

Journal of the Senate

WEDNESDAY, APRIL 15, 2015

The Senate was called to order by the President.

Devotional Exercises

Devotional exercises were conducted by the Reverend Nancy McHugh of Waitsfield.

Message from the Governor Appointments Referred

A message was received from the Governor, by Susan Allen, Secretary of Civil and Military Affairs, submitting the following appointments, which were referred to committees as indicated:

Goldstein, Joan of Royalton - Commissioner of the Economic Development, Department of, - from April 20, 2015, to February 28, 2017.

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

Cloud, Dominic of Essex - Member of the Natural Resources Board, - from April 9, 2015, to January 31, 2019.

To the Committee on Natural Resources & Energy.

Coen, David of Shelburne - Member of the Transportation Board, - from April 9, 2015, to February 29, 2016.

To the Committee on Transportation.

Wasik, Mary Jean of Pittsford - Member of the Human Services Board, - from April 9, 2015, to February 28, 2021.

To the Committee on Health & Welfare.

Bailey, Richard of Hyde Park - Member of the Transportation Board, - from April 9, 2015, to February 28, 2018.

To the Committee on Transportation.

O'Rourke, Robert Joseph of Rutland - Member of the Vermont Racing Commission, - from April 9, 2015, to January 31, 2021.

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

Peterson, Barrett of Williston - Member of the Health, State Board of, - from April 1, 2015, to February 28, 2021.

To the Committee on Health & Welfare.

Courtney, Elizabeth of Montpelier - Alternate Member of the Natural Resources Board, - from April 9, 2015, to January 31, 2016.

To the Committee on Natural Resources & Energy.

Kaczynski, Michelle of - Member of the Children and Family Council for Prevention Programs, - from April 9, 2015, to February 29, 2016.

To the Committee on Health & Welfare.

Brayton, Kathryn Searles of Essex Junction - Member of the Children and Family Council for Prevention Programs, - from April 9, 2015, to February 28, 2018.

To the Committee on Health & Welfare.

Naud, Mark of South Hero - Member of the VT Citizens' Advisory Council on Lake Champlain's Future, - from April 9, 2015, to February 28, 2018.

To the Committee on Natural Resources & Energy.

Bills Introduced

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

S. 148.

By Senator Benning,

An act relating to electric generation facilities and municipal and regional recommendations.

To the Committee on Finance.

S. 149.

By Senators Pollina, Benning and McCormack,

An act relating to the interstate Health Care Compact.

To the Committee on Health & Welfare.

Proposal of Amendment; Third Reading Ordered

H. 141.

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

An act relating to the Organ and Tissue Donation Working Group.

Reported recommending that the Senate propose to the House to amend the bill in Sec. 1, subsection (f), by striking out "2017" and inserting in lieu thereof 2020

And that the bill ought to pass in concurrence with such proposal of amendment.

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

Proposal of Amendment; Consideration Postponed

H. 98.

House bill entitled:

An act relating to reportable disease registries and data.

Was taken up.

Thereupon, pending third reading of the bill, Senators Campbell, Mullin, and Sears moved that the Senate propose to the House to amend the bill by adding two new sections to be numbered Secs. 3 and 4 to read as follows:

Sec. 3. 18 V.S.A. § 1122 is amended to read:

§ 1122. EXEMPTIONS

(a) Notwithstanding subsections 1121(a) and (b) of this title, a person may remain in school or in ~~the~~ a child care facility without a required immunization:

(1) If the person or, in the case of a minor, the person's parent or guardian presents a form created by the ~~department~~ Department and signed by a licensed health care practitioner authorized to prescribe vaccines or a health clinic stating that the person is in the process of being immunized. The person may continue to attend school or ~~the~~ a child care facility for up to six months while the immunization process is being accomplished;

(2) If a health care practitioner, licensed to practice in Vermont and authorized to prescribe vaccines, certifies in writing that a specific immunization is or may be detrimental to the person's health or is not appropriate, provided that when a particular vaccine is no longer contraindicated, the person shall be required to receive the vaccine;~~or~~.

(3) If the person or, in the case of a minor, the person's parent or guardian annually provides a signed statement to the school or child care

facility on a form created by the ~~Vermont department of health~~ Department that the person, parent, or guardian:

(A) holds religious beliefs ~~or philosophical convictions~~ opposed to immunization; and

(B) has reviewed ~~and understands~~ evidence-based educational material provided by the ~~department of health~~ Department regarding immunizations, including:

(i) information about the risks of adverse reactions to immunization;

~~(C)(ii)~~ understands information that failure to complete the required vaccination schedule increases risk to the person and others of contracting or carrying a vaccine-preventable infectious disease; and

~~(D)(iii)~~ understands information that there are persons with special health needs attending schools and child care facilities who are unable to be vaccinated or who are at heightened risk of contracting a vaccine-preventable communicable disease and for whom such a disease could be life-threatening.

* * *

Sec. 4. 18 V.S.A. § 1124 is amended to read:

§ 1124. ACCESS TO AND REPORTING OF IMMUNIZATION RECORDS

(a) In addition to any data collected in accordance with the requirements of the Centers for Disease Control and Prevention, the ~~Vermont department of health~~ Department shall annually collect from schools the immunization rates for at least those students in the first and eighth grades for each required vaccine. The data collected by the ~~department~~ Department shall include the number of medical, ~~philosophical,~~ and religious exemptions filed for each required vaccine and the number of students with a provisional admittance.

* * *

And by renumbering the existing Secs. 3 and 4 to be Secs. 5 and 6, respectively.

Thereupon, pending the question, Shall the Senate propose to the House to amend the bill as proposed by Senators Campbell, Mullin and Sears?, Senator Sears moved that the consideration on the bill be postponed until, Wednesday, April 22, 2015, which was agreed to.

Bill Passed in Concurrence

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

H. 268.

An act relating to approval of the adoption and the codification of the charter of the Town of Franklin and of the merger of Franklin Fire District No. 1 into the Town.

Proposal of Amendment; Bill Passed in Concurrence with Proposal of Amendment**H. 270.**

House bill entitled:

An act relating to definitions for pretrial screenings and assessments.

Was taken up.

Thereupon, pending third reading of the bill, Senator Sears moved to amend the Senate proposal of amendment by striking out the following: "July 1, 2015" and inserting in lieu thereof the following: passage

Which was agreed to.

Thereupon, the bill was read the third time and passed in concurrence with proposal of amendment.

Bill Passed in Concurrence with Proposal of Amendment**H. 304.**

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

An act relating to making miscellaneous amendments to Vermont's retirement laws.

Bills Passed in Concurrence

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

H. 310. An act relating to limited liability companies.

H. 478. An act relating to approval of the adoption and codification of the charter of the Town of Royalton.

Senate Resolution Amended; Resolution Adopted**S.R. 7.**

Senate resolution entitled:

Senate resolution relating to climate change.

Was taken up.

Thereupon, pending third reading of the Senate resolution, Senator Bray moved to amend the Senate resolution by striking out the *Fifth Whereas* clause in its entirety and inserting in lieu thereof the following:

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

Which was agreed to.

Thereupon, the Senate resolution was read the third time and adopted on a roll call, Yeas 25, Nays 5.

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

Roll Call

Those Senators who voted in the affirmative were: Ashe, Ayer, Balint, Baruth, Bray, Campbell, Campion, Cummings, Degree, Doyle, Kitchel, Lyons, MacDonald, Mazza, McCormack, Mullin, Nitka, Pollina, Sears, Sirotkin, Snelling, Starr, Westman, White, Zuckerman.

Those Senators who voted in the negative were: Benning, Collamore, Flory, McAllister, Rodgers.

Committee Relieved of Further Consideration; Bill Committed

H. 25.

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

An act relating to natural burial grounds,
and the bill was committed to the Committee on Government Operations.

Message from the House No. 49

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 a bill originating in the Senate of the following title:

S. 71. An act relating to governance of the Vermont State Colleges.

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

J.R.S. 24. Joint resolution relating to weekend adjournment.

And has adopted the same in concurrence.

Adjournment

On motion of Senator Campbell, the Senate adjourned until one o'clock in the afternoon on Thursday, April 16, 2015.