

1 TO THE HOUSE OF REPRESENTATIVES:

2 The Committee on Government Operations to which was referred Senate
3 Bill No. 27 entitled “An act relating to respectful language in the Vermont
4 Statutes Annotated” respectfully reports that it has considered the same and
5 recommends that the House propose to the Senate that the bill be amended as
6 follows:

7 First: By deleting Sec. 2a in its entirety

8 Second: In Sec. 2b, 1 V.S.A. § 146, in the first sentence, by striking out
9 “general”

10 Third: By inserting a Sec. 2d after Sec. 2c to read as follows:

11 Sec. 2d. 1 V.S.A. § 148 is added to read:

12 § 148. DEVELOPMENTAL DISABILITY

13 “Developmental disability” or “person with developmental disabilities”
14 shall have the same meaning as in 18 V.S.A. § 9302.

15 Fourth: By deleting Sec. 9 in its entirety

16 Fifth: By deleting Sec. 10 in its entirety

17 Sixth: In Sec. 11, 4 V.S.A. § 33, subdivision (13), by striking out

18 “developmental” and inserting in lieu thereof “intellectual”

19 Seventh: In Sec. 12, 4 V.S.A. § 36(a), subdivision (2)(B)(v), by striking out

20 “developmental” and inserting in lieu thereof “intellectual”

1 Eighth: In Sec. 15, 6 V.S.A. § 2777(d), in subdivisions (2)(E) and (4)(B),
2 by striking out “persons who are elderly” and inserting in lieu thereof “elders”

3 Ninth: By deleting Sec. 17 in its entirety

4 Tenth: In Sec. 19, 8 V.S.A. § 4089b, by deleting subdivision (c)(1) and
5 inserting in lieu thereof the following:

6 (c) A health insurance plan shall provide coverage for treatment of a mental
7 ~~health~~ condition and shall:

8 (1) not establish any rate, term, or condition that places a greater burden
9 on an insured for access to treatment for a mental ~~health~~ condition than for
10 access to treatment for other health conditions, including no greater
11 co-payment for primary mental health care or services than the co-payment
12 applicable to care or services provided by a primary care provider under an
13 insured’s policy and no greater co-payment for specialty mental health care or
14 services than the co-payment applicable to care or services provided by a
15 specialist provider under an insured’s policy;

16 Eleventh: In Sec. 19, 8 V.S.A. § 4089b, by deleting subdivision (d)(1)(A)
17 and inserting in lieu thereof the following:

18 (d)(1)(A) A health insurance plan that does not otherwise provide for
19 management of care under the plan, or that does not provide for the same
20 degree of management of care for all health conditions, may provide coverage
21 for treatment of mental ~~health~~ conditions through a managed care organization,

1 provided that the managed care organization is in compliance with the rules
2 adopted by the Commissioner that assure that the system for delivery of
3 treatment for mental health conditions does not diminish or negate the purpose
4 of this section. In reviewing rates and forms pursuant to section 4062 of this
5 title, the Commissioner or the Green Mountain Care Board established in
6 18 V.S.A. chapter 220, as appropriate, shall consider the compliance of the
7 policy with the provisions of this section.

8 Twelfth: By deleting Sec. 19a in its entirety

9 Thirteenth: In Sec. 25, 8 V.S.A. § 10501, in the third sentence, by striking
10 out “elderly” and inserting in lieu thereof “old”

11 Fourteenth: In Sec. 31, 9 V.S.A. § 4501, in subdivision (3)(C), in the first
12 sentence, by striking out “intellectual” and inserting in lieu thereof
13 “developmental” and by inserting “substance use disorders, including” before
14 “drug addiction and alcoholism” and in the second sentence, by striking out
15 “who is an alcoholic or drug abuser” and inserting in lieu thereof “with a
16 substance use disorder”

17 Fifteenth: In Sec. 32, 9 V.S.A. § 4503, in subdivision (b)(3), by striking out
18 “persons who are elderly” and by inserting in lieu thereof “elders”

19 Sixteenth: In Sec. 35, 10 V.S.A. § 622(7), in the last sentence, by inserting
20 “elders or” after “independent living for” and by striking out “are” before
21 “~~handicapped~~” and by striking out “elderly or” after “~~handicapped~~”

1 Seventeenth: In Sec. 51, in 13 V.S.A. § 1306, by striking out “intellectual”
2 and inserting in lieu thereof “developmental”

3 Eighteenth: In Sec. 80, 16 V.S.A. § 3851(c), by deleting subdivision (5)(D)
4 and inserting in lieu thereof the following:

5 (D) nonprofit assisted living facility, nonprofit continuing care
6 retirement facility, nonprofit residential care facility or similar nonprofit
7 facility for the continuing care of ~~the elderly~~ elders or the infirm, provided that
8 such facility is owned by or under common ownership with an otherwise
9 eligible institution, and in the case of facilities to be financed for an eligible
10 institution provided by this subdivision (5) of this subsection, for which the
11 Green Mountain Care Board, if required, has issued a certificate of need.

12 Nineteenth: In Sec. 82, 17 V.S.A. § 2502, in subsection (b), in the first
13 sentence, by striking out “elderly” and inserting in lieu thereof “elders” and in
14 the second sentence by striking out “a” before “~~handicapped or elderly~~” and
15 by inserting “an elder or to a” after “~~handicapped or elderly~~” and by striking
16 out “is elderly or” after “person who”

17 Twentieth: In Sec. 85, 17 V.S.A. § 2667, in the first sentence, by striking
18 out “elderly” and inserting in lieu thereof “elders”

19 Twenty-first: In Sec. 93, 18 V.S.A. § 1751(b)(26), by striking out “persons
20 who are elderly” and by inserting in lieu thereof “elders”

1 Twenty-second: In Sec. 104, in 18 V.S.A. § 7401, in subdivisions (14) and
2 (15), by striking out “or mental condition” after “a psychiatric disability” and
3 by inserting “mental condition or” before “psychiatric disability”

4 Twenty-third: In Sec. 111, in 18 V.S.A. § 8706, in subdivision (1), by
5 striking out “and” after the semicolon and in subdivision (3) by inserting “and”
6 after the semicolon

7 Twenty-fourth: In Sec. 113, 18 V.S.A. § 8731(d), by striking out “adults
8 who are elderly” and by inserting in lieu thereof “elders” and by inserting
9 “adults who” after “~~disabled adults or~~”

10 Twenty-fifth: In Sec. 114, in 18 V.S.A. § 8839, in subdivision (3)(A), by
11 inserting before the semicolon “, which means significantly subaverage
12 intellectual functioning existing concurrently with deficits in adaptive behavior
13 that were manifest before 18 years of age”

14 Twenty-sixth: In Sec. 121, 20 V.S.A. § 2063(b)(1), by striking out “persons
15 who are elderly” and inserting in lieu thereof “elders”

16 Twenty-seventh: In Sec. 122, 20 V.S.A. § 2730(a)(1)(A), by inserting
17 “elders or” before “persons who” and by striking out “are elderly,” after
18 “persons who” and by striking out the comma after “infirmity”

19 Twenty-eighth: In Sec. 125, 20 V.S.A. § 3072(b), in subdivision (3), by
20 striking out the second section symbol

1 Twenty-ninth: In Sec. 130, 21 V.S.A. § 495d, in subdivision (7)(B), by
2 striking out “intellectual” and inserting in lieu thereof “developmental”

3 Thirtieth: In Sec. 137, 21 V.S.A. § 644(a), in subdivision (6), by striking
4 out “incurable”

5 Thirty-first: In Sec. 139, 21 V.S.A. § 1301(6)(C)(vii), in subdivision (IV),
6 by striking out “elderly” and inserting in lieu thereof “an elder”

7 Thirty-second: In Sec. 141, 23 V.S.A. § 4(15), by inserting “elders or” after
8 “nor one which is used to transport” and by striking out “are elderly” and by
9 striking out “or” before “have a disability”

10 Thirty-third: By striking Sec. 142 in its entirety, and inserting in lieu
11 thereof the following:

12 Sec. 142. 23 V.S.A. § 304a is amended to read:

13 § 304a. SPECIAL REGISTRATION PLATES AND PLACARDS FOR
14 PEOPLE WITH DISABILITIES

15 * * *

16 (b) Special registration plates or removable windshield placards, or both,
17 shall be issued by the Vermont Commissioner of Motor Vehicles. The placard
18 shall be issued without a fee to a person who is blind or has an ambulatory
19 disability. One set of plates shall be issued without additional fees for a
20 vehicle registered or leased to a person who is blind or has an ambulatory
21 disability. The Commissioner shall issue these placards or plates under rules

1 adopted by him or her after proper application has been made to the
2 Commissioner by any person residing within the State of Vermont.
3 Application forms shall be available on request at the Department of Motor
4 Vehicles.

5 * * *

6 (4) An applicant for a ~~special handicapped~~ registration plate or placard
7 for persons with disabilities may request the Civil Division of the Superior
8 Court in the county in which he or she resides to review a decision by the
9 Commissioner to deny his or her application for a special registration plate or
10 placard.

11 * * *

12 (d) A person who has an ambulatory disability or an individual transporting
13 a person who is blind shall be permitted to park and to park without fee for at
14 least 10 continuous days in a parking space or area which is restricted as to the
15 length of time parking is permitted or where parking fees are assessed, except
16 that this minimum period shall be 24 continuous hours for parking in a State-
17 or municipally operated parking garage. This section shall not apply to spaces
18 or areas in which parking, standing, or stopping of all vehicles is prohibited by
19 law or by any parking ban, or which are reserved for special vehicles. As a
20 condition to this privilege, the vehicle shall display the ~~special handicapped~~

1 registration plate or placard issued by the Commissioner or a special
2 registration license plate or placard issued by any other jurisdiction.

3 * * *

4 (f) Persons who ~~are temporarily disabled with an~~ have a temporary
5 ambulatory disability may apply for a temporary removable windshield placard
6 to the Commissioner on a form prescribed by him or her. The placard shall be
7 valid for a period of up to six months and displayed as required under the
8 provisions of subsection (c) of this section. The application shall be signed by
9 a licensed physician, certified physician assistant, or licensed advanced
10 practice registered nurse. The validation period of the temporary placard shall
11 be established on the basis of the written recommendation from a licensed
12 physician, certified physician assistant, or licensed advanced practice
13 registered nurse. The Commissioner shall promulgate rules to implement the
14 provisions of this subsection.

15 Thirty-fourth: In Sec. 152, 24 V.S.A. § 2691, by striking out “persons who
16 are elderly” and inserting in lieu thereof “elders”

17 Thirty-fifth: In Sec. 153, 24 V.S.A. § 2694, by striking out “persons who
18 are elderly” and inserting in lieu thereof “elders”

19 Thirty-sixth: In Sec. 156, 24 V.S.A. § 4001(4), by striking out “persons
20 who are elderly and” and inserting in lieu thereof “elders” in all three places
21 that it appears and by striking out “persons who are elderly” and inserting

1 “elders” in both places that it appears and by striking out “persons who are
2 elderly” and inserting “elders” in lieu thereof and by restoring “~~inevitably~~” by
3 removing the striking

4 Thirty-seventh: In Sec. 157, 24 V.S.A. § 4002, in subdivision (10)(B), by
5 striking “persons” after “~~elderly~~” and inserting in lieu thereof “elders” and by
6 striking out “elderly and” before “of low income”

7 Thirty-eighth: In Sec. 157, 24 V.S.A. § 4002, in (11), in the first sentence,
8 by striking out “who are elderly” and inserting in lieu thereof “elders” and in
9 the second sentence, by striking out “elderly” and inserting in lieu thereof
10 “elder”

11 Thirty-ninth: In Sec. 158, 24 V.S.A. § 4003(b), in subdivision (2), in the
12 first sentence, by striking out “persons” before “~~of a low income~~” and by
13 striking out “who are elderly” after “~~of a low income~~” and inserting in lieu
14 thereof “elders of a low income”

15 Fortieth: In Sec. 159, 24 V.S.A. § 4008, in subdivision (6), by striking out
16 “persons who are elderly and” and inserting in lieu thereof “elders who are”

17 Forty-first: In Sec. 159, 24 V.S.A. § 4008, in subdivision (8), in the first
18 sentence, by striking out “persons who are elderly” and inserting in lieu thereof
19 “elders” and in the second sentence, by striking out “Persons who are elderly”
20 and inserting in lieu thereof “Elders”

1 Forty-second: In Sec. 160, 24 V.S.A. § 4010(a)(1), by striking out “persons
2 who are elderly and” and inserting in lieu thereof “elders who are”

3 Forty-third: In Sec. 161, 24 V.S.A. § 4302(c)(11)(D), by inserting “;
4 elders,” before “or ~~disabled or elderly~~” and by striking out “or are elderly”
5 before “should be allowed”

6 Forty-fourth: In Sec. 163, 24 V.S.A. § 5091, in subdivision (i)(1)(A), by
7 striking out “who are elderly” and inserting in lieu thereof “of elders”

8 Forty-fifth: In Sec. 165, 24 App. V.S.A. chapter 5 § 1201, in the second
9 sentence, by striking out “persons who are elderly” and inserting in lieu thereof
10 “elders”

11 Forty-sixth: By deleting Sec. 172 in its entirety

12 Forty-seventh: In Sec. 175, 26 V.S.A. § 1446, by striking out “people who
13 are elderly” and inserting in lieu thereof “elders”

14 Forty-eighth: In Sec. 182, 26 V.S.A. § 4451, in subdivisions (7) and (8), by
15 striking out “hearing impaired” and inserting in lieu thereof “hard of hearing”

16 Forty-ninth: In Sec. 183, 26 V.S.A. § 4464(b), in subdivision (10), by
17 restoring “~~or client~~” by removing the striking

18 Fiftieth: In Sec. 185, 27 V.S.A. § 1331, in subdivision (4), by striking out
19 “elderly” and inserting in lieu thereof “an elder”

20 Fifty-first: In Sec. 186, 27 V.S.A. § 1333, in subsections (a) and (b), by
21 striking out “elderly” and inserting in lieu thereof “elders”

1 Fifty-second: By deleting Sec. 188 in its entirety

2 Fifty-third: In Sec. 190, in 28 V.S.A. § 906, in subdivision (3), by striking
3 out “intellectual” and inserting in lieu thereof “developmental”

4 Fifty-fourth: In Sec. 190, in 28 V.S.A. § 907, in subdivision (6)(B), by
5 striking out “substance use or abuse” and restoring “~~chemical dependence~~” by
6 removing the striking

7 Fifty-fifth: In Sec. 190, in 28 V.S.A. § 907, in subdivision (6)(E), by
8 striking out “intellectual” and inserting in lieu thereof “developmental”

9 Fifty-sixth: In Sec. 191, 30 V.S.A. § 209c(a), in the third sentence, by
10 striking out “people who are elderly” and inserting in lieu thereof “elders”

11 Fifty-seventh: In Sec. 193, 30 V.S.A. § 7059(a)(1), in subdivision (F), by
12 striking out “individuals who are elderly” and inserting in lieu thereof “elders”

13 Fifty-eighth: In Sec. 194, 31 V.S.A. chapter 19, in the chapter’s catchline,
14 by striking out “PEOPLE WHO ARE ELDERLY” and inserting in lieu thereof
15 “ELDERS” and by deleting everything after the first set of ellipses

16 Fifty-ninth: In Sec. 202, in 33 V.S.A. § 1502, subdivision (1), by striking
17 out “persons who are elderly and” and inserting in lieu thereof “elders who
18 are”

19 Sixtieth: By deleting Sec. 204 in its entirety

1 Sixty-first: In Sec. 207, 33 V.S.A. § 1951, in subdivision (8), in the first
2 sentence, by striking out “disability” and inserting in lieu thereof “disabilities”
3 and by striking out the last sentence in its entirety

4 Sixty-second: In Sec. 208, 33 V.S.A. § 1955, by striking out “ICF/ID” in
5 every instance in which it appears and inserting in lieu thereof “ICF/DD” and
6 by striking out “ICF/ID’s” in both instances in which it appears and inserting
7 in lieu thereof “ICF/DD’s”

8 Sixty-third: By deleting Sec. 210 in its entirety

9 Sixty-fourth: In Sec. 211, 33 V.S.A. § 2078, by striking out “elderly” after
10 “Vermonters who are” and inserting in lieu thereof “elders”

11 Sixty-fifth: In Sec. 212, 33 V.S.A. § 2501a(c), in the second sentence, by
12 striking out “people who are elderly” and inserting in lieu thereof “elders”

13 Sixty-sixth: In Sec. 213, 33 V.S.A. § 4301(3), in subdivision (D), by
14 striking out “intellectual” and inserting in lieu thereof “developmental”

15 Sixty-seventh: In Sec. 214, 33 V.S.A. § 6321, in subdivision (a)(3), by
16 striking out “elderly” and inserting in lieu thereof “an elder”

17 Sixty-eighth: In Sec. 214, 33 V.S.A. § 6321, in subsection (d), in the last
18 sentence, by striking out “individuals who are elderly” and inserting in lieu
19 thereof “elders”

20 Sixty-ninth: In Sec. 215, 33 V.S.A. § 6902, in subdivision (2), by striking
21 out “elderly” and inserting in lieu thereof “an elder”

1 Seventieth: In Sec. 216, 33 V.S.A. § 6903(a), in subdivision (5), by striking
2 out “intellectual” and inserting in lieu thereof “developmental”

3 Seventy-first: In Sec. 217, 33 V.S.A. § 6912(b), by striking out “elderly”
4 and inserting in lieu thereof “elders”

5 Seventy-second: By deleting Sec. 223 in its entirety

6 Seventy-third: In Sec. 224 in the section catchline, by striking “DATES”
7 and inserting in lieu thereof “DATE” and by deleting everything after the
8 section catchline and inserting in lieu thereof the following:

9 This act shall take effect on July 1, 2014.

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14 (Committee vote: _____)

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Representative [surname]

FOR THE COMMITTEE