

Journal of the Senate

FRIDAY, FEBRUARY 6, 2015

The Senate was called to order by the President.

Devotional Exercises

Devotional exercises were conducted by the Reverend Rick Swanson of Stowe.

Message from the House No. 17

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 a House bill of the following title:

H. 51. An act relating to group-wide supervision of internationally active insurance groups and the establishment of domestic insurers in Vermont.

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. 18. House concurrent resolution designating January 29, 2015, as Pharmacists Day in Vermont.

H.C.R. 19. House concurrent resolution honoring departing Rutland City Police Chief James Baker for his superb leadership in challenging circumstances.

H.C.R. 20. House concurrent resolution honoring Peter Gregory for one-quarter of a century of exemplary leadership and professionalism on the staff of the Two Rivers-Ottawaquechee Regional Commission.

H.C.R. 21. House concurrent resolution congratulating Rutland High School's alternative education program at the Howe Center Campus on a quarter century of academic achievement.

H.C.R. 22. House concurrent resolution honoring Bruce Johnson for his dynamic leadership of Springfield Area Public Access Television.

H.C.R. 23. House concurrent resolution honoring nonprofit organizations and Common Good Vermont.

H.C.R. 24. House concurrent resolution in memory of former Representative and Winooski Mayor Dominique Casavant.

H.C.R. 25. House concurrent resolution honoring Elise McKenna for her leadership in advancing the Blueprint for Health in Lamoille County.

H.C.R. 26. House concurrent resolution recognizing The Manor for its collaborative efforts in Lamoille County to improve the quality of oral health care for its residents.

H.C.R. 27. House concurrent resolution congratulating Vera Harrington of Brattleboro on her 103rd birthday.

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

Bills Introduced

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

S. 66.

By Senators Pollina, Balint, Cummings, McCormack and White,

An act relating to persons who are deaf or hard of hearing.

To the Committee on Health & Welfare.

S. 67.

By Senators Sears, Campion and McCormack,

An act relating to school discipline reform.

To the Committee on Education.

Bills Referred

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

H. 23.

An act relating to the Uniform Transfers to Minors Act.

To the Committee on Judiciary.

H. 51.

An act relating to group-wide supervision of internationally active insurance groups and the establishment of domestic insurers in Vermont.

To the Committee on Finance.

Proposed Amendment to the Constitution Introduced

The Proposed Amendment to the Constitution of the State of Vermont designated as Proposal 5 was introduced, read the first time and referred:

By Senator Sirotkin,

PROPOSAL 5

Sec. 1. PURPOSE

This proposal would amend the Constitution of the State of Vermont to provide for election of the:

(1) Governor by the greatest number of votes, except that if no candidate for Governor receives at least 45 percent of the votes cast and there is less than a two percent margin between the candidate who received the greatest number of votes and the second-place finisher, then a runoff election between those two candidates shall be held on the first Tuesday in December to determine the winner; and

(2) Lieutenant-Governor and Treasurer by the greatest number of votes.

Sec. 2. Section 47 of Chapter II of the Vermont Constitution is amended to read:

§ 47. [ELECTION OF GOVERNOR, LIEUTENANT-GOVERNOR AND TREASURER]

The voters of each town shall, on the day of election for choosing Representatives to attend the General Assembly, bring in their votes for Governor, with the name fairly written, to the Constable, who shall seal them up, and write on them, Votes for Governor, and deliver them to the Representatives chosen to attend the General Assembly; and at the opening of the General Assembly, there shall be a committee appointed out of the Senate and House of Representatives, who, after being duly sworn to the faithful discharge of their trust, shall proceed to receive, sort, and count the votes for Governor, and declare the person who has the ~~major part~~ greatest number of the votes; to be Governor for the two years ensuing, except that if that person receives less than 45 percent of the total votes cast for the office and the difference between the number of votes cast for that candidate and the second-place finisher is less than two percent of the total votes cast for the office, there shall be no election.

The committee shall declare the persons who have the greatest number of votes for Lieutenant-Governor and the for Treasurer shall be chosen in the manner above directed to be elected for the two years ensuing.

The votes for Governor, Lieutenant-Governor, and Treasurer, of the State, shall be sorted and counted, and the result declared, by a committee appointed by the Senate and House of Representatives.

If, at any time, there shall be no election, of Governor, Lieutenant-Governor, or Treasurer, of the State, the Senate and House of Representatives shall by a joint ballot, elect to fill the office, not filled as aforesaid, one of the three candidates for such office (if there be so many) for whom the greatest number of votes shall have been returned a runoff election shall be held on the first Tuesday of December between the two candidates receiving the greatest number of votes. The runoff election shall be held as prescribed by the General Assembly.

Sec. 3. EFFECTIVE DATE

The amendments set forth in Sec. 2 shall become a part of the Constitution of the State of Vermont on the first Tuesday after the first Monday of November 2018 when ratified and adopted by the people of this State in accordance with the provisions of 17 V.S.A. chapter 32.

To the Committee on Government Operations.

Appointments Confirmed

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

Cohen, Hal of North Middlesex - Secretary, Agency of Human Services - January 8, 2015, to February 28, 2015.

Spellman, Maribeth of Richmond - Commissioner, Department of Human Resources - September 2, 2014, to February 28, 2015.

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 Representatives Clarkson and Till,

H.C.R. 18.

House concurrent resolution designating January 29, 2015, as Pharmacists Day in Vermont.

By Representative Russell and others,
By Senators Collamore, Flory and Mullin,

H.C.R. 19.

House concurrent resolution honoring departing Rutland City Police Chief James Baker for his superb leadership in challenging circumstances.

By Representative French and others,
By All Members of the Senate,

H.C.R. 20.

House concurrent resolution honoring Peter Gregory for one-quarter of a century of exemplary leadership and professionalism on the staff of the Two Rivers-Ottauquechee Regional Commission.

By Representative Fagan and others,
By Senators Collamore, Flory and Mullin,

H.C.R. 21.

House concurrent resolution congratulating Rutland High School's alternative education program at the Howe Center Campus on a quarter century of academic achievement.

By Representative Emmons and others,

H.C.R. 22.

House concurrent resolution honoring Bruce Johnson for his dynamic leadership of Springfield Area Public Access Television.

By Representative Rachelson and others,
By Senator Baruth,

H.C.R. 23.

House concurrent resolution honoring nonprofit organizations and Common Good Vermont.

By Representatives Bissonnette and Gonzalez,

H.C.R. 24.

House concurrent resolution in memory of former Representative and Winooski Mayor Dominique Casavant.

By Representative Martin and others,

H.C.R. 25.

House concurrent resolution honoring Elise McKenna for her leadership in advancing the Blueprint for Health in Lamoille County.

By Representative Martin and others,

H.C.R. 26.

House concurrent resolution recognizing The Manor for its collaborative efforts in Lamoille County to improve the quality of oral health care for its residents.

By Representative Burke and others,

H.C.R. 27.

House concurrent resolution congratulating Vera Harrington of Brattleboro on her 103rd birthday.

Adjournment

On motion of Senator Campbell, the Senate adjourned, to reconvene on Tuesday, February 10, 2015, at nine o'clock and thirty minutes in the forenoon pursuant to J.R.S. 14.