

Journal of the Senate

TUESDAY, MARCH 24, 2015

The Senate was called to order by the President.

Devotional Exercises

A moment of silence was observed in lieu of devotions.

Pledge of Allegiance

The President then led the members of the Senate in the pledge of allegiance.

Bill Referred to Committee on Finance

S. 138.

Senate bill of the following title, appearing on the Calendar for notice, and affecting the revenue of the state, under the rule was referred to the Committee on Finance:

An act relating to promoting economic development.

Senate Resolution Referred

S.R. 7.

Senate resolution of the following title was offered, read the first time and is as follows:

Senate resolution relating to climate change.

By Senators Campion, Ashe, Balint, Baruth, Bray, Cummings, Lyons, MacDonald, McCormack, Pollina, Sears, Sirotkin, White, and Zuckerman,

S.R. 7. Senate resolution relating to climate change.

Whereas, according to the most credible body of climate experts in the world, the Intergovernmental Panel on Climate Change, the “warming in the climate system is unequivocal,” and “human influence on the climate system is clear,” and

Whereas, 10 V.S.A. § 578 explicitly sets forth the goal of the State of Vermont to reduce greenhouse gas pollution as follows:

It is the goal of the State to reduce emissions of greenhouse gases from within the geographic boundaries of the State and those emissions outside the

boundaries of the State that are caused by the use of energy in Vermont in order to make an appropriate contribution to achieving the regional goals of reducing emissions of greenhouse gases from the 1990 baseline by:

- (1) 25 percent by January 1, 2012;
- (2) 50 percent by January 1, 2028;
- (3) if practicable using reasonable efforts, 75 percent by January 1, 2050, and

Whereas, in 2013, the Department of Public Service reported to the General Assembly that as of 2011, Vermont's greenhouse gas emissions were almost unchanged from the State's 1990 emissions, and

Whereas, consequently, the State has already failed to meet its statutory goal of a 25 percent reduction in greenhouse gas pollution, and

Whereas, an analysis of state data from the National Climatic Data Center shows that in Vermont, during the years 1948–2011, there was an 84 percent increase in extreme precipitation, and

Whereas, extreme storms and so-called hundred year floods have already caused hundreds of millions of dollars in damage in this decade alone, and University of Vermont researchers have said Tropical Storm Irene is a "harbinger of what's to come," and

Whereas, clean energy technologies can help Vermonters save money, cut pollution, and become energy self-sufficient, and

Whereas, in its rejection of the Schatz Amendment to S.1 (the Keystone Pipeline bill) on Wednesday, January 21, 2015, the U.S. Senate voted against recognizing that "it is extremely likely that global increases in atmospheric [greenhouse gas] concentrations and global temperatures are caused by human activities," and

Whereas, failure to identify accurately any problem precludes the development of effective solutions, *now therefore be it*

Resolved by the Senate:

That the Senate of the State of Vermont recognizes that climate change is real, that human activities make a substantive contribution to climate change, and that it is imperative Vermont take steps now to reduce its reliance on fossil fuels in order to promote energy independence and meet the State's statutory goals for reduced greenhouse gas emissions, *and be it further*

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

Thereupon, the President, in his discretion, treated the joint resolution as a bill and referred it to the Committee on Natural Resources & Energy.

Joint Resolution Placed on Calendar

J.R.S. 21.

Joint Senate resolution of the following title was offered, read the first time and is as follows:

By Senators Baruth and Benning,

J.R.S. 21. Joint resolution relating to weekend adjournment.

Resolved by the Senate and House of Representatives:

That when the two Houses adjourn on Friday, March 27, 2015, it be to meet again no later than Tuesday, March 31, 2015.

Thereupon, in the discretion of the President, under Rule 51, the joint resolution was placed on the Calendar for action the next legislative day.

Bills Referred

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

H. 5.

An act relating to hunting, fishing, and trapping.

To the Committee on Natural Resources & Energy.

H. 95.

An act relating to jurisdiction over delinquency proceedings by the Family Division of the Superior Court.

To the Committee on Judiciary.

H. 98.

An act relating to reportable disease registries and data.

To the Committee on Health & Welfare.

H. 123.

An act relating to mobile home parks, habitability standards, and compliance.

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

H. 310.

An act relating to limited liability companies.

To the Committee on Finance.

H. 320.

An act relating to technical corrections.

To the Committee on Government Operations.

H. 477.

An act relating to miscellaneous amendments to election law.

To the Committee on Government Operations.

H. 482.

An act relating to principle-based valuation for life insurance reserves and a standard nonforfeiture law for life insurance policies.

To the Committee on Finance.

Bill Passed**S. 58.**

Senate bill of the following title was read the third time and passed:

An act relating to requiring that the Defender General receive the same early retirement benefit as a State's Attorney.

Third Reading Ordered**J.R.H. 5.**

Senator Cummings, for the Committee on Economic Development, Housing & General Affairs, to which was referred joint House resolution entitled:

Joint resolution urging the Federal Communications Commission to adopt the new net neutrality rules as Commission Chair Thomas Wheeler has proposed.

Reported that the joint resolution ought to be adopted in concurrence.

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

Bill Amended; Third Reading Ordered**S. 60.**

Senator McCormack, for the Committee on Health & Welfare, to which was referred Senate bill entitled:

An act relating to payment for medical examinations for victims of sexual assault.

Reported recommending that the bill be amended as follows:

First: In Sec. 1, 8 V.S.A. § 4089, by striking out subsection (a) in its entirety and inserting in lieu thereof a new subsection (a) to read as follows:

(a) A health insurer shall not impose any co-payment or coinsurance or, to the extent permitted under federal law, deductible or other cost-sharing requirement for the sexual assault examination of a victim of alleged sexual assault for health care services associated with specific procedure codes identified in a memorandum of understanding between the health insurer and the Vermont Center for Crime Victim Services.

Second: In Sec. 4, confidentiality; memorandum of understanding, by striking out the introductory paragraph in its entirety and inserting in lieu thereof the following:

On or before August 1, 2015, the Department of Vermont Health Access, the three private insurers with the greatest number of covered lives in this State, and the Vermont Center for Crime Victim Services shall enter into a memorandum of understanding to ensure that:

Third: By striking out Sec. 5, effective date, in its entirety and inserting in lieu thereof a new Sec. 5 to read as follows:

Sec. 5. EFFECTIVE DATES

(a) Secs. 1 (insurance coverage for victims of sexual assault) and 3 (costs borne by the State) shall take effect on October 1, 2015, except that the Victims' Compensation Fund shall reimburse health care facilities and health care providers at 60 percent of billed charges beginning on the date of passage of this act.

(b) Secs. 2 (health care services for uninsured crime victims) and 4 (confidentiality; memorandum of understanding) and this section shall take effect on passage.

And that when so amended the bill ought to pass.

Senator McCormack, for the Committee on Appropriations, to which the

bill was referred, reported that it has considered the same and recommends that the bill be amended as recommended by the Committee on Health and Welfare and that the bill be further amended in Sec. 3, 32 V.S.A. § 1407, by striking out subsection (b) in its entirety and inserting in lieu thereof the following:

(b) The State shall bear the costs of forensic medical and psychological examinations administered to victims of crime committed in this State, in instances where that examination is requested by a law enforcement officer or a prosecuting authority of the State or any of its subdivisions and the victim does not have health coverage or the victim's health coverage does not cover the entire cost of the examination. The State shall also bear the costs of ~~medical examinations~~ sexual assault examinations, as defined in 8 V.S.A. § 4089, administered to victims in cases of alleged sexual assault where the victim obtains such an examination prior to receiving such a request if the victim does not have health coverage or the victim's health coverage does not cover the entire cost of the examination. If, as a result of a sexual assault examination, the alleged victim has been referred for mental health counseling, the State shall bear ~~the~~ any costs of such examination not covered by the victim's health coverage. These costs may be paid from the Victims' Compensation Fund from funds appropriated for that purpose.

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, and the bill was amended as recommended by the Committee on Appropriations.

Thereupon, the bill was amended as recommended by the Committee on Health & Welfare.

Thereupon, third reading of the bill was ordered.

Adjournment

On motion of Senator Baruth, the Senate adjourned until one o'clock in the afternoon on Wednesday, March 25, 2015.