service.

To the Committee on Economic Development, Housing and General Affairs.

**H. 702.**

An act relating to self-generation and net metering.

To the Committee on Finance.

**Third Reading Ordered****S. 283.**

Senator White, for the Committee on Judiciary, to which was referred Senate bill entitled:

An act relating to the changing of the name of the Vermont Criminal Information Center.

Reported that the bill ought to pass.

Thereupon, the bill was read the second time by title only pursuant to Rule 43, and third reading of the bill was ordered.

**Bill Amended; Third Reading Ordered****S. 223.**

Senator Mullin, for the Committee on Finance, to which was referred Senate bill entitled:

An act relating to regulating the making of pension loans.

Reported recommending that the bill be amended by striking out all after the enacting clause and inserting in lieu thereof the following:

## Sec. 1. FINDINGS

It is the intent of the Vermont General Assembly to prohibit unlawful and predatory lending practices that target retirement pension proceeds. The General Assembly intends to ensure that practices which unfairly disrupt or interfere with retirees' abilities to manage their pension income will be treated as unlawful lending and will be subject to applicable Vermont State laws.

Sec. 2. 8 V.S.A. § 2245 is added to read:

§ 2245. PENSION LOANS

Any person who engages in the business of offering consideration in exchange for a secured interest in all or part of pension proceeds in the possession of a participant, beneficiary, or member of a pension plan, program, or system shall be deemed to be engaged in the business of making loans pursuant to subdivision 2201(a)(1) of this chapter and shall be subject to 9 V.S.A. chapters 4 and 63.

## Sec. 3. EFFECTIVE DATE

This act shall take effect on July 1, 2014.

And that when so amended the bill ought to pass.

Thereupon, the bill was read the second time by title only pursuant to Rule 43, the recommendation of amendment was agreed to, and third reading of the bill was ordered.

### **Appointment Confirmed**

The following Gubernatorial appointment was confirmed separately by the Senate, upon full report given by the Committee to which it was referred:

Gobeille, Alfred J. of Shelburne - Chair, Green Mountain Care Board – August 1, 2013, to September 30, 2018.

### **Appointments Confirmed**

Under suspension of the rules (and particularly, Senate Rule 93), as moved by Senator White, the following Gubernatorial appointments were confirmed together as a group by the Senate, without reports given by the Committees to which they were referred and without debate:

Gucciardi, Mary Anne of South Burlington - Member, Employment Security Board - September 4, 2013, to February 28, 2019.

Lintermann, Mary of Stowe - Member, Vermont Economic Progress Council - July 18, 2013, to March 31, 2017.

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Vachon, Brian of Middlesex - Member, Community High School of Vermont Board - November 5, 2013, to February 28, 2014.

### **House Concurrent Resolutions**

The following joint concurrent resolutions having been placed on the consent calendar on the preceding legislative day, and no Senator having requested floor consideration as provided by the Joint Rules of the Senate and House of Representatives, were severally adopted in concurrence:

By Representative Martin and others,

By Senators Campbell, McCormack and Nitka,

#### **H.C.R. 206.**

House concurrent resolution congratulating Green Mountain RSVP on its 40th anniversary of community service.

By Representative Terenzini and others,

By Senators Flory, French, Mullin, Benning, Cummings, Doyle, Mazza and Pollina,

#### **H.C.R. 207.**

House concurrent resolution congratulating the Rutland Gift-of-Life Marathon on establishing a new national one-day blood donation record.

By Representative Spengler and others,

By Senator Ayer,

#### **H.C.R. 208.**

House concurrent resolution recognizing the role of registered nurses in the delivery of quality health care in Vermont.

By Representative Rachelson and others,

By Senators Baruth, Snelling and Zuckerman,

#### **H.C.R. 209.**

House concurrent resolution congratulating the *Vermont Cynic* on its 130th anniversary.

By Representative Clarkson and others,

By Senators Campbell, McCormack and Nitka,

#### **H.C.R. 210.**

House concurrent resolution congratulating the 2013 Woodstock Union High School Wasps Division III championship football team.

By Representative Taylor and others,

**H.C.R. 211.**

House concurrent resolution in memory of Chet Briggs of Calais.

By Representative Stuart and others,

**H.C.R. 212.**

House concurrent resolution recognizing the innovative cross-cultural mission of the Izdahar arts exchange organization.

By Representative Hooper and others,

By Senator Cummings,

**H.C.R. 213.**

House concurrent resolution in memory of Margaret Hurley Franzen of Montpelier.

**Adjournment**

On motion of Senator Baruth, the Senate adjourned, to reconvene on Tuesday, February 4, 2014, at nine o'clock and thirty minutes in the forenoon pursuant to J.R.S. 42.