

# Journal of the Senate

## Of the STATE OF VERMONT BIENNIAL SESSION, 2019

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WEDNESDAY, JANUARY 9, 2019

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 2019 day of January in the year of two thousand nineteen.

At ten o'clock in the forenoon, eastern standard time, the Senate was called to order by the President, Lieutenant Governor David E. Zuckerman.

### Devotional Exercises

Devotional exercises were conducted by the Reverend Joan Javier-Duval of Montpelier.

### Pledge of Allegiance

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

### Roll Call

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 Christopher A. Bray Senator Ruth Ellen Hardy
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 Randolph D. Brock Senator Corey J. Parent
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 Cheryl Mazzariello Hooker Senator James L. McNeil
Washington District	Senator Ann E. Cummings Senator Andrew J. Perchlik Senator Anthony Pollina
Windham District	Senator Rebecca A. Balint Senator Jeanette K. White
Windsor District	Senator Alison Clarkson 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 Balint of Windham District nominated

**JOHN H. BLOOMER, JR.**

of the Town of Wallingford.

Senator Collamore of Rutland District seconded the nomination.

There being no further nominations, on motion of Senator Rodgers, 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 Sears of Bennington District nominated

**TIMOTHY R. ASHE**

of Chittenden District.

Senator Pearson of Chittenden District seconded the nomination.

There being no further nominations, on motion of Senator Benning, 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 Kitchel of Caledonia District nominated

**RICHARD T. MAZZA**

of Grand Isle District.

Senator Benning of Caledonia District seconded the nomination.

There being no further nominations, on motion of Senator Sears, 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 2019 biennial session, as adopted in 1989, with amendments adopted in 1997, 2003, 2004, 2007, 2008, 2013 and 2016 until others are adopted.

By Senator Balint,

**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 2017 be adopted as the joint rules of this biennial session until others are adopted.

By Senator White,

**J.R.S. 2.** 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 10, 2019, 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 voters of any of said state officers, then to proceed forthwith to elect such officers as have not been elected by the voters.

By Senator Ashe,

**J.R.S. 3.** 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 10, 2019, at one o'clock and thirty minutes in the afternoon to receive the inaugural message of the Governor.

By Senator Ashe,

**J.R.S. 4.** Joint resolution relating to Town Meeting adjournment.

***Resolved by the Senate and House of Representatives:***

That when the two Houses adjourn on Friday, March 1, 2019, or Saturday, March 2, 2019, it be to meet again no later than Tuesday, March 12, 2019.

By Senator Kitchel,

**J.R.S. 5.** 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 Thursday, January 24, 2019, 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 Balint  
 Senator MacDonald  
 Senator Benning  
 Senator Pollina

**Report of Committee**

Senator Balint, of Windham 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 Hardy, 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 Parent, of Franklin District  
 Senator Mazza, of Grand Isle District  
 Senator Westman, of Lamoille District  
 Senator MacDonald, of Orange District  
 Senator McNeil, of Rutland District  
 Senator Perchlik, 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 Moretown, 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 receive the report of the committee appointed to canvass votes for state officers.

**J.R.S. 3.** Joint resolution to provide for a Joint Assembly to hear the inaugural message of the Governor.

**J.R.S. 4.** Joint resolution relating to Town Meeting adjournment.

**J.R.S. 5.** Joint resolution to provide for a Joint Assembly to hear the budget message of the Governor.

And has adopted the same in concurrence.

The House has appointed as members of the Joint Canvassing Committee on the part of the House to canvass votes for state officers:

**Canvassing Committee Elected**

Addison District	Elder of Starksboro Conlon of Cornwall Norris of Shoreham
Bennington District	Corcoran of Bennington James of Manchester Sullivan of Dorset
Caledonia District	Seymour of Sutton Martel of Waterford Copeland-Hanzas of Bradford
Chittenden District	Redmond of Essex Lalonde of South Burlington Mattos of Milton
Essex-Orleans District	Noyes of Wolcott Smith of Derby Quimby of Concord
Franklin District	McCarthy of St. Albans City Murphy of Fairfax Dickinson of St. Albans Town
Grand Isle District	Morgan of Milton Austin of Colchester Taylor of Colchester
Lamoille District	Yacovone of Morristown Rogers of Waterville Scheuermann of Stowe
Orange District	Jickling of Randolph Demrow of Corinth Masland of Thetford
Rutland Distirict	Harrison of Chittenden Cupoli of Rutland City Howard of Rutland City



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Washington District	Walz of Barre City Donahue of Northfield Patt of Worcester
Windham District	Sibilia of Dover Coffey of Guilford Burke of Brattleboro
Windsor District	Haas of Rochester White of Hartford Nicoll of Ludlow

**Adjournment**

On motion of Senator Ashe, the Senate adjourned until eight o'clock and thirty minutes in the morning.