

# Journal of the Senate

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THURSDAY, FEBRUARY 19, 2015

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. 22

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 considered joint resolution originating in the Senate of the following title:

**J.R.S. 16.** Joint resolution relating to weekend adjournment.

And has adopted the same in concurrence.

## Bills Introduced

Senate bills of the following titles were severally introduced, read the first time and referred:

### S. 99.

By Senators McCormack and Campbell,

An act relating to double fines for speeding in school zones.

To the Committee on Transportation.

### S. 100.

By Senator Rodgers,

An act relating to hazardous waste collection.

To the Committee on Natural Resources & Energy.

**S. 101.**

By Senators Sirotkin and Benning,  
An act relating to expanding parole eligibility.  
To the Committee on Judiciary.

**Bill Passed in Concurrence****H. 17.**

House bill of the following title was read the third time and passed in concurrence:

An act relating to identification and notification of Public Records Act exemptions in administrative rules.

**Third Reading Ordered****S. 92.**

Senate committee bill entitled:

An act relating to mediation in medical malpractice actions.

Having appeared on the Calendar for notice for one day, was taken up.

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

**Consideration Postponed****J.R.H. 1.**

Senator Sirotkin, for the Committee on Finance, to which was referred joint House resolution entitled:

Joint resolution expressing support for the Public Service Board's establishment of FairPoint Communications service investigation docket and urging the management of FairPoint Communications to settle the current employee strike in order to restore reliable telecommunications services in Vermont.

Reported recommending that the Senate propose to the House to amend the joint resolution as follows:

By striking out the resolution in its entirety and inserting in lieu thereof the following:

Joint resolution expressing support for the Public Service Board's establishment of a FairPoint Communications service investigation docket and urging the settlement of the current employee strike

Whereas, in October 2014, FairPoint and its employees' two unions, the International Brotherhood of Electrical Workers Local 2326 and the Communications Workers of America Local 1400, reached an impasse in their negotiations and a strike was authorized, and

Whereas, since the strike started, consumer complaints have risen approximately 500 percent, resulting in much personal and commercial inconvenience, and

Whereas, the Vermont Public Service Department has received more than 1,200 complaints about Internet and telephone service since the strike began, and

Whereas, on November 28, 2014, the State's E-911 system missed 83 calls, and

Whereas, the Vermont Public Service Department has said that the numbers show FairPoint staffing has been insufficient, and

Whereas, FairPoint is the only choice for telecommunications service for between 15,000 and 20,000 Vermonters, and

Whereas, at the request of the Department of Public Service, the Public Service Board, on December 9, 2014, established Docket 8390 to investigate the service problems FairPoint has encountered, and

Whereas, Governor Peter Shumlin and the congressional delegation have written letters to FairPoint's CEO Paul Sunu calling on FairPoint to return in good faith to the negotiating table, and

Whereas, on January 4, 2015, in Washington, D.C., the Federal Mediation and Conciliation Service convened a meeting between the parties at which the Service assumed a more proactive role than in a prior session, now therefore be it

Resolved by the Senate and House of Representatives:

That the General Assembly expresses support for the Public Service Board's establishment of a FairPoint Communications service investigation docket and urges the settlement of the current employee strike in order to restore reliable telecommunications services in Vermont, and be it further

Resolved: That the Secretary of State be directed to send a copy of this resolution to FairPoint Communications CEO Paul Sunu, FairPoint Vermont President Beth Fastiggi, Governor Peter Shumlin, the Public Service Department, the Public Service Board, the International Brotherhood of Electrical Workers Local 2326, and the Communications Workers of America Local 1400.

And that the joint resolution ought to be adopted in concurrence with such proposal of amendment.

Thereupon, the joint resolution was read the second time by title only pursuant to Rule 43, and pending the question, Shall the Senate propose to the House to amend the joint resolution as recommended by the Committee on Finance?, Senator Sirotkin moved that consideration be postponed.

Which was agreed to.

### **Recess**

The Chair declared a recess until the fall of the gavel.

### **Called to Order**

The Senate was called to order by the President.

### **Joint Assembly**

At ten o'clock and thirty minutes in the morning, the hour having arrived for the meeting of the two Houses in Joint Assembly pursuant to:

**J.R.S. 12.** Joint resolution providing for a Joint Assembly for the election of a Sergeant at Arms, an Adjutant and Inspector General, and three Trustees of the University of Vermont and State Agricultural College.

The Senate repaired to the hall of the House.

Having returned therefrom, at twelve o'clock and fifteen minutes in the afternoon, the President assumed the Chair.

### **Recess**

On motion of Senator Campbell the Senate recessed until one o'clock in the afternoon.

### **Called to Order**

The Senate was called to order by the President.

### **Bill Amended; Third Reading Ordered**

#### **S. 23.**

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

An act relating to required disclosures for workers' compensation settlements.

Reported recommending that the bill be amended in Sec. 1, 21 V.S.A. § 662a, in subdivision (1)(B) after the following: "describe the employee's injury, including any rating assigned to that injury" by striking out the

following: “and the approximate amount of compensation that the employer would be required to pay to the employee under the provisions of this chapter if the employer and employee did not enter into the agreement”

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.

### **Message from the House No. 23**

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 a House bill of the following title:

**H. 194.** An act relating to approval of amendments to the charter of the Town of St. Johnsbury.

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

### **Adjournment**

On motion of Senator Baruth, the Senate adjourned until eleven o'clock and thirty minutes in the morning.