

Journal of the Senate

Of the STATE OF VERMONT BIENNIAL SESSION, 2017

WEDNESDAY, JANUARY 4, 2017

Pursuant to the provisions of the Constitution and the laws of the State of Vermont, the Senate convened at the State House at Montpelier, on the first Wednesday, after the first Monday, the fourth day of January in the year of two thousand seventeen.

At ten o'clock in the forenoon, eastern standard time, the Senate was called to order by the President, Lieutenant Governor Philip B. Scott.

Devotional Exercises

Devotional exercises were conducted by the Reverend Kevin Harty of Bethel.

Pledge of Allegiance

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

The roll of the Senate was thereupon called by the Secretary, John H. Bloomer, Jr., and it appeared that the following Senators were present.

Addison District	Senator Claire D. Ayer Senator Christopher A. Bray
Bennington District	Senator Brian A. Campion Senator Richard W. Sears, Jr.
Caledonia District	Senator Joseph C. Benning Senator M. Jane Kitchel
Chittenden District	Senator Timothy R. Ashe Senator Philip E. Baruth Senator Deborah J. Ingram Senator Virginia V. Lyons Senator Christopher A. Pearson Senator Michael D. Sirotkin

Essex-Orleans District	Senator John S. Rodgers Senator Robert A. Starr
Franklin District	Senator Carolyn Whitney Branagan Senator Dustin Allard Degree
Grand Isle District	Senator Richard T. Mazza
Lamoille District	Senator Richard A. Westman
Orange District	Senator Mark A. MacDonald
Rutland District	Senator Brian P. Collamore Senator Margaret K. Flory Senator Kevin J. Mullin
Washington District	Senator Francis K. Brooks Senator Ann E. Cummings Senator Anthony Pollina
Windham District	Senator Rebecca A. Balint Senator Jeanette K. White
Windsor District	Senator Alison Clarkson Senator Richard J. McCormack Senator Alice W. Nitka

Oath Administered

The Senators-elect were duly sworn by the Secretary and severally subscribed the oath of office.

Election of Officers

The President announced that the next order of business was the election of officers, and that nominations for Secretary were in order:

Senator Flory of Rutland District nominated

JOHN H. BLOOMER, JR.

of the Town of Wallingford.

Senator Baruth of Chittenden District seconded the nomination.

There being no further nominations, on motion of Senator White, the nominations were closed and the Assistant Secretary was instructed to cast one ballot for

JOHN H. BLOOMER JR.

of the Town of Wallingford, as Secretary of the Senate for the two years next ensuing.

Thereupon, he presented himself at the bar of the Senate and received the oath of office from the President.

Election of President *Pro Tempore*

The President then announced that the next order of business was the election of a President *pro tempore*.

Senator Kitchel of Caledonia District nominated

TIMOTHY R. ASHE

of Chittenden District.

Senator Sirotkin of Chittenden District seconded the nomination.

There being no further nominations, on motion of Senator Mullin, the nominations were closed and the Secretary was instructed to cast one ballot for

TIMOTHY R. ASHE

of Chittenden District as President *pro tempore* of the Senate for the two years next ensuing.

Thereupon, he presented himself at the bar of the Senate and received the oath of office from the President.

Election of Third Member of Committee on Committees

The Senate then proceeded to the election of a Senator to serve with the President and President *pro tempore* as a member of the Committee on Committees, which appoints the standing committees of the Senate.

Senator Sears of Bennington District nominated

RICHARD T. MAZZA

of Grand Isle District.

Senator Bray of Addison District seconded the nomination.

There being no further nominations, on motion of Senator Kitchel, the nominations were closed and the Secretary was instructed to cast one ballot for

RICHARD T. MAZZA

of Grand Isle District to serve with the President and President *pro tempore* as a member of the Committee on Committees.

Thereupon, he presented himself at the bar of the Senate and received the oath of office from the President.

Appointments

The President announced the appointment by the Secretary of

STEVEN D. MARSHALL

of Swanton, as Assistant Secretary of the Senate, and he presented himself at the bar of the Senate and received the oath of office from the Secretary.

The President announced the appointment by the Secretary of

VANESSA J. DAVISON

of Hardwick, as Journal Clerk, and

HELEN E. ESTROFF

of Montpelier, as Calendar Clerk, and

PENNY M. CARPENTER

of Waterbury, as Office Assistant.

Senate Resolutions Adopted

Senate resolutions of the following titles were severally offered, read and adopted, and are as follows:

By Senator Ashe,

S.R. 1. Senate resolution relating to the rules of the Senate.

Resolved by the Senate:

That the Senate be governed by the Permanent Rules of the Senate for the 2013 biennial session, as adopted in 1989, with amendments adopted in 1997, 2003, 2004, 2007, 2008, 2013 and 2016 until others are adopted.

By Senator MacDonald,

S.R. 2. Senate resolution relating to appointment of a committee to inform the Governor of the organization of the Senate.

Resolved by the Senate:

That a committee of four Senators be appointed by the President to wait upon His Excellency, the Governor, and to inform him that the Senate has organized and is ready on its part to proceed with the business of the session.

By Senator MacDonald,

S.R. 3. Senate resolution relating to informing the House of the organization of the Senate.

Resolved by the Senate:

That the Secretary be directed to inform the House of Representatives that a quorum of the Senate has assembled and organized by the election of **John H. Bloomer, Jr.**, of Wallingford, as Secretary, and **Timothy R. Ashe**, a Senator from Chittenden District, as President *pro tempore*, and is ready on its part to proceed with the business of the session.

Joint Senate Resolutions Adopted on the Part of the Senate

Joint Senate resolutions of the following titles were severally offered, read and adopted on the part of the Senate, and are as follows:

By Senator Mazza,

J.R.S. 1. Joint resolution relating to joint rules.

Resolved by the Senate and House of Representatives:

That the joint rules of the Senate and the House as adopted in 2015 be adopted as the joint rules of this biennial session until others are adopted.

By Senator Sears,

J.R.S. 2. Joint resolution to provide for a Joint Assembly to hear the farewell message of the Governor.

Resolved by the Senate and House of Representatives:

That the two Houses meet in Joint Assembly on Wednesday, January 4, 2017, at two o'clock in the afternoon to receive the message of the outgoing Governor.

By Senator White,

J.R.S. 3. Joint resolution to provide for a Joint Assembly to receive the report of the committee appointed to canvass votes for state officers.

Resolved by the Senate and House of Representatives:

That the two Houses meet in Joint Assembly on Thursday, January 5, 2017, at ten o'clock in the forenoon to receive the report of the Joint Canvassing Committee appointed to canvass votes for Governor, Lieutenant Governor, State Treasurer, Secretary of State, Auditor of Accounts and Attorney General, and if it shall be declared by said Committee that there had been no election by the freemen and freewomen of any of said state officers, then to proceed forthwith to elect such officers as have not been elected by the freemen and freewomen.

By Senator Ashe

J.R.S. 4. Joint resolution to provide for a Joint Assembly to hear the inaugural message of the Governor.

Resolved by the Senate and House of Representatives:

That the two Houses meet in Joint Assembly on Thursday, January 5, 2017, at one o'clock and thirty minutes in the afternoon to receive the inaugural message of the Governor.

By Senator Ashe,

J.R.S. 5. Joint resolution relating to Town Meeting adjournment.

Resolved by the Senate and House of Representatives:

That when the two Houses adjourn on Friday, March 3, 2017, or Saturday, March 4, 2017, it be to meet again no later than Tuesday, March 14, 2017.

By Senator Kitchel,

J.R.S. 6. Joint resolution to provide for a Joint Assembly to hear the budget message of the Governor.

Resolved by the Senate and House of Representatives:

That the two Houses meet in Joint Assembly on Tuesday, January 24, 2017, at two o'clock in the afternoon to receive the budget message of the Governor.

Committee Appointed

Pursuant to the provisions of S.R. 2, the President appointed a Committee to wait upon His Excellency, the Governor, to inform him that the Senate is ready on its part to proceed with the business of the session:

Senator Sears
 Senator Ayer
 Senator MacDonald
 Senator White

Report of Committee

Senator Sears, of Bennington District, for the Committee appointed to wait upon His Excellency, the Governor, to inform him that the Senate is ready on its part to proceed with the business of the session, appeared at the bar of the Senate and reported that it had performed the duties assigned to it.

Canvassing Committee Elected

The President nominated as a committee on the part of the Senate to canvass votes for state officers,

Senator Bray, of Addison District
 Senator Campion, of Bennington District
 Senator Benning, of Caledonia District
 Senator Ingram, of Chittenden District

Senator Rodgers, of Essex-Orleans District
Senator Branagam, of Franklin District
Senator Mazza, of Grand Isle District
Senator Westman, of Lamoille District
Senator MacDonald, of Orange District
Senator Collamore, of Rutland District
Senator Brooks, of Washington District
Senator White, of Windham District
Senator Clarkson, of Windsor District

Thereupon, Senator Ashe moved that the nominees be elected by the Senate, which was agreed to.

Thereupon, the President declared the nominees elected, and the Committee so elected received the oath of office from the Secretary.

The President designated Senator White, of Windham District, as Chair of the Joint Canvassing Committee to canvass votes for state officers.

Message from the House No. 1

A message was received from the House of Representatives by Ms. Rebecca Silbernagel, its Second Assistant Clerk, as follows:

Mr. President:

I am directed to inform the Senate that:

A quorum of the House has assembled and organized by the election of

Mitzi Johnson

the Representative from South Hero, as Speaker, and

William M. MaGill

of Waitsfield, as Clerk, who in turn has appointed Melissa Kucserik of Montpelier as First Assistant Clerk and Rebecca Silbernagel of Fayston as Second Assistant Clerk, and is ready on its part to proceed with the business of the session.

Message from the House No. 2

A message was received from the House of Representatives by Ms. Rebecca Silbernagel, its Second Assistant Clerk, as follows:

Mr. President:

I am directed to inform the Senate that:

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

J.R.S. 1. Joint resolution relating to joint rules.

J.R.S. 2. Joint resolution to provide for a Joint Assembly to hear the farewell message of the Governor.

J.R.S. 3. Joint resolution to provide for a Joint Assembly to receive the report of the committee appointed to canvass votes for state officers.

J.R.S. 4. Joint resolution to provide for a Joint Assembly to hear the inaugural message of the Governor.

And has adopted the same in concurrence.

Recess

The Chair declared a recess 1:55 P.M.

Called to Order

The Senate was called to order by the President pro tempore.

Joint Assembly

At two o'clock in the afternoon, the hour having arrived for the meeting of the two Houses in Joint Assembly pursuant to:

J.R.S. 2. Joint resolution to provide for a Joint Assembly to hear the farewell message of the Governor.

The Senate repaired to the hall of the House.

Having returned therefrom, at two o'clock and forty-five minutes in the afternoon, the President *pro tempore* assumed the Chair.

Adjournment

On motion of Senator Mazza, the Senate adjourned until nine o'clock and fifty-five minutes in the morning.