

Journal of the Senate

FRIDAY, APRIL 3, 2015

The Senate was called to order by the President.

Devotional Exercises

Devotional exercises were conducted by the Reverend Taehaku of East Calais.

Message from the House No. 43

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. 11. An act relating to the membership of the Commission on Alzheimer's Disease and Related Disorders.

H. 117. An act relating to creating a Division for Telecommunications and Connectivity within the Department of Public Service.

The House has considered bills originating in the Senate of the following titles:

S. 13. An act relating to the Vermont Sex Offender Registry.

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

Pages Honored

In appreciation of their many services to the members of the General Assembly, the President recognized the following-named pages who are completing their services today and presented them with letters of appreciation.

Eleanor Churchill of Richmond
Silas Conlon of Cornwall
Alexandra Contreras-Montesano of Burlington
Hannah Fleming of Chester
Calista Hanna of Barre City
Emily Haynes of Woodstock
Riley McFaun of Barre Town

Levi Mulligan of Calais
Eleanor Reilly of Warren
Lydia Rice of Berlin

Bills Referred

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

H. 11.

An act relating to the membership of the Commission on Alzheimer's Disease and Related Disorders.

To the Committee on Rules.

H. 117.

An act relating to creating a Division for Telecommunications and Connectivity within the Department of Public Service.

To the Committee on Rules.

Consideration Resumed; Bill Amended; Third Reading Ordered

S. 62.

Consideration was resumed on Senate bill entitled:

An act relating to surrogate decision making for do-not-resuscitate orders and clinician orders for life-sustaining treatment.

Thereupon, pending the question, Shall the bill be amended as recommended by the Committee on Health and Welfare?, Senator Lyons moved to amend the recommendation of amendment of the Committee on Health and Welfare as follows:

First: In Sec. 1, in 18 V.S.A. § 9731(a)(1), by striking out the second sentence in its entirety and inserting in lieu thereof the following: Only one interested individual may act as a surrogate at a time.

Second: In Sec. 1, in 18 V.S.A. § 9731(b)(5), following the word "order" by inserting the following: or to the treatment proposed to be provided or withdrawn pursuant to a DNR/COLST order

Third: In Sec. 1, in 18 V.S.A. § 9731(c)(2), by striking out the following: "then a surrogate shall be an interested individual who is:" and inserting in lieu thereof the following: then the patient's clinician shall make a reasonable attempt to notify all reasonably available interested individuals of the need for a surrogate to make a decision regarding whether to provide or withhold

consent for a DNR/COLST order. A surrogate shall be an interested individual who is:

Fourth: In Sec. 1, in 18 V.S.A. § 9731(d)(2), by striking out the following: “any interested individual” and inserting in lieu thereof the following: an interested person, as defined in 14 V.S.A. § 3061,

Which was agreed to.

Thereupon, the pending question, Shall the bill be amended as recommended by the Committee on Health and Welfare?, as amended? was decided in the affirmative on a division of the Senate, Yeas 22, Nays 4.

Thereupon, third reading of the bill was ordered.

Bill Passed

S. 20.

Senate bill entitled:

An act relating to establishing and regulating licensed dental practitioners.

Was taken up.

Thereupon, the bill read the third time and passed on a roll call, Yeas 18, Nays 8.

Senator Sears having demanded the yeas and nays, they were taken and are as follows:

Roll Call

Those Senators who voted in the affirmative were: Balint, Baruth, Benning, Bray, Campbell, Cummings, Kitchel, Lyons, MacDonald, Mazza, McCormack, Nitka, Pollina, Rodgers, Sirotkin, Starr, White, Zuckerman.

Those Senators who voted in the negative were: Ashe, Campion, Collamore, Flory, McAllister, Sears, Snelling, Westman.

Those Senators absent and not voting were: Ayer, Degree, Doyle, Mullin.

Bills Passed in Concurrence with Proposals of Amendment

House bills of the following titles were severally read the third time and passed in concurrence with proposals of amendment:

H. 86. An act relating to the Uniform Interstate Family Support Act.

H. 256. An act relating to disposal of property following an eviction, and fair housing and public accommodations.

Appointments Confirmed

The following Gubernatorial appointments were confirmed separately by the Senate, upon full reports given by the Committees to which they were referred:

Ide, Robert of Peacham - Commissioner, Department of Motor Vehicles - March 1, 2015, to February 28, 2017.

Minter, Sue of Waterbury Center - Secretary, Agency of Transportation - March 1, 2015, to February 28, 2017.

Moulton, Patricia of Montpelier - Secretary, Agency of Commerce and Community Development - March 1, 2015, to February 28, 2017.

MacKay, Noelle of Shelburne - Commissioner, Department of Housing and Community Development - March 1, 2015, to February 28, 2017.

Noonan, Annie of Montpelier - Commissioner, Department of Labor - March 1, 2015, to February 28, 2017.

Pallito, Andrew of Jericho - Commissioner, Department of Corrections - March 1, 2015, to February 28, 2017.

Obuchowski, Michael of Montpelier - Commissioner, Department of Buildings and General Services - March 1, 2015, to February 28, 2017.

Spellman, Maribeth of Richmond - Commissioner, Department of Human Resources - March 1, 2015, to February 28, 2017.

Holcombe, Rebecca of Norwich - Secretary, Agency of Education - March 1, 2015, to February 28, 2017.

Chen, Harry, M.D. of Burlington - Commissioner of Department of Health - March 1, 2015, to February 28, 2017.

Schatz, Kenneth of South Burlington - Commissioner, Department of Children and Families - March 1, 2015, to February 28, 2017.

Wehry, Susan of Burlington - Commissioner, Department of Disabilities, Aging and Independent Living - March 1, 2015, to February 28, 2017.

Dupre, Paul of Barre - Commissioner, Department of Mental Health - March 1, 2015, to February 28, 2017.

Reardon, James of Essex Junction - Commissioner, Department of Finance and Management - March 1, 2015, to February 28, 2017.

Appointments Postponed

The following Gubernatorial appointments were separately reported by the Committees to which they were referred and upon motion of Senator Ashe were postponed:

Costantino, Steven of Providence, RI - Commissioner, Department of Vermont Health Access - February 17, 2015, to February 28, 2017.

Johnson, Justin of Barre - Commissioner, Agency of Administration - March 1, 2015, to February 28, 2017.

Message from the House No. 44

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. 35. An act relating to improving the quality of State waters.

H. 361. An act relating to making amendments to education funding, education spending, and education governance.

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

The House has adopted House concurrent resolutions of the following titles:

H.C.R. 89. House concurrent resolution congratulating Aliah Curry on her record breaking career on the Norwich University women's basketball team.

H.C.R. 90. House concurrent resolution recognizing the centennial anniversary of the Vermont Workers' Compensation Act.

H.C.R. 91. House concurrent resolution congratulating Alexander (AJ) Ginnis on winning a bronze medal in the men's slalom at the 2015 Junior World Championships.

H.C.R. 92. House concurrent resolution designating March as Women's History Month in Vermont.

H.C.R. 93. House concurrent resolution designating April 2015 as the Month of the Military Child in Vermont.

H.C.R. 94. House concurrent resolution congratulating the 2014 Proctor High School Phantoms Division IV championship girls' soccer team.

H.C.R. 95. House concurrent resolution congratulating the Cabot School on winning the Teach for the Planet Innovation Challenge.

H.C.R. 96. House concurrent resolution congratulating the 2015 Proctor High School Phantoms Division IV championship boys' basketball team.

H.C.R. 97. House concurrent resolution congratulating the 2015 Woodstock Union High School Wasps Division II championship boys' basketball team.

H.C.R. 98. House concurrent resolution recognizing the American Traffic Safety Association and its Foundation for their outstanding public awareness, education, and training programs with respect to safety in highway work zones and designating March 30–April 3, 2015 as Vermont Work Zone Awareness Week.

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

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 Hebert and others,

By Senators Collamore, Cummings, Doyle, McAllister and Pollina,

H.C.R. 89.

House concurrent resolution congratulating Aliah Curry on her record breaking career on the Norwich University women's basketball team.

By Representative Botzow and others,

By Senators Sirotkin, Baruth, MacDonald and Mullin,

H.C.R. 90.

House concurrent resolution recognizing the centennial anniversary of the Vermont Workers' Compensation Act.

By Representative Jewett and others,

H.C.R. 91.

House concurrent resolution congratulating Alexander (AJ) Ginnis on winning a bronze medal in the men's slalom at the 2015 Junior World Championships.

By Representative Burke and others,

H.C.R. 92.

House concurrent resolution designating March as Women's History Month in Vermont.

By Representative Head and others,

H.C.R. 93.

House concurrent resolution designating April 2015 as the Month of the Military Child in Vermont.

By Representative Potter and others,

H.C.R. 94.

House concurrent resolution congratulating the 2014 Proctor High School Phantoms Division IV championship girls' soccer team.

By Representative Toll,

By Senators Cummings, Doyle and Pollina,

H.C.R. 95.

House concurrent resolution congratulating the Cabot School on winning the Teach for the Planet Innovation Challenge.

By Representative Potter and others,

H.C.R. 96.

House concurrent resolution congratulating the 2015 Proctor High School Phantoms Division IV championship boys' basketball team.

By Representative Clarkson and others,

By Senators Campbell, McCormack and Nitka,

H.C.R. 97.

House concurrent resolution congratulating the 2015 Woodstock Union High School Wasps Division II championship boys' basketball team.

By House Committee on Transportation,

By Senate Committee on Transportation,

H.C.R. 98.

House concurrent resolution recognizing the American Traffic Safety Association and its Foundation for their outstanding public awareness, education, and training programs with respect to safety in highway work

zones and designating March 30–April 3, 2015 as Vermont Work Zone Awareness Week.

Adjournment

On motion of Senator Baruth, the Senate adjourned, to reconvene on Tuesday, April 7, 2015, at nine o'clock and thirty minutes in the forenoon pursuant to J.R.S. 22.