

Journal of the Senate

FRIDAY, FEBRUARY 26, 2016

The Senate was called to order by the President.

Devotional Exercises

A moment of silence was observed in lieu of devotions.

Joint Resolution Placed on Calendar

J.R.S. 43.

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

By Senator Nitka,

J.R.S. 43. Joint resolution providing for a Joint Assembly to vote on the retention of four Superior Judges.

Resolved by the Senate and House of Representatives:

That the two Houses meet in Joint Assembly on Thursday, March 17, 2016, at ten o'clock and thirty minutes in the forenoon to vote on the retention of four Superior Judges. In case the vote to retain said Judges shall not be made on that day, the two Houses shall meet in Joint Assembly at ten o'clock and thirty minutes in the forenoon on each succeeding day, Saturdays and Sundays excepted, and proceed until the above is completed.

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

Message from the Governor Appointment Referred

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

Cole, Christopher of Richmond - Secretary of the Agency of Transportation, - from September 12, 2015, to February 28, 2017.

To the Committee on Transportation.

Bill Referred

House bill of the following title was read the first time and referred:

H. 761.

An act relating to cataloguing and aligning health care performance measures.

To the Committee on Health & Welfare.

Bills Passed**S. 10.**

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

An act relating to the State DNA database.

S. 223.

Senate bill of the following title:

An act relating to regulating fantasy sports contests.

Was passed on a roll call, Yeas 19, Nays 6.

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

Roll Call

Those Senators who voted in the affirmative were: Ayer, Balint, Baruth, Benning, Bray, Campbell, Campion, Collamore, Cummings, Degree, Doyle, Lyons, McCormack, Mullin, Nitka, Pollina, Sears, Sirotkin, Zuckerman.

Those Senators who voted in the negative were: Ashe, Kitchel, Mazza, Rodgers, Starr, White.

Those Senators absent and not voting were: Flory, MacDonald, McAllister (Suspended), Snelling, Westman.

Bill Amended; Third Reading Ordered**S. 190.**

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

An act relating to maintaining prescription drugs outside the original prescription container.

Reported recommending that the bill be amended by striking out all after the enacting clause and inserting in lieu thereof the following:

Sec. 1. 18 V.S.A. § 4216 is amended to read:

§ 4216. AUTHORIZED POSSESSION BY INDIVIDUALS

(a) A person to whom or for whose use any regulated drug has been prescribed, sold, or dispensed, and the owner of any animal for which any such drug has been prescribed, sold, or dispensed, may lawfully possess the same on the condition that such drug was prescribed, sold, or dispensed by a physician, dentist, pharmacist, or veterinarian licensed ~~under this chapter to practice in this State~~ or under the laws of another state or country wherein such person has his or her practice, and further that all amounts of the drug are retained in the lawful container in which it was delivered to him or her by the person selling or dispensing the same, ~~provided however, that for the purposes of this section an amount of regulated drugs of not more than two days' individual prescribed dosage may be possessed by a patient for his or her personal use.~~

(b) Notwithstanding the requirement in subsection (a) of this section that a regulated drug be retained in its original container, the individual to whom a regulated drug was prescribed, dispensed, or sold by a physician, dentist, or pharmacist licensed in Vermont or in another state or country may maintain up to a 14-day supply of the regulated drug outside the original container for his or her own personal use if the following conditions are met:

(A) the drug was prescribed for the individual;

(B) the individual is in possession of the original or a copy of the prescription label;

(C) at all times, the individual intends and has intended to use the drug only for legitimate medical use in conformity with instructions from the prescriber and dispenser; and

(D) the individual maintains the limited supply of the drug in a receptacle that reasonably constitutes a more convenient or portable format to enable the individual's legitimate medical use.

Sec. 2. EFFECTIVE DATE

This act shall take effect on July 1, 2016.

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.

Senate 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 on the part of the Senate:

By Senators Kitchel and Benning,

By Representative Martel,

S.C.R. 37.

Senate concurrent resolution congratulating innkeepers Brian and Leslie Mulcahy on their outstanding record of accomplishment at the Rabbit Hill Inn in Lower Waterford.

By Senators Campion and Sears,

By Representative Corcoran and others,

S.C.R. 38.

Senate concurrent resolution honoring Sharyn Brush for her outstanding public service in the town of Bennington.

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 Juskiewicz and others,

By Senator Westman,

H.C.R. 237.

House concurrent resolution honoring Cambridge Town Clerk, Treasurer, and Collector of Delinquent Taxes Jane Porter for her outstanding municipal public service.

By Representative Olsen,

By Senators Campbell, McCormack and Nitka,

H.C.R. 248.

House concurrent resolution honoring Wendell Coleman for his local and State public service on behalf of the citizens of Londonderry.

By Representatives Olsen and Long,

By Senators Balint and White,

H.C.R. 249.

House concurrent resolution honoring Ralph Coleman of Jamaica for his dedicated civic leadership in the town of Jamaica and for the Leland & Gray Union Middle and High School.

By Representative Olsen,

By Senators Campbell, McCormack and Nitka,

H.C.R. 250.

House concurrent resolution honoring Chief George Lang on his outstanding 42 years of devoted service at the Champion 5 South Londonderry Fire Department.

By Representative Martin and others,

By Senator Westman,

H.C.R. 251.

House concurrent resolution honoring Marvin Locke for his exemplary civic service in Lamoille County.

By Representative Smith and others,

By Senator Westman,

H.C.R. 252.

House concurrent resolution honoring Elise McKenna for her outstanding work on the Blueprint for Health in the Lamoille County Health Service Area.

By All Members of the House,

By Senators Ashe, Ayer, Balint, Baruth, Benning, Bray, Campbell, Campion, Collamore, Cummings, Degree, Doyle, Flory, Kitchel, Lyons, MacDonald, Mazza, McCormack, Mullin, Nitka, Pollina, Rodgers, Sears, Sirotkin, Snelling, Starr, Westman, White and Zuckerman,

H.C.R. 253.

House concurrent resolution in memory of Donald G. Milne of Washington, the respected former Clerk of the House.

By Representative Smith,
By Senators Ayer and Bray,

H.C.R. 255.

House concurrent resolution honoring AJ Piper for his conscientious leadership and community-centered service on the Weybridge Selectboard.

By Representative Smith,
By Senators Ayer and Bray,

H.C.R. 256.

House concurrent resolution honoring Steve Huestis for his outstanding civic service in the town of Bridport.

By Representative Smith,
By Senators Ayer and Bray,

H.C.R. 257.

House concurrent resolution honoring Warren Whitcomb, in recognition of his exemplary municipal civic leadership in the town of New Haven.

By Representative Smith,
By Senators Ayer and Bray,

H.C.R. 258.

House concurrent resolution honoring Earl Bessette for his community engagement and civic service in the town of New Haven.

By Representatives Partridge and Trieber,

H.C.R. 259.

House concurrent resolution honoring Rockingham Selectboard Chair Thomas H. MacPhee on his exemplary civic leadership.

By Representative Quimby and others,
By Senators Benning, Doyle, Kitchel and Starr,

H.C.R. 260.

House concurrent resolution congratulating John McClaughry on his half century of public service as Kirby Town Moderator.

By Representative Dickinson and others,

By Senators Degree and Zuckerman,

H.C.R. 261.

House concurrent resolution designating February as Career and Technical Education Month in Vermont.

Adjournment

On motion of Senator Campbell, the Senate adjourned, to reconvene on Tuesday, March 8, 2016, at nine o'clock and thirty minutes in the forenoon pursuant to J.R.S. 32.