

Journal of the Senate

THURSDAY, JANUARY 5, 2023

The Senate was called to order by the President.

Devotional Exercises

A moment of silence was observed in lieu of devotions.

Message from the House No. 1

A message was received from the House of Representatives by Mr. Nigel Hicks-Tibbles, its First Assistant Clerk, as follows:

Madam President:

I am directed to inform the Senate that:

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

Jill Krowinski

the Representative from Burlington, as Speaker, and

BetsyAnn Wrask

of Waterbury, as Clerk, who in turn has appointed Nigel Hicks-Tibbles of Northfield as First Assistant Clerk and Alona Tate of Montpelier 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. Alona Tate, its Second Assistant Clerk, as follows:

Madam 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.

Message from the House No. 3

A message was received from the House of Representatives by Mr. Nigel Hicks-Tibbles, its First Assistant Clerk, as follows:

Madam President:

I am directed to inform the Senate that:

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

Addison District

Birong of Vergennes
McGill of Bridport
Elder of Starksboro

Bennington District

Corcoran of Bennington
Pajala of Londonderry
Rice of Dorset

Caledonia District

Troiano of Stannard
Farlice-Rubio of Barnet
Beck of St. Johnsbury

Chittenden-Central District

Chase of Colchester
Small of Winooski
Dolan of Essex Junction

Chittenden-North District

Andrews of Westford
Mattos of Milton
Black of Essex

Chittenden-Southeast District

Brown of Richmond
Waters Evans of Charlotte
Krasnow of South Burlington

Essex District

Labor of Morgan
Page of Newport City
Williams of Granby

Franklin District

McCarthy of St. Albans City
Walker of Swanton
Hango of Berkshire

Grand Isle District

Leavitt of Grand Isle
Brennan of Colchester
Austin of Colchester

Lamoille District

Noyes of Wolcott
Boyden of Cambridge
Patt of Worcester

Orange District

Demrow of Corinth
Graham of Williamstown
Hooper of Randolph

Orleans District

Sims of Craftsbury
Higley of Lowell
Templeman of Brownington

Rutland District

Howard of Rutland City
Canfield of Fair Haven
Burditt of West Rutland

Washington District

Casey of Montpelier
Goslant of Northfield
Chapin of East Montpelier

Windham District

Sibilia of Dover
Goldman of Rockingham
Burke of Brattleboro

Windsor District

Bartholomew of Hartland

Buss of Woodstock

White of Bethel

Oath Administered to Senate Member

The Secretary reported that the oath of office was duly sworn to by Senator-elect Randolph D. Brock of Franklin District on January 4, 2023.

Joint Senate Resolution Adopted on the Part of the Senate**J.R.S. 6.**

Joint Senate resolution of the following title was offered, read and adopted on the part of the Senate, and is as follows:

By Senator Baruth,

J.R.S. 6. Joint resolution relating to weekend adjournment.

Resolved by the Senate and House of Representatives:

That when the two Houses adjourn on Friday, January 6, 2023, it be to meet again no later than Tuesday, January 10, 2023.

Recess

The Chair declared a recess until the fall of the gavel.

Joint Assembly

At ten o'clock in the forenoon, 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 receive the report of the committee appointed to canvass votes for state officers.

The Senate repaired to the Hall of the House.

Having returned therefrom, at ten o'clock and twenty-five minutes, the President resumed the Chair.

Called to Order

The Senate was called to order by the President.

Recess

The Chair declared a recess 11:25 A.M.

Called to Order

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

Incoming President Takes Oath of Office

Senator Mazza moved that the President *pro tempore* appoint a Committee of two Senators to wait upon His Excellency, David E. Zuckerman, Lieutenant Governor-elect, and escort him to the bar of the Senate.

Which was agreed to.

Thereupon, the President *pro tempore* appointed as members of such Committee

Senator Clarkson
Senator Brock

The Committee appointed to wait upon His Excellency, David E. Zuckerman, Lieutenant Governor-elect, performed the duties assigned to it and appeared at the bar of the Senate accompanied by His Excellency, David E. Zuckerman, who took and subscribed the oath of office required by the Constitution from Sha'an Mouliert of Saint Johnsbury Center.

**Remarks of Incoming Lieutenant Governor David E. Zuckerman
Journalized**

Thereupon, the incoming President addressed the Senate, assuring his full cooperation and accommodation on a nonpartisan and objective basis, and, on motion of Senator Baruth, his remarks were ordered entered in the Journal, and are as follows:

“Welcome to the 2023-24 Vermont Legislative session. It is with deep gratitude, excitement and a bit of trepidation, that I return to this podium as Vermont’s Lieutenant Governor.

“First of all, I am extremely grateful to Vermonters for trusting me with the responsibility and the opportunity to serve again as your LG. I want to thank Vermonters for diligently paying attention and participating, for calling your representatives to alert them to your concerns and needs and for showing up to the polls and voting. In the past, when you engaged about stormwater run-off, cannabis reform, Patient choices at the end of Life, or issues of inequality, or a woman’s right to choose, property taxes, marriage equality, gun safety and more, your calls made a difference. Your votes make a difference. We need you. We cannot work for you without your input. Thanks for your good work. This is what democracy looks like.

“I am also grateful for each of the candidates I faced: Rep. Kitty Toll, Patricia Preston, Rep. Charlie Kimball, and Senator Joe Benning who also ran for this office. It was a pleasure to share the campaign trail with such dedicated, capable, thoughtful individuals. You gave Vermonters good choices and you

showed everyone in this state and beyond that candidates can vie for the same position respectfully and with integrity.

“I want to thank my family, and the families of all elected officials, who make it possible for us to do what we do. Campaigning and serving is hard and challenging. Yet what many folks don’t realize, is that it can also be hard on our loved ones and families. Mud slung at us is also slung at them. Their actions and behaviors can be viewed as appendages of ours. Late nights attending meetings are nights we are not there to read to our children, to tuck them into bed and to help them with their homework. We are not always there to eat dinner as a family, let alone to help clean up afterwards. We are not always there to massage our loved ones’ neck and ask them how their day went. Service to our state and our communities requires sacrifice and work. – Work that we could never do without the love and sacrifices from those who hold us up and encourage us to keep fighting for others, even when it comes with a personal cost to them.

“While I am sorry to lose the valuable assets of many of our past senators who have retired, I am grateful to each of you Senators before me today. Vermonters have spoken and they said they want you to bring your solutions to the table. I am excited for how new conversations and new combinations of insights and experiences will benefit our state.

“On each of your desks is a jar of maple cream from Cary and Main in St. Johnsbury and North Danville. The company’s name pays homage to George Cary, the man widely recognized as the Maple King of Vermont. Although we actually owe the development of maple syrup production to the indigenous peoples of the area, Cary earned his title for his work early in the 20th century pioneering the expansion of maple from a local product to one prized across the country. I chose this gift to kick off the start of our new biennium, as a reminder of why we are here. Maple, in all its glorious forms, is a symbol of the beauty of Vermont. It’s a symbol of hard work, ingenuity, natural beauty and resilience. It’s a symbol of who we are, of all that we have, and also, all that we are on the precipice of losing.

“I can think of nothing more iconic to Vermont than the maple tree. The Maple tree brings us together in sugar shacks every spring. Families, friends and neighbors flock together to boil sap, stoke the fire, or gather at their local ‘sugar on snow’ destination. We pour real maple syrup on pancakes, waffles and fried dough. A Vermont summer is not complete without indulging in a refreshing maple creemee. Yet we would have none of this sweetness without Vermonters working countless hours tapping trees, clearing sugar bushes, running lines, wading thigh-high in snow, gathering and then boiling the sap. The work of making something so delicious out of the sap of a tree, exemplifies the rugged,

physical labor that so many Vermonters do regardless of weather, sore muscles, cold fingers or achy joints. The rugged spirit of Vermonters as well as the community energy around it, are epitomized in the sugaring season and all its products.

“Fall foliage season, with the yellow, orange and red maples lighting up our hillsides and communities, is truly a beauty to behold. We have something very special here and folks notice that. Vermont and all its ‘mapleness’ shines as a beacon of hope to the rest of this country. Currently, folks are flocking here from all over the nation to experience what it is that we have. They come here seeking a better life. They come here looking for community, safety, the arts, good schools, local food, decency and outdoor adventures. And this is a great boon for our state and our workforce.

“However, this better life they are seeking is ironically increasingly threatened. Increased population numbers lead to increased stresses on our housing options and costs, our roads, our waterways and our natural resources. This is why I return with trepidation; as Senators, the task before you, the task of steering this ship, of welcoming new families without forcing out the old, and of lessening these stressors on our institutions and our environment, can seem daunting indeed.

“As we gather here today to begin a new biennium, we have many complicated issues before us:

“Vermont has generational poverty.

“Vermont has children who cannot learn well because they are hungry in their classrooms. Vermont has parents who go hungry so that their children can eat.

“Vermont has a housing shortage that has reached a crisis for our residents and our employers and driven costs out of reach for too many.

“Vermont's wages are not rising fast enough to keep up with inflation.

“Vermonters face public safety concerns in both rural and urban communities.

“Vermonters face a workforce shortage and a childcare crisis.

“Vermont’s healthcare system is broken. Hospitals and staff are collapsing. Costs keep going up while emergency rooms are burdened by caring for many with a range of issues beyond acute triage.

“Vermont has increased drug use, addiction and a record number of overdose deaths.

“As if all that isn’t enough to contend with, the climate crisis is here now and it is only going to get worse. Our strong agricultural and forestry sectors are at risk, further threatening our vibrant, local food supplies. Right now, because of the warm spell we are experiencing, the sap has already run. It’s too early and it adds work and labor costs to our maple production. What’s worse, with earlier spring warming, our maple trees risk budding out too early, turning our precious sweet sap bitter.

“In 50 short years, if we are not careful, the maple tree may not even be able to survive in our state any longer.

“So with all these challenges before us, why are we here? Why do we even bother?

“To answer that, I want to take a moment to acknowledge Sha’an Mouliert, the Vermonter who drove here today from St Johnsbury to swear me in. I am humbled that Sha’an agreed to be a part of this ceremony because in my eyes, Sha’an is herself real Vermont Maple Cream. Sha’an is resilient, hard-working, resourceful, creative and community-minded. Since moving to Derby line in 1983, she has weathered many storms and yet remained a constant and vital ingredient in our Vermont community. As the coordinator and photographer of the “I am Vermont Too” photo-story, she helped shine a light on the issue of micro-aggressions against people of color who live in and are contributors to our neighborhoods and communities. As a community organizer, inclusion consultant, artist and educator, she has used her artist’s eye and her big heart to creatively ‘tap into’ what is important or unique about whatever her chosen subject is and ‘boil it down’ to present it to the rest of us in a way we can understand and appreciate it in a new light.

“It is folks like Sha’an, who Instead of giving up, create a way of moving up and through adversity, that make Vermont this special place we know and love.

“As daunting as our task may seem at times, it’s time to roll up our sleeves and, like the Sha’ans in our state, get to work being real Vermont creative. Each and every one of you has been elected to serve and each and every one of you possesses some special experience or expertise to bring to the table. While here to serve as Senators, you are also individuals. You are educators, social workers, public safety officials, business owners, scientists, healthcare workers and town managers by trade. But you may also have personal experiences with applying for permits, dealing with damage from an environmental disaster, parenting a special-

needs child, seeking help with ageing parents, or losing a loved-one to drug-addiction or suicide, etc that makes you unique and knowledgeable.

“However, do not rely on just your own experiences. Recent technological improvements to the Statehouse have given you the opportunity to hear and listen to the voices from Vermonters who otherwise would not be able to show up in person for testimony. Take this opportunity. Our democracy can only be stronger when we include as many voices as possible.

“The challenge before you is to not become stymied by what may look bleak but to instead, ‘tap into’ your wealth of hidden resources, your areas of expertise and your reserves and to ‘boil your shared ideas down’ into solutions that will work for Vermonters. The people of Vermont have elected each and every one of us to represent and serve them. It’s time to do them proud. It’s time to get Vermont-creative, to roll up our sleeves and do the hard work, to be brave enough to let old, tired approaches fall by the wayside and daring enough to imagine and fund innovative new ideas to take their place.

“For my part, I will work to make sure the process in this chamber is fair and that all voices are heard and respected in this chamber. We will follow the rules and my judgements will be guided by the principles set forth in the Senate rules. I look forward to working with you all and please know that my office is always open. Whether you want to discuss policy, or need a quiet place to gather your thoughts, please feel free to contact Lisa Gerlach, my Chief of Staff and utilize my space if you need it. Thank you. Let’s get to work to tackle Vermonters struggles.”

Appointment

The President announced the appointment of

LISA GERLACH

of Burlington, as Chief of Staff to the incoming President.

Standing Committees Appointed

The President, on behalf of the Committee on Committees, reported the appointment of the standing committees, as follows:

Rules

At Call

Senator Baruth
Mazza
Perchlik
Clarkson
Brock

Recess

On motion of Senator Baruth the Senate recessed until 1:55 P.M.

Called to Order

The Senate was called to order by the President.

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. 3. Joint resolution to provide for a Joint Assembly to hear the inaugural message of the Governor.

The Senate repaired to the Hall of the House.

Having returned therefrom, at four o'clock and five minutes, the President resumed the Chair.

Senate Resolution Adopted

Senate resolution of the following title was offered, read and adopted, and is as follows:

By the Committee on Rules,

S.R. 6. Senate resolution relating to the number of members of the Government Operations Committee.

Resolved by the Senate:

That the seventh paragraph of Senate Rule 24 (relating to the composition of the Senate Government Operations Committee) be amended to read as follows:

A committee on Government Operations, of five or six members, as determined by the Committee on Committees for each biennium, to whom shall be referred matters relating to the administration of government and justice; compensation of and retirement benefits for public officials and employees; suffrage; nominations and elections; municipal corporations; military affairs, including veterans and civil defense; public records and open meetings; and reapportionment.

Standing Committees Appointed

The President, on behalf of the Committee on Committees, reported the appointment of the standing committees, as follows:

Agriculture

A.M. Senator Starr, Chair Room 28
Collamore, Vice-Chair
Westman
Campion
Wrenner

Appropriations

P.M. Senator Kitchel, Chair Room 5
Perchlik, Vice-Chair
Westman
Starr
Sears
Baruth
Lyons

Economic Development, Housing and General Affairs

A.M. Senator Ram Hinsdale, Chair Room 27
Clarkson, Vice-Chair
Brock
Cummings
Harrison

Education

P.M. Senator Campion, Chair Room 28
Gulick, Vice-Chair
Hashim
Weeks
Williams

Finance

P.M. Senator Cummings, Chair Room 6
MacDonald, Vice-Chair
Bray
McCormack
Brock
Ram Hinsdale
Chittenden

Government Operations

P.M. Senator Hardy, Chair Room 4
 Vyhovsky, Vice-Chair
 Clarkson
 White
 Norris
 Watson

Health and Welfare

A.M. Senator Lyons, Chair Room 17
 Weeks, Vice-Chair
 Hardy
 Gulick
 Williams

Institutions

P.M. Senator Ingalls, Chair Room 7
 Harrison, Vice-Chair
 Mazza
 Collamore
 Wrenner

Judiciary

A.M. Senator Sears, Chair Room 1
 Hashim, Vice-Chair
 Baruth
 Vyhovsky
 Norris

Natural Resources and Energy

A.M. Senator Bray, Chair Room 8
 Watson, Vice-Chair
 McCormack
 MacDonald
 White

Transportation

A.M. Senator Mazza, Chair Room 3
 Chittenden, Vice-Chair
 Kitchel
 Perchlik
 Ingalls

Adjournment

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