

JOURNAL OF THE SENATE
OF THE
STATE OF VERMONT

BIENNIAL SESSION, 2017

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JOHN H. BLOOMER, JR.
SECRETARY OF THE SENATE

VANESSA J. DAVISON
JOURNAL CLERK

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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 2017 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 Branagan, 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.

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	Baser of Bristol Scheu of Middlebury Van Wyck of Ferrisburgh
Bennington District	Fields of Bennington Keefe of Manchester Miller of Shaftsbury
Caledonia District	Beck of St. Johnsbury Martel of Waterford Troiano of Stannard
Chittenden District	Dunne of Essex Gardner of Richmond Hubert of Milton
Essex-Orleans District	Quimby of Concord Viens of Newport City Young of Glover
Franklin District	Dickinson of St. Albans Town Weed of Enosburgh Rosenquist of Georgia
Grand Isle District	Dakin of Colchester Joseph of North Hero Taylor of Colchester
Lamoille District	Nolan of Morristown Noyes of Wolcott Scheuermann of Stowe

Orange District	Conquest of Newbury Graham of Williamstown Hooper of Brookfield
Rutland District	Devereux of Mount Holly Howard of Rutland City Tate of Mendon
Washington District	Greshin of Warren Jessup of Middlesex Wood of Waterbury
Windham District	Burke of Brattleboro Gannon of Wilmington Hebert of Vernon
Windsor District	Bartholomew of Hartland Christensen of Weathersfield Kimbell of Woodstock

The Speaker has appointed **Rep. Troiano of Stannard** as Chair on the part of the House.

Recess

The Chair declared a recess until 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.

THURSDAY, JANUARY 5, 2017

Pursuant to the Senate Rules, in the absence of the President, the Senate was called to order by the President *pro tempore*.

Devotional Exercises

Devotional exercises were conducted by the Reverend James Dodson of Northfield.

Message from the House No. 3

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. 5. Joint resolution relating to Town Meeting adjournment.

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

And has adopted the same in concurrence.

Joint Senate Resolution Adopted on the Part of the Senate**J.R.S. 7.**

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

By Senator Ashe,

J.R.S. 7. Joint resolution relating to weekend adjournment.

Resolved by the Senate and House of Representatives:

That when the two Houses adjourn on Friday, January 6, 2017, it be to meet again no later than Tuesday, January 10, 2017.

Joint Assembly

At ten o'clock in the morning, 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 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 eleven o'clock and thirty-five minutes in the morning, the President *pro tempore* assumed the Chair.

Recess

The Chair declared a recess until 11:40 A.M.

Called to Order

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

Incoming President Takes Oath of Office

Senator Baruth 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 Balint
Senator Benning

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 The Honorable Associate Supreme Court Justice Beth Robinson.

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 Ashe, his remarks were ordered entered in the Journal, and are as follows:

“It is an honor and a pleasure to be here before you starting the new 2017-18 biennium. Each of us has spent the last summer and fall, and maybe longer, working with our respective constituents from around the state to earn their support, listen to their ideas, and understand their struggles. I want to thank the citizens of Vermont who elected me and entrusted all of us with the future of our state. I would also like to thank my family, Rachel and Addie, who have supported me through 18 years of public service. I know each of us have stretched our family’s patience with the rigors of campaigning and service to

the state of Vermont. In thanking my family, I also want to extend appreciation to each of your families on behalf of all Vermonters.

“As we reflect on policy we look to our families, our elders’ experiences and our children’s creativity and goals. In this way, we are reflections of all Vermonters. As we work together we also become family with all the positives and baggage that entails, but if we do it right we are all able to support each other.

“Each biennium brings new challenges and opportunities. Some issues are ongoing and need adjustments. Others are new surprises brought upon us by influences outside of our control; natural disasters, decisions in neighboring states, Federal changes in law, even international events, can impact the decisions we have to make, that will in turn, impact each and every Vermonter.

“This biennium is marked by significant changes in both the Federal Government and leadership here at the state level. But the beauty of our system of governance is that there is also stability within moments of change. All the new leadership comes from within and I know we all have great respect for our state and the process of working together to resolve the issues we face.

“Since the election in November, many Vermonters have expressed to me their concerns about the state of our Democracy. They are concerned about the division, the mistrust, and fears of what this recent Federal election represents for our values, our differences, and our democracy. My steady response has been that we in Vermont can set an example for the country. Just as we always have, we will continue to work together regardless of occasional political differences. Here in Vermont we value our motto, “Freedom and Unity.” This includes the freedom to have very different viewpoints as well as the understanding that our state is better-served when we come together in unity to solve our challenges.

“We will stand together and prove we are stronger when we welcome the diversity of our state and the opportunities the 21st century brings. I am reminded of the Calvin Coolidge quote in the great hall of our State House. He said, “If the spirit of liberty should vanish in other parts of the Union and *support of our institutions should languish*, it could all be replenished from the generous store held by the people of this brave little state of Vermont.” By respecting and valuing the experience and expertise each of us brings we can be a beacon for the country. We can be one example of political civility, of community building rather than dividing.

“Now, I ask you to turn over the box on your desk. Within it, you will find a simple dry bean. Each one of these heirloom beans holds genetic similarities to each of the others around the room, but each also holds its own unique traits. One may be more tolerant to a pest or a disease. Another may be able to thrive

in slightly more adverse conditions. One may require sandy soil while another needs fertile loam. I have given you these beans to reflect on with respect to our children, ourselves, and our future. Each child has unique qualities and the potential for success and each deserves an environment where they can blossom. It is our job to ensure that the best environment for each child is provided. As we work together we must acknowledge that home situations, academic opportunities, quality of food, and healthcare access are just some of the environmental conditions we must nurture to ensure our children and our collective future will thrive. Let's work together to ensure Vermont's future generations have the nurturing environment needed to be successful.

“As I reflect on the work ahead of us I am reminded of what I love about campaigning and public service: the opportunity to connect with Vermonters from every corner and every walk of life. If we are going to develop truly sustainable, inclusive solutions we will need to rely on their ideas, their experiences, and their expertise. I encourage you all to continue to connect with constituents, invite them to the State House, hold local meetings, keep the doors of communication open. The creativity, determination, expertise, and drive of Vermonters is a resource we cannot afford to waste.

“Vermonters come from many different circumstances and many different corners of the world. Let us not forget it is our job to ensure each has the resources required to succeed. Many Vermonters are working much more than full time and still not able to provide for their basic needs. Our schools and teachers are facing additional challenges as they try to be social service providers as well as educators. Our rural economy and farmers are challenged by a rapidly changing climate. Our air, soil, rivers, lakes, and planet are in crisis and need our immediate attention. Higher education, college and technical training is still out of reach for many. And the opiate crisis has had a tight grip on many and is damaging families and communities.

“So, as we work to better our state; clean our water, build our soil, feed our families, create new jobs and opportunities, remember that each person, like each seed you hold, has something unique and positive to offer and each is also shaped by the environment around them. If we can each dig for some patience when confronted with a tense situation, and if we can be the example for the rest of our country of thoughtfulness in the moments of intensity, we will all make Vermont a better place for everyone. Vermonters have put their faith in us, and, in knowing each of you, I have trust in their faith and wisdom. Let's do well by them.”

Appointment

The President announced the appointment of
MEGAN POLYTE
of Montpelier, as Chief of Staff to the incoming President.

Recess

On motion of Senator Ashe the Senate recessed until 1:25 P.M.

Called to Order

The Senate was called to order by the President.

Joint Assembly

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

J.R.S. 4. 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 three o'clock and fifteen minutes in the afternoon, the President assumed the Chair.

Recess

The Chair declared a recess until 3:25 P.M.

Called to Order

The Senate was called to order by the President.

Adjournment

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

FRIDAY, JANUARY 6, 2017

The Senate was called to order by the President.

Devotional Exercises

Devotional exercises were conducted by the Reverend Jean Jersey of Montpelier.

Message from the House No. 4

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 resolution originating in the Senate of the following title:

J.R.S. 7. Joint resolution relating to weekend adjournment.

And has adopted the same in concurrence.

Recess

On motion of Senator Ashe the Senate recessed until the fall of the gavel.

Called to Order

The Senate was called to order by the President.

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 Pollina, Vice-Chair Collamore Branagan Brooks	Room 26
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Appropriations

P.M.	Senator Kitchel, Chair Nitka, Vice-Chair Sears Starr McCormack Ashe Westman	Room 5
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Economic Development, Housing and General Affairs

A.M.	Senator Mullin, Chair Sirotkin, Vice-Chair Baruth Balint Clarkson	Room 27
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Education

P.M.	Senator Baruth, Chair Balint, Vice-Chair Mullin Benning Bray Ingram	Room 28
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Finance

P.M.	Senator Cummings, Chair MacDonald, Vice-Chair Lyons Pollina Sirotkin Campion Degree	Room 6
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Government Operations

P.M.	Senator White, Chair Collamore, Vice-Chair Ayer Clarkson Pearson	Room 4
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Health and Welfare

A.M.	Senator Ayer, Chair Lyons, Vice-Chair Cummings McCormack Ingram	Room 17
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Institutions

P.M.	Senator Flory, Chair Rodgers, Vice-Chair Mazza Branagan Brooks	Room 7
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Judiciary

A.M.	Senator Sears, Chair Benning, Vice-Chair White Nitka Ashe	Room 1
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Natural Resources and Energy

A.M. Senator Bray, Chair Room 8
Campion, Vice-Chair
MacDonald
Rodgers
Pearson

Transportation

A.M. Senator Mazza, Chair Room 3
Westman, Vice-Chair
Kitchel
Flory
Degree

Adjournment

On motion of Senator Ashe, the Senate adjourned, to reconvene on Tuesday, January 10, 2017, at ten o'clock in the forenoon pursuant to J.R.S. 7.

TUESDAY, JANUARY 10, 2017

The Senate was called to order by the President.

Devotional Exercises

Devotional exercises were conducted by the Reverend Kim Kie of Barre.

Pledge of Allegiance

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

Joint Senate Resolution Adopted on the Part of the Senate**J.R.S. 8.**

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

By Senator Ashe,

J.R.S. 8. Joint resolution relating to weekend adjournment.

Resolved by the Senate and House of Representatives:

That when the two Houses adjourn on Friday, January 13, 2017, it be to meet again no later than Tuesday, January 17, 2017.

Senate Concurrent Resolution Adopted

Senate concurrent resolution of the following title was offered read and adopted in concurrence:

By All Members of the Senate,

By All Members of the House,

S.C.R. 1. Senate concurrent resolution honoring former Senator William T. Doyle and designating March 7, 2017 as “Bill Doyle Town Meeting Day”.

Whereas, in 1958, equipped with degrees from Princeton and Columbia universities, William T. “Bill” Doyle began his ongoing tenure as a Johnson State College faculty member, specializing in Vermont politics, and

Whereas, as an historian, Bill Doyle authored and regularly updated his book *The Vermont Political Tradition: And Those Who Helped Make It*, and by capturing a global audience showed how civil engagement is conducted “the Vermont Way,” and

Whereas, through his work as a college professor at Johnson State College, Bill Doyle has educated hundreds of Vermonters on government and politics, helping to ignite the call to public service in many who have gone on to serve the State and Nation, and

Whereas, parallel to his role as an academic, Bill Doyle embraced a political life: first serving on the Montpelier School Board, which he chaired, and since Election Day in 1968, serving in the Vermont State Senate, and

Whereas, Senator Doyle’s constituents reelected him 23 times, establishing the Senate’s longevity service record of 48 consecutive years, rightfully earning him the title of “Dean of the Vermont State Senate”, and

Whereas, as a Senator, he chaired the Committee on Government Operations, served on both the Joint and Senate Rules Committees, was the third member of the Committee on Committees, and was the Senate Minority Leader, and

Whereas, throughout his Senate career, Senator Doyle exhibited the upmost decorum and respect for his colleagues and the process and his insightful comments and input improved the legislative process, and

Whereas, Senator Doyle’s accomplishments on behalf of his constituents and the Citizens of Vermont are numerous and immeasurable and his unparalleled constituent services over his illustrious career of 48 years have improved the lives of countless Vermonters and the Citizens of Washington County, and

Whereas, a unique confluence of Senator Doyle's academic and political careers started early in his Senate career when he created a Town Meeting Day Poll to gauge the positions of Vermonters on issues of current events providing a useful survey of public policy opinions used by legislators, the media and Vermont citizens, and

Whereas, many political leaders have praised Senator Doyle for his roles as an insightful legislative leader and civic educator, and

Whereas, the reputation of Vermont in general has been greatly enhanced by services too numerous to mention of this true and faithful son, and

Whereas, no greater tribute could be paid to this remarkable Vermonter than designating March 7, 2017 as Bill Doyle Town Meeting Day, now therefore be it

Resolved by the Senate and House of Representatives:

That the General Assembly honors former Senator William T. Doyle for his unparalleled Senate career and designates March 7, 2017 as Bill Doyle Town Meeting Day, and be it further

Resolved: That the Secretary of State be directed to send a copy of this resolution to former Senator William T. "Bill" Doyle.

Recess

On motion of Senator Ashe the Senate recessed for the purpose of honoring Senator William T. Doyle. Thereupon, remarks were presented as follows:

Remarks by the Honorable David E. Zuckerman, Lieutenant Governor

"This is a tremendous opportunity for me. As we look at last week and recognize the importance of all the events and transitions in state leadership, from Governor, to my office, and in the Senate as well, it is important to remember the senator we are honoring today has served in the Vermont Senate for longer than I have served as a human on our planet. The honor of meeting Senator Doyle more than 20 years ago, as a Representative from Burlington when I was invited to speak at his class in Johnson State College, is one I will always cherish. And I was only one of hundreds who have been invited to speak to his students.

"Senator Doyle has been a mentor to so many, in elected office and not, with respect to the institution of public service. His fine example of civility and public decorum in public service, as well as the Doyle Poll, are hallmarks this state will never forget.

“I do have a gift for you that I am not supposed to give out on the floor. When I first went to speak in Senator Doyle’s class I brought him squash from my farm and he has mentioned my farming and squash just about every time we were in the same room over the last 20 years. So I present you with some Delicata squash from my farm. With that I thank you Senator Doyle.”

Remarks by the Honorable Philip B. Scott, Governor

“It’s an honor to be back in this Chamber. This is where I started 17 years ago, and this is a wonderful way to bring it full circle.

“Over the years, there have been a few staples that are still here today: The green carpet. Senators Cummings, Lyons, Mazza, McCormack and Sears – as well as John, Vanessa and Steve. And – my fellow Washington County Senator – Bill Doyle.

“Senator Doyle, you’ve served every day of your life.

“You serve your constituents.

“You serve your students.

“You serve all of us who live in Vermont.

“For 48 years, you brought your wisdom to this building – in a way that few others can.

“You always find a way to make every person you talk to feel special by finding something you have in common.

“You also know how to take criticism...like when Governor Dean came in to wag his fingers at you...or the time I smashed what everyone thought was your cell phone.

“But most of all, you know what it means to be an effective legislator. It isn’t about being the loudest person in the room...it’s about remembering that you’re a public servant, not a politician.

There are people who attend Town Meeting just to fill out the Doyle Poll. Although unscientific, you found a very meaningful way for Vermonters to KNOW their opinion on the issues matters to Montpelier.

“THAT is public service – helping the public serve by giving them a voice.

“And so...it is my honor to sign this paper – proclaiming March 7, 2017 as Bill Doyle Town Meeting Day.

“Thank you Bill. You’re a true public servant.”

Remarks by Senator George B. Spaulding

Senator George B. Spaulding provided remarks honoring Senator William T. Doyle.

Remarks by Representative Janet Ancel

Representative Janet Ancel provided remarks honoring Senator William T. Doyle.

Remarks by The Honorable Speaker of the House Mitzi Johnson

“I first met Bill fourteen years ago when I was sworn in for my first term as a State Representative. Like every new legislator, I got a signed copy of his book which became my first homework assignment for my new role, and it was tremendously informative. Bill’s knowledge of the state, the legislature, and Vermont politics in unparalleled.

“Democracy works best when Vermonters are engaged, and has worked his entire life doing just that. More than anyone I know, Bill has encouraged Vermonters to engage in government, to get more young people-many of whom are regulars in this building as government affairs professionals, legislators, and staff-involved in the political process, and to connect Vermonters with their local, county, and state government. And we are all better for his efforts.

“In addition to helping me and many others understand government, Senator Doyle also helped me understand my constituents more. Grand Isle County was one of the first counties he tackled in his film series. That historical look at life in the Islands and the relationship of early Islanders with mainland Vermont gave me a richer understanding of the extra helping of independence and self-sufficiency one still feels there today. For that, for his work connecting young Vermonters to government, and for his dedicated service to the state, I remain very grateful to have served with such an outstanding legislator. Thank you, Bill.”

Remarks by Senator Jeanette K. White

“As a new Senator the first thing asked of us was to indicate our committee preferences.

“I got a call from Senator Doyle recruiting me to ask for Senate Government Operations.

“As a select board member and faithful town meeting attendee, of course the Doyle Poll was very familiar to me.

“It was an honor to be recruited by this legend at town meetings.

“Little did I then know that Senator Doyle had just introduced me to a long lasting love.

“Serving with him as Chair of Government Operations was like an intensive lesson in civics. We learned about all of state government along with it’s history. He also knew most of the witnessess – remembered their high school basketball scores or who their prom date was and which fire department they served on.

“Senator Doyle has carried his love of the process and the history to his classes at Johnson State. Each year his students join us for the session – and my guess is that more of us students go on to public service then any other college class.

“Each of us has many stories and memories of Senator Doyle. Dinners at his house, many dinners at Sarducci’s with Bill and Olene (regardless of what he had, they piled on the onions) and earning at least one of the Senators in here has a well worn copy of Senator Doyle’s Book in his desk.

“At one point I hurt my back and was doubled over in pain not able to walk only with the help of a cane. One day Senator Doyle and I came down the hall, he with his walker and me with my cane. As we passed the doorkeepers one of them said, with respect and humor, “here comes the race of the tortoise and the tortoise”.

“Senator Doyle we will miss you in this Chamber and citizens of Vermont will miss your defense of their role in our democracy.”

Remarks by Senator Joseph C. Benning

“I first met Bill Doyle in 1977. My mentor, then Caledonia State Senator Graham Newell, was Bill Doyle’s counterpart at Lyndon State College. Senator Newell brought a group of us students over to the statehouse, where I met the tall, lanky state senator from Washington County. Bill flitted about the chamber like a tennis pro attacking a ball coming over the net, and it was obvious that he was well liked by those around him.

“It was with great pleasure that many years later I was elected to serve in the Vermont Senate and to find myself a colleague of the very same Senator Doyle. We are both Jersey boys, and I was surprised to find Bill seems to know some of my favorite restaurants from my younger days.

“One of the perks of being a legislator is that you are entrusted with a key to this statehouse. Like Bill, I’m a history nut, and I love to give tours of this historic building to constituents, friends and family. I especially love to do so after hours and on weekends when there is nobody else in the building. But quite often when I thought the building would be vacant, I would find Senator Doyle working hard at his desk answering emails and phone calls from his

constituents. Very few of us who work here on a daily basis knew how much time he devoted serving the needs of Vermonters during those off hours.

“My favorite memory of Bill took place not long after I had been in a car accident. My car required an extended stay in the shop, and my insurance company provided me with a rental car. I quickly learned that rental cars are not required to have snow tires, and as luck would have it I received mine in the middle of a raging Vermont snow storm. Shortly thereafter I found myself agreeing to give Bill a ride home- not thinking that his home was at the top of a very steep driveway.

“We got about half way up his hill and the all season radial tires suddenly lost traction. So we carefully backed down the hill. I gave it another go and got about a quarter of the way up his hill, once again loosing traction. Backing up quite a ways, I tried it a third time, only to once again feel the wheels uselessly spinning beneath us. It was a problem for which I had no solution.

“Enter Bill Doyle with some Yankee ingenuity. He pulled out his cell phone, called his wife Olene, and she came down the driveway in her Subaru to pick him up and bring him home.

“You have heard that Bill wrote a book on Vermont history. Bill, it’s time to write a sequel- you have time! I am really looking forward to seeing how you weave Senator Mazza into the discussion.”

Remarks by Senator Richard W. Sears, Jr.

Senator Richard W. Sears, Jr. provided remarks honoring Senator William T. Doyle.

Remarks by Senator Richard A. Westman

Senator Richard A. Westman provided remarks honoring Senator William T. Doyle.

Remarks by Senator Richard J. McCormack

“Bill Doyle is a teacher, not only to his Johnson State students but to his colleagues, all of whom are his juniors. He’s taught us how this process works and how to work the process. He taught me how to make the best use of the hors d’oeuvres. One afternoon he scolded me for missing a reception in the Cedar Creek Room. “Dick” he said, ‘they have shrimp!’”

“Once, Bill and colleagues and I went to an NCSL conference in Indianapolis during a record Mid West heat wave. As we were sweltering at a bar-b-q Bill came up to me and said, “C’mon let’s get some real food”. We took a cab downtown and rode an elevator to the top of a skyscraper. The door opened to the cool of an air conditioned penthouse dining room with men in

tux and ladies in gowns. We were in bar-b-q casual which can be seen as bums in the wrong place or Ted Turner type guys powerful enough to do what they want. We were seated at the front table next to the NCSL top guys. Excellent wine! Great steaks! At one point I crossed paths with Bill Russell, the head of leg council in those days. He looked at me and said, "What the hell are you doing here?" I said, "I'm with Bill Doyle." Russell just said, "Oh" as though that explained everything."

Remarks by Senator Vincent Illuzzi

"Well, the lights aren't flickering and the chandler isn't shaking.

"Thank you for the opportunity to say a few words about the dean of the Senate, the longtime senior senator from Washington County, my colleague for 32 years, and our friend, Sen. Bill Doyle. I'm very pleased that joining Bill today are his wife, Olene, his son, Lee and his wife Kim, his daughter, Kelly, and her daughter and Bill's granddaughter, Isidora Dickstein, who is serving as a page at this time. Also present are members of Bill's class from Johnson State College, where Bill has been teaching since 1958, and continues as a professor.

"For those of you who did not have the privilege to serve with Bill Doyle, I can tell you there are endless anecdotes and stories about him. I've picked up on many of them over the years and I thought I would share a few of them today.

"Let me first mention a few lighthearted moments that come to mind. Bill and Olene Doyle always hosted an annual spring buffet at their home here in Montpelier, for senators and staff. Senator Arthur Gibb from Addison County, who served in the House starting in 1962, and then the Senate from 1971 to 1987, and his wife, Barbara, religiously attended. One year, Art spoke for the guests and thanked Bill and Olene, and mentioned that the party mix was the best he ever had. Bill hemmed and hawed but felt compelled to admit that the party mix was actually dry cat food. Art didn't seek reelection. We never knew what role that party mix had to do with that decision.

"We both attended the 1988 Republican National Convention in New Orleans. While there, Bill learned about a buffet dinner which Muhammad Ali would attend -- but only for Nevada delegates. In fact, Bill somehow knew where and when ALL the buffets were being held. So we 1) attended the buffet, and 2) met Muhammad Ali, in that order. The food was good. The price was right. Bill did a nice job dancing around questions about where we were from and what we were doing there. I think Bill secretly consulted for Wedding Crashers.

”In the late 1980s and early 1990s, Ralph Wright of Bennington was the House Speaker. Ralph’s roving agents were Reps. Tim Corcoran and Bob Harris. Ralph wanted a lot of things that Bill wasn’t prepared to deliver, and so that set the stage to unleash Corcoran and Harris. Among other things, in 1992, one of them called the local radio stations, anonymously, and congratulated Bill on his 80th birthday, an item repeated all morning on the radio. Listeners were somewhat shocked to learn Bill was 80 years old some 25 years ago!

“Then there was the end of session committee party at Bill and Olene’s residence for committee members. Harris or Corcoran – we don’t know which one because they both denied everything and demanded proof – invited to the dinner one of Bill’s neighbors, Judson, who loved to drink – alcohol – and a lot of it. Just as Judson walked in, Sen. Hilton Wick had stepped out, so Judson sat at his place setting. When Hilton returned, Bill was forced to ask him to leave, and in Judson’s mind, uninviting him, resulting in one of those, “I’ve been thrown out of better places” moments. Harris and Corcoran just happened to be at the bottom of the driveway, and commiserated with Judson about how rude Bill had been.

“Finally, there was a bill that threatened many legislators from the Northeast Kingdom. A survey in Essex, Orleans and Caledonia Counties found strong voter support for what former Sen. John McClaughry dubbed as his “turkey bill.” He passed out a sample ballot where next to the name of the major party candidates was a sketch of an elephant or a donkey, and next to “none of the above” was a turkey. Our political careers were on the line. Bill killed the bill in his committee and the Northeast Kingdom delegation was grateful – and breathed a sigh of relief.

* * *

“On a more serious note, there was always tension between Bill and the leadership of the political parties in Vermont. The reason we have open primaries in Vermont is Bill Doyle. Bill did not want Vermonters to be required to register with a political party for the privilege of voting. His goal -- to maximize voter participation.

“Until Bill helped lead the effort to pass a statewide presidential primary bill, the decisions were made in caucuses. Relatively few participated. Bill wanted a statewide presidential primary election on Town Meeting Day. His goal – to engage more Vermonters in the political process.

“And Bill predicted a statewide primary would encourage presidential candidates to visit and campaign here. I know this will warm the hearts of some of you. “Bill, thank you for bringing Donald Trump to Burlington.”

“Bill started his annual Town Meeting Day survey in 1969. Here’s why. Gov. Deane Davis of Montpelier, a Republican, one of Bill’s constituents, the former president of National Life Insurance Company, and a conservative, ran on a platform of fiscal responsibility. It was Bill’s first week as a state senator and he was being asked to institute a sales tax, decidedly not the Republican thing to do. He wasn’t going to take that plunge without some cover. Bill polled his district, and discovered that seeking voter input was so well received that it became an annual event -- and he expanded it statewide. It is now a Vermont Political Tradition.

“So going back five decades, Bill was more than a Washington County state senator. Because he was a student of democracy and lover of all things political, as well as a gifted teacher, Bill over the years that he has composed, distributed and tallied up the Doyle Poll, enabled thousands upon thousands of individuals to have their voices heard by each other and by the decision makers in Montpelier.

“So as you can see from just these examples, Bill spent a large portion of his political capital in this Senate Chamber in this historic building leading the effort to expand the opportunity of Vermonters to participate in the electoral process; and, to share their opinions on the political questions of the day.

“In January 1981, I first arrived at the Vermont Senate from the Essex/Orleans District. As I walked in the State House, there was a familiar face – a state senator I had known as a kid from Barre. Bill had visited my high school and for many of us made among the first connections between politics and government. He was reelected to his third term in the Senate in the first election in which I was able to vote, November 1972. We once joked on the Senate floor during debate on the budget the senatorial scholarship he gave me when I was in college. I think \$50.00 when he could have awarded \$300.00. I told everyone I sent it back and told him he apparently needed it more than I did. Without pausing, he stood up and said it was “on the merits.”

“My final point about Bill Doyle’s impact on the Senate is best illustrated by how the Senate is organized every two years. On Friday, January 6, committee assignments were made. Although the Senate only has seven Republicans, two Republicans were appointed as committee chairs. This is virtually unheard of in other states, where winners take all.

“As I settled into my own Senate seat on the first Wednesday after the first Tuesday in January 1981, Bill Doyle preached fairness in the committee appointment process. In 1981, the Republicans were in the majority in the Senate, I think 23 to 7, and there was a Republican governor and a Republican speaker of the House.

“Bill told the Senate leaders at that time, Stewart Smith, Bob Bloomer and Bob Gannett, all Republicans, there shouldn’t mean one-party rule. As a result, there were Democratic as well as Republican chairs of committees. As a member of the Senate majority, and later as a member of the Committee on Committees, Bill Doyle supported and insisted on that bi-partisan approach, which certainly creates a different spirit in these halls from what prevails in Washington. And it’s nice to see it continues today. Thank you, Bill Doyle.

“In his special and beloved role as chair of the Government Operations Committee for many years, Bill had a reputation for fairness and even-handedness that also sets our state apart. It seems that in lots of states, election laws changes are proposed by members of the party in power simply as a means of trying to maintain that party's majority, and sometimes by discouraging voter participation. Bill Doyle never looked at things that way; what he looked for were changes that maintained and expanded the power of individuals - whatever their party and whatever their politics - to participate in the process so that their voices could be heard and their needs met.

“Over almost a half century in the Senate, Bill never lost his fascination with learning everything he possibly could and teaching his students and constituents and those who worked with him the importance of that part of the tradition embodied in Article Eight of our state constitution:

“That all elections ought to be free; and that all freemen . . . have a right to elect offices, or to be elected into office.”

“His book, “The Vermont Political Tradition: And Those Who Helped Make It,” reflects what he learned and experienced, and it will help to guide future generations. He uses it today to teach his government and political history classes at Johnson State College.

“The statement Bill issued when he decided to clear the deck and allow his good friend and former colleague, Francis Brooks, to be certified as one of the three winners of the November election, says a lot about his respect for the General Assembly as an institution and for those who serve here.

“Teacher. Pollster. Senator. Congratulations, Senator Bill Doyle, for your nearly one half century of public service to the people of the State of Vermont, for being such a great guy, a good friend, and for a job well done!”

Remarks by Senator William T. Doyle

“Thank you, Mr. President, for giving me a few moments to share a few thoughts with the members of the Vermont Senate and its guests.

“It seems like only yesterday that I was sworn in as one of the state senators from Washington County. And although some of you may think I was around

when Vermont's first constitution was written in 1777, you are mistaken. I was living in New Jersey at that time.

"I am very grateful to be honored today by many of my former colleagues in the House and Senate.

"I would like to thank my family for all that they did to support my political career. Much of my work, and the length of my tenure, would not have been possible without a supportive family. My wife, Olene, and my children, Lee, Keith and Kelly, all helped me in my campaigns they gave me the time to engage in the grueling schedule and demands of serving in a legislature with little staff and the need to provide constituent service all year long.

I care to share a few themes that guided my work in this Chamber.

"One was to give voice to Vermonters who felt excluded by the political process. While other states have worked to pass legislation that has a tendency to restrict voter participation, I am proud that in Vermont, we have done the opposite. We have enacted laws that provide every reasonable opportunity to Vermonters to easily register to vote and to otherwise participate in the electoral process.

"Another important goal was to keep the General Assembly as a citizen legislature. Legislators who interact directly with constituents are best able to understand their needs, and either help craft legislation that addresses their issues or intervene to ensure government is treating them equally and with due process.

"Town meeting is the essence of democracy. We have worked to provide municipalities with the flexibility to maintain a traditional town meeting, but we also have recognized that as Vermont grows in population, and the lives of Vermonters has become more complex, and jobs are a long drive away from their home town, it may be necessary to annually address a town's business by use of the ballot box and provide for daylong and absentee voting opportunities.

"What better way to get a sense of your district, or what Vermonters are thinking on pending policy questions, than to ask them. My town meeting day survey was put together every year with input from fellow legislators and community leaders around Vermont. The results of the survey often reflected the course followed by the General Assembly.

"The reapportionment of the House and Senate every ten years is key to ensuring that all corners and parts of Vermont have representation in the General Assembly. Requiring Senate Districts to follow county lines as much as possible have helped to maintain the political identities of the state's 14

counties and to avoid the mischief that takes place and the disenfranchisement that results in other states.

“I learned much from the seven governors and hundreds of legislators with whom I served, and from those who took the time to call, write, email or attend public hearings on the issues of the day.

“In return, I hope I responded the best I could to those requests, needs and goals.

“I hope that members of the General Assembly and my former constituents will allow that I did my best to help steer our government to meet the ever changing needs of Vermonters and the state we love.

“Thank you for the honor today.”

Called to Order

The Senate was called to order by the President.

Bills Introduced

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

S. 1.

By Senators Ashe, Mullin, Kitchel and Cummings,

An act relating to the determination of average daily membership for the 2016–2017 school year and equalized pupil count for fiscal year 2018.

To the Committee on Education.

S. 2.

By Senator Ashe,

An act relating to information sharing by the Commissioner of Financial Regulation.

To the Committee on Finance.

S. 3.

By Senators Sears, Ayer and White,

An act relating to mental health professionals’ duty to warn.

To the Committee on Judiciary.

S. 4.

By Senators Ashe, Lyons and Pollina,

An act relating to publicly accessible meetings of an accountable care organization's governing body.

To the Committee on Health and Welfare.

S. 5.

By Senator Sears,

An act relating to plea agreements.

To the Committee on Judiciary.

S. 6.

By Senators Baruth, Sirotkin, Clarkson, Ingram, Lyons, McCormack and Pearson,

An act relating to requiring background checks for the transfer of firearms.

To the Committee on Judiciary.

S. 7.

By Senators Benning and Sears,

An act relating to deferred sentences and the sex offender registry.

To the Committee on Judiciary.

S. 8.

By Senators Pollina and White,

An act relating to establishing the State Ethics Commission and standards of governmental ethical conduct.

To the Committee on Government Operations.

S. 9.

By Senators Starr, Rodgers and Westman,

An act relating to the preparation of poultry products.

To the Committee on Agriculture.

S. 10.

By Senators Campion and Sears,

An act relating to liability for the contamination of potable water supplies.

To the Committee on Natural Resources and Energy.

S. 11.

By Senators Campion and Sears,

An act relating to the liability of municipalities for hazardous material releases from landfills.

To the Committee on Natural Resources and Energy.

S. 12.

By Senator Starr,

An act relating to increasing the maximum prison sentence for first, second, and subsequent offenses of aggravated animal cruelty.

To the Committee on Judiciary.

S. 13.

By Senators Starr, Rodgers and Westman,

An act relating to fees and costs allowed at a tax sale.

To the Committee on Government Operations.

S. 14.

By Senator Sears,

An act relating to expanding the Vermont Practitioner Recovery Network.

To the Committee on Health and Welfare.

Adjournment

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

WEDNESDAY, JANUARY 11, 2017

The Senate was called to order by the President.

Devotional Exercises

A moment of silence was observed in lieu of devotions.

Bill Introduced

Senate bill of the following title was introduced, read the first time and referred:

S. 15.

By Senators Kitchel, Benning, Campion, McCormack, Pollina, Rodgers, Sears, Starr and Westman,

An act relating to amendments to Act 46 to facilitate the approval of alternative governance structures and extend time frames.

To the Committee on Education.

Adjournment

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

THURSDAY, JANUARY 12, 2017

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. 5

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 resolution originating in the Senate of the following title:

J.R.S. 8. Joint resolution relating to weekend adjournment.

And has adopted the same in concurrence.

Joint Resolution Referred**J.R.S. 9.**

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

By Senator Cummings,

J.R.S. 9. Joint resolution objecting to law enforcement officials' conduct at the Standing Rock protest and urging President-Elect Trump, on assuming office, to not propose a reversal of the U.S. Army Corps of Engineers' denial of construction authorization for the Lake Oahe water crossing of the Dakota Access Pipeline.

Whereas, Dakota Access L.L.C, a subsidiary of Texas-based Energy Transfer Partners, is constructing the Dakota Access Pipeline extending from North Dakota to Illinois, and

Whereas, a segment of the pipeline has been proposed to be built under the Missouri River, at a location known as Lake Oahe, near the Standing Rock Sioux reservation in North Dakota, and

Whereas, the Standing Rock Sioux Tribe (the tribe) is concerned that the Lake Oahe segment may pollute the reservation's drinking water supply, and

Whereas, in July 2016, the U.S. Army Corps of Engineers (the Corps) issued the federally required approval for the Lake Oahe segment of the pipeline, as the segment is a water crossing, and

Whereas, at least 3,000 protesters joined an encampment near the proposed construction site, and in September 2016, tribal leaders accused construction crews of destroying burial sites on the tribe's private land, and

Whereas, tribal leaders then decided to confront the construction crews, and the protesters accused private security workers of employing dogs and pepper spray, and violent treatment of protesters occurred, including the use of rubber bullets against protesters, and

Whereas, on October 27, 2016, police arrested dozens of the segment's opponents for establishing an illegal camp and reports surfaced that police were monitoring the protesters' social media activities, and

Whereas, in early December 2016, the Corps announced that it was amending its Lake Oahe decision ordering an environmental study of alternative routes for the pipelines going underneath the Missouri River, and

Whereas, although the tribe celebrated this unanticipated victory, it remains concerned that on assuming office, President-Elect Trump might propose a reversal of the Corps' latest Lake Oahe decision, *now therefore be it*

Resolved by the Senate and House of Representatives:

That the General Assembly objects to law enforcement officials' conduct at the Standing Rock protest and urges President-Elect Trump, on assuming office, to not propose a reversal of the U.S. Army Corps of Engineers' denial of construction authorization for the Lake Oahe water crossing of the Dakota Access Pipeline, *and be it further*

Resolved: That the Secretary of State be directed to send a copy of this resolution to President-Elect Donald Trump, to Lieutenant General Todd T. Semonite, Commanding General and Chief Engineer, U.S. Army Corps of Engineers, to the Vermont Congressional Delegation, and to the Standing Rock Tribe.

Thereupon, the President, in his discretion, treated the joint resolution as a bill and referred it to the Committee on Government Operations.

Bills Introduced

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

S. 16.

By Senators Sears, Ashe, Benning, Campion, Degree, Lyons and White,

An act relating to expanding patient access to the Medical Marijuana Registry.

To the Committee on Judiciary.

S. 17.

By Senators White, Balint, Benning, Clarkson, Collamore, Kitchel, Mazza and Pollina,

An act relating to the qualifications of candidates for Adjutant and Inspector General.

To the Committee on Government Operations.

S. 18.

By Senators White, Balint and Baruth,

An act relating to freedom of expression for students.

To the Committee on Education.

S. 19.

By Senators Ayer, Mullin, Sirotkin and White,

An act relating to preserving the out-of-pocket limit for prescription drugs in bronze-level Exchange plans.

To the Committee on Health and Welfare.

S. 20.

By Mullin, Branagan, Collamore, Degree, Flory, McCormack, Rodgers and Starr,

An act relating to awarding hunting and fishing licenses at no cost to persons 65 years of age or older.

To the Committee on Natural Resources and Energy.

S. 21.

By Senators Ayer, Lyons, Pollina and White,

An act relating to a study on whether to require large buildings to install solar generation.

To the Committee on Natural Resources and Energy.

S. 22.

By Senator Sears,

An act relating to increased penalties for possession, sale, and dispensation of fentanyl.

To the Committee on Judiciary.

S. 23.

By Senator Sears,

An act relating to juvenile jurisdiction.

To the Committee on Judiciary.

Adjournment

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

FRIDAY, JANUARY 13, 2017

The Senate was called to order by the President.

Devotional Exercises

Devotional exercises were conducted by the Reverend Adrienne Carr of Mallets Bay.

Bills Introduced

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

S. 24.

By Senators Campion, Sears, Benning, Branagan, Degree, Flory, Kitchel and Westman,

An act relating to the State Board of Education.

To the Committee on Education.

S. 25.

By Senator White,

An act relating to the professional regulation of law enforcement officers by the Vermont Criminal Justice Training Council.

To the Committee on Government Operations.

S. 26.

By Senator White,

An act relating to miscellaneous law enforcement amendments.

To the Committee on Government Operations.

S. 27.

By Senator White,

An act relating to requiring each town to provide its own primary police coverage.

To the Committee on Government Operations.

S. 28.

By Senators Pollina and Pearson,

An act relating to the beverage container redemption system.

To the Committee on Natural Resources and Energy.

S. 29.

By Senator Flory,

An act relating to decedents' estates.

To the Committee on Judiciary.

Standing Committees Appointed

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

Rules

At Call

Senator Ashe, Chair

Mazza, Vice-Chair

Balint

Degree

MacDonald

Ethics

At Call Senator Benning, Chair
 Campion, Vice-Chair
 Branagan
 Ayer
 Pollina

Sexual Harassment Panel

At Call Senator Balint, Chair
 Clarkson, Vice-Chair
 Baruth
 Benning
 Lyons
 White

**Appointment of Senate Members of the Legislative Committee on
Administrative Rules**

Pursuant to the provisions of 3 V.S.A. §817, the President, on behalf of the Committee on Committees, announced the appointment of the following Senators to serve on the Legislative Committee on Administrative Rules for terms of two years ending February 1, 2019:

Senator MacDonald
Senator Sirotkin
Senator Benning
Senator Lyons

Appointment of Senate Members to Legislative Council

Pursuant to the provisions of 2 V.S.A. §402, the President announced the appointment by the President of the following Senators to serve on the Legislative Council for terms of two years:

Senator Ashe, *ex officio*
Senator Mazza
Senator Branagan
Senator Sears

**Appointment of Senate Members to Green Mountain Care Board
Nominating Committee**

Pursuant to the provisions of 18 V.S.A. §9390, the President, on behalf of the Committee on Committees, announced the appointment of the following Senators to serve on the Green Mountain Care Board Nominating Committee, for a term of two years:

Senator Pearson

Senator Lyons

Commission on International Trade and State Sovereignty

Pursuant to the provisions of 3 V.S.A. §23(b)(2), the President, on behalf of the Committee on Committees, announced the appointment of the following Senator to serve on the Commission on International Trade and State Sovereignty for a term of two years:

Senator Lyons

Appointment of Senate Members to Joint Rules Committee

The President, on behalf of the Committee on Committees, announced the appointment of the following Senators to serve on the Joint Rules Committee for terms of two years pursuant to the provisions of Joint Rule No. 5:

Senator Ashe, *ex officio*

Senator Mazza

Senator Balint

Senator Degree

Appointment of Senate Members to the Joint Committee on Judicial Retention

Pursuant to the provisions of 4 V.S.A. §607, the President, on behalf of the Committee on Committees, announced the appointment of the following Senators to serve on the Joint Committee on Judicial Retention during this biennium:

Senator Nitka

Senator Flory

Senator Benning

Senator Sirotkin

Appointment of Senate Members to Legislative Committee on Judicial Rules

Pursuant to the provisions of 12 V.S.A. §3, the President, on behalf of the Committee on Committees, announced the appointment of the following Senators to serve on the Legislative Committee on Judicial Rules for terms of two (2) years ending February 1, 2019:

Senator Sears

Senator Balint

Senator Benning

Senator Clarkson

Appointment of Senate Members to Legislative Information Technology Committee

Pursuant to the provisions of 2 V.S.A. §751, the President, on behalf of the Committee on Committees, announced the appointment of the following Senators to serve on the Legislative Information Technology Committee for the current biennium:

Senator Pearson
Senator Rodgers
Senator Westman
Senator Campion

Appointment of Senate Member to Pre-Kindergarten – 16 Council

Pursuant to the provisions of 16 V.S.A. §2905(b)(5), the President, on behalf of the Committee on Committees, announced the appointment of the following Senator to serve on the Pre-Kindergarten – 16 Council:

Senator Baruth

Appointment of Senate Member to the Access Board

Pursuant to the provisions of 20 V.S.A. §2901, the President, on behalf of the Committee on Committees, announced the appointment of the following Senator to serve on the Access Board for a term of two years:

Senator Flory, *ex officio*

Appointment of Senate Member to Art in State Buildings Advisory Panel

Pursuant to the provisions of 29 V.S.A. §47, the President, on behalf of the Committee on Committees, announced the appointment of the following Senator to serve on the Art in State Buildings Advisory Panel during this biennium:

Senator Branagan

Appointment of Senate Member to New England Board of Higher Education

Pursuant to the provisions of 16 V.S.A. §2731, the President announced the appointment of the following Senator to serve on the New England Board of Higher Education for a term of six years:

Senator Baruth

Appointment of Senate Member to Governor's Snowmobile Council

Pursuant to the provisions of 23 V.S.A. §3216, the President, on behalf of the Committee on Committees, announced the appointment of the following

Senator to serve on the Governor's Snowmobile Council for a term of two years:

Senator Kitchel

Appointment of Senate Member to the Vermont Tobacco Evaluation and Review Board

Pursuant to the provisions of 18 V.S.A. §9504, the President, on behalf of the Committee on Committees, announced the appointment of the following Senator to serve on the Vermont Tobacco Evaluation and Review Board for a term of two years:

Senator Lyons

Appointment of Senate Member to Human Services and Educational Facilities Grant Advisory Committee

Pursuant to the provisions of 24 V.S.A. §5606, the President, on behalf of the Committee on Committees, announced the appointment of the following Senator to serve on the Human Services and Educational Facilities Grant Advisory Committee:

Senator Brooks

Appointment of Senate Member to the Barre Granite and Ethnic Culture Museum Steering Committee

Pursuant to the provisions of Sec. 6(a)(7) of No. 233 of the Acts of 1994, the President, on behalf of the Committee on Committees, announced the appointment of the following Senators to serve on the Barre Granite and Ethnic Culture Museum Steering Committee during this biennium:

Senator Flory, *ex officio*

Senator Brooks

Senator Pollina

Senator Cummings

Appointment of Senate Members to the Legislative Advisory Committee on the State House

Pursuant to the provisions of 2 V.S.A. §651, the President, on behalf of the Committee on Committees, announced the appointment of the following Senators to serve on the Legislative Advisory Committee on the State House for terms of two years:

Senator Rodgers

Senator Flory

Senator Mazza

Message from the House No. 6

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 concurrent resolutions originating in the Senate of the following titles:

S.C.R. 1. Senate concurrent resolution honoring former Senator William T. Doyle and designating March 7, 2017 as "Bill Doyle Town Meeting Day".

S.C.R. 2. Senate concurrent resolution congratulating the Central Vermont Economic Development Corporation on its 40th anniversary.

And has adopted the same in concurrence.

The House has adopted House concurrent resolutions of the following titles:

H.C.R. 1. House concurrent resolution honoring the military service of the 300 members of the Vermont Air National Guard recently deployed to the Middle East.

H.C.R. 2. House concurrent resolution designating Thursday, January 5, 2017 as Homelessness Awareness Day at the State House.

H.C.R. 3. House concurrent resolution congratulating Jon Binhammer on his 25 years of outstanding service at the Vermont chapter of The Nature Conservancy.

H.C.R. 4. House concurrent resolution honoring Pamela Taylor for her exemplary service as a teacher, mentor, and community leader in Vergennes.

H.C.R. 5. House concurrent resolution honoring Jonas Rosenthal for his outstanding municipal service as Poultney Town and Village Manager.

H.C.R. 6. House concurrent resolution honoring consummate volunteers Dan and Dana Grossman of Thetford.

H.C.R. 7. House concurrent resolution commemorating the 240th anniversary of the Vermont Republic.

H.C.R. 8. House concurrent resolution congratulating the 2016 Essex High School Hornets girls' State championship rugby team.

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

Senate Concurrent Resolution

The following joint concurrent resolution, 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, was adopted on the part of the Senate:

By Senators Cummings, Brooks, and Pollina,

By Representative Donahue of Northfield,

S.C.R. 2.

Senate concurrent resolution congratulating the Central Vermont Economic Development Corporation on its 40th anniversary.

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 adopted in concurrence:

By All Members of the House,

By All Members of the Senate,

H.C.R. 1.

House concurrent resolution honoring the military service of the 300 members of the Vermont Air National Guard recently deployed to the Middle East.

By Rep. Head and others,

H.C.R. 2.

House concurrent resolution designating Thursday, January 5, 2017, as Homelessness Awareness Day at the State House.

By Rep. Hooper and others,

H.C.R. 3.

House concurrent resolution congratulating Jon Binhammer on his 25 years of outstanding service at the Vermont chapter of The Nature Conservancy.

By Rep. Lanpher and others,

H.C.R. 4.

House concurrent resolution honoring Pamela Taylor for her exemplary service as a teacher, mentor, and community leader in Vergennes.

By Rep. McCoy,

By Senators Collamore, Flory, and Mullin,

H.C.R. 5.

House concurrent resolution honoring Jonas Rosenthal for his outstanding municipal service as Poultney Town and Village Manager.

By Rep. Masland and others,

H.C.R. 6.

House concurrent resolution honoring consummate volunteers Dan and Dana Grossman of Thetford.

By Rep. Devereux and others,

By Senators Balint and White,

H.C.R. 7.

House concurrent resolution commemorating the 240th anniversary of the Vermont Republic.

By Rep. Myers and others

H.C.R. 8.

House concurrent resolution congratulating the 2016 Essex High School Hornets girls' State championship rugby team

Adjournment

On motion of Senator Ashe, the Senate adjourned, to reconvene on Tuesday, January 17, 2017, at nine o'clock and thirty minutes in the forenoon pursuant to J.R.S. 8.

TUESDAY, JANUARY 17, 2017

The Senate was called to order by the President.

Devotional Exercises

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

Pledge of Allegiance

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

**Message from the Governor
Appointments Referred**

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

Fenster, David of Middlebury - Superior Judge - from December 28, 2016, to March 31, 2022.

To the Committee on Judiciary.

Courtney, Elizabeth of Montpelier - Member of the Natural Resources Board - from September 12, 2016, to January 31, 2020.

To the Committee on Natural Resources and Energy.

Terry, Faith of Middlebury - Member of the Transportation Board - from September 12, 2016, to February 28, 2019.

To the Committee on Transportation.

Tuttle, Michael of South Burlington - Member of the Vermont Economic Development Authority - from September 12, 2016, to June 30, 2020.

To the Committee on Finance.

Meals, Don of Burlington - Member of the State Board of Health - from September 12, 2016, to February 28, 2019.

To the Committee on Health and Welfare.

Graves, Leon of Fairfield - Member of the Vermont Economic Development Authority - from July 1, 2016, to June 30, 2022.

To the Committee on Finance.

Gallagher, Thomas of St. Albans - Member of the Vermont Economic Development Authority - from July 1, 2016, to June 30, 2022.

To the Committee on Finance.

Kurtzman, Daniel of Canaan - Member of the Vermont Economic Development Authority - from July 1, 2016, to June 30, 2022.

To the Committee on Finance.

Potter, Alexandra S. of Starksboro - Member of the Vermont Tobacco Evaluation and Review Board - from June 30, 2016, to July 1, 2019.

To the Committee on Health and Welfare.

Wisloski, Stephen of South Burlington - Member of the Vermont Educational and Health Buildings Financing Agency - from June 14, 2016, to February 28, 2019.

To the Committee on Finance.

Sexton, Ryan of Montpelier - Member of the Board of Medical Practice - from June 14, 2016, to December 31, 2018.

To the Committee on Health and Welfare.

Kennett, Elizabeth of Rochester - Member of the Travel Information Council - from June 14, 2016, to February 28, 2018.

To the Committee on Transportation.

Vickers, Donald of Georgia - Member of the Human Rights Commission - from March 1, 2016, to February 28, 2021.

To the Committee on Judiciary.

Gibbons, Kenneth of Hyde Park - Member of the Vermont Educational and Health Buildings Financing Agency - from July 1, 2016, to January 31, 2022.

To the Committee on Finance.

Lauzon, Thomas of Barre - Member of the Travel Information Council - from July 1, 2016, to February 28, 2018.

To the Committee on Transportation.

Illick, Martha of Charlotte - Member of the Natural Resources Board - from July 1, 2016, to January 31, 2020.

To the Committee on Natural Resources and Energy.

Heald, Francis of Island Pond - Member of the Travel Information Council, - from July 1, 2016, to February 28, 2018.

To the Committee on Transportation.

Hunter, Patricia of Rutland - Member of the Board of Medical Practice - from January 1, 2017, to December 31, 2022.

To the Committee on Health and Welfare.

Weinstein, Heather of Montpelier - Member of the Community High School of Vermont Board - from December 12, 2016, to February 28, 2017.

To the Committee on Education.

Bolton, Margaret of Addison - Member of the State Board of Health - from December 12, 2016, to February 28, 2017.

To the Committee on Health and Welfare.

Harrison, Wendy of Brattleboro - Member of the Transportation Board - from December 12, 2016, to February 28, 2019.

To the Committee on Transportation.

Kittell, Vanessa of East Fairfield - Chair of the Transportation Board - from December 12, 2016, to February 28, 2019.

To the Committee on Transportation.

Mann, Elizabeth of Norwich - Superior Judge - from December 28, 2016, to March 31, 2019.

To the Committee on Judiciary.

Faisal, Gill of Winooski - Member of the Board of Medical Practice - from January 1, 2017, to December 31, 2022.

To the Committee on Health and Welfare.

Message from the Governor Appointments Referred

A message was received from the Governor, by Brittney Wilson, Secretary of Civil and Military Affairs, submitting the following appointments, which were referred to committees as indicated:

Ide, Robert of Peacham - Commissioner of the Department of Motor Vehicles - from January 5, 2017, to February 28, 2017.

To the Committee on Transportation.

Ide, Robert of Peacham - Commissioner of the Department of Motor Vehicles - from March 1, 2017, to February 28, 2019.

To the Committee on Transportation.

Flynn, Joe of South Hero - Secretary of the Agency of Transportation - from January 5, 2017, to February 28, 2017.

To the Committee on Transportation.

Flynn, Joe of South Hero - Secretary of the Agency of Transportation - from March 1, 2017, to February 28, 2019.

To the Committee on Transportation.

Anderson, Thomas of Stowe - Commissioner of the Public Safety Department - from January 5, 2017, to February 28, 2017.

To the Committee on Transportation.

Anderson, Thomas of Stowe - Commissioner of the Public Safety Department - from March 1, 2017, to February 28, 2019.

To the Committee on Transportation.

Levine, Mark A. of Shelburne - Commissioner of the Department of Health - from January 5, 2017, to February 28, 2017.

To the Committee on Health and Welfare.

Levine, Mark A. of Shelburne - Commissioner of the Department of Health - from March 1, 2017, to February 28, 2019.

To the Committee on Health and Welfare.

Schatz, Kenneth of South Burlington - Commissioner of the Department of Children and Families - from January 5, 2017, to February 28, 2017.

To the Committee on Health and Welfare.

Schatz, Kenneth of South Burlington - Commissioner of the Department of Children and Families - from March 1, 2017, to February 28, 2019.

To the Committee on Health and Welfare.

Hutt, Monica of Williston - Commissioner of the Department of Aging and Independent Living - from January 5, 2017, to February 28, 2017.

To the Committee on Health and Welfare.

Hutt, Monica of Williston - Commissioner of the Department of Aging and Independent Living - from March 1, 2017, to February 28, 2019.

To the Committee on Health and Welfare.

Gustafson, Cory of Montpelier - Commissioner of the Department of Vermont Health Access - from January 5, 2017, to February 28, 2017.

To the Committee on Health and Welfare.

Gustafson, Cory of Montpelier - Commissioner of the Department of Vermont Health Access - from March 1, 2017, to February 28, 2019.

To the Committee on Health and Welfare.

Gobeille, Al of Shelburne - Secretary of the Agency of Human Services - from January 5, 2017, to February 28, 2017.

To the Committee on Health and Welfare.

Gobeille, Al of Shelburne - Secretary of the Agency of Human Services - from March 1, 2017, to February 28, 2019.

To the Committee on Health and Welfare.

Bailey, Melissa of Bolton - Commissioner of the Department of Mental Health - from January 5, 2017, to February 28, 2017.

To the Committee on Health and Welfare.

Bailey, Melissa of Bolton - Commissioner of the Department of Mental Health - from March 1, 2017, to February 28, 2019.

To the Committee on Health and Welfare.

Tierney, June of Randolph Center - Commissioner of the Department Public Safety - from January 5, 2017, to February 28, 2017.

To the Committee on Transportation.

Tierney, June of Randolph - Commissioner of the Department Public Safety - from March 1, 2017, to February 28, 2019.

To the Committee on Transportation.

Samson, Kaj of Montpelier - Commissioner of the Department of Taxes - from January 5, 2017, to February 28, 2017.

To the Committee on Finance.

Samson, Kaj of Montpelier - Commissioner of the Department of Taxes - from March 1, 2017, to February 28, 2019.

To the Committee on Finance.

Pieciak, Michael of Winooski - Commissioner of the Department of Financial Regulations - from January 5, 2017, to February 28, 2017.

To the Committee on Finance.

Pieciak, Michael of Winooski - Commissioner of the Department of Financial Regulations - from March 1, 2017, to February 28, 2019.

To the Committee on Finance.

Young, Susanne of Northfield - Secretary of the Agency of Administration - from January 5, 2017, to February 28, 2017.

To the Committee on Government Operations.

Young, Susanne of Northfield - Secretary of the Agency of Administration - from March 1, 2017, to February 28, 2019.

To the Committee on Government Operations.

Pallito, Andy of Jericho - Commissioner of the Department of Finance and Management - from January 5, 2017, to February 28, 2017.

To the Committee on Government Operations.

Pallito, Andy of Jericho - Commissioner of the Department of Finance and Management - from March 1, 2017, to February 28, 2019.

To the Committee on Government Operations.

Schirling, Michael of Burlington - Secretary of the Agency of Commerce and Community Development - from January 5, 2017, to February 28, 2017.

To the Committee on Economic Development, Housing and General Affairs.

Schirling, Michael of Burlington - Secretary of the Agency of Commerce and Community Development - from March 1, 2017, to February 28, 2019.

To the Committee on Economic Development, Housing and General Affairs.

Kurrle, Lindsay of Middlesex - Commissioner of the Department of Labor - from January 5, 2017, to February 28, 2017.

To the Committee on Economic Development, Housing and General Affairs.

Kurrle, Lindsay of Middlesex - Commissioner of the Department of Labor - from March 1, 2017, to February 28, 2019.

To the Committee on Economic Development, Housing and General Affairs.

Buckley, Katherine of Guilford - Commissioner of the Department of Housing and Community Development - from January 5, 2017, to February 28, 2017.

To the Committee on Economic Development, Housing and General Affairs.

Buckley, Katherine of Guilford - Commissioner of the Department of Housing and Community Development - from March 1, 2017, to February 28, 2019.

To the Committee on Economic Development, Housing and General Affairs.

Tebbetts, Anson of Marshfield - Secretary of the Agency of Agriculture, Food and Markets - from January 5, 2017, to February 28, 2017.

To the Committee on Agriculture.

Tebbetts, Anson of Marshfield - Secretary of the Agency of Agriculture, Food and Markets - from March 1, 2017, to February 28, 2019.

To the Committee on Agriculture.

Snelling, Diane of Hinesburg - Chair of the Natural Resources Board, - from January 5, 2017, to February 28, 2017.

To the Committee on Natural Resources and Energy.

Snelling, Diane of Hinesburg - Chair of the Natural Resources Board, - from March 1, 2017, to February 28, 2019.

To the Committee on Natural Resources and Energy.

Porter, Louis of Adamant - Commissioner of the Department of Fish and Wildlife - from January 5, 2017, to February 28, 2017.

To the Committee on Natural Resources and Energy.

Porter, Louis of Adamant - Commissioner of the Department of Fish and Wildlife - from March 1, 2017, to February 28, 2019.

To the Committee on Natural Resources and Energy.

Moore, Julie of Middlesex - Secretary of the Agency of Natural Resources - from January 5, 2017, to February 28, 2017.

To the Committee on Natural Resources and Energy.

Moore, Julia of Middlesex - Secretary of the Agency of Natural Resources - from March 1, 2017, to February 28, 2019.

To the Committee on Natural Resources and Energy.

Cole, Christopher of Richmond - Commissioner of the Department of Buildings and General Services - from January 5, 2017, to February 28, 2017.

To the Committee on Institutions.

Cole, Christopher of Richmond - Commissioner of the Department of Buildings and General Services - from March 1, 2017, to February 28, 2019.

To the Committee on Institutions.

Joint Senate Resolution Adopted on the Part of the Senate**J.R.S. 10.**

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

By Senator Ashe,

J.R.S. 10. Joint resolution relating to weekend adjournment.

Resolved by the Senate and House of Representatives:

That when the two Houses adjourn on Friday, January 20, 2017, it be to meet again no later than Tuesday, January 24, 2017.

Bills Introduced

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

S. 30.

By Senators Champion and Sears,

An act relating to the service of alcoholic beverages by theaters.

To the Committee on Economic Development, Housing and General Affairs.

S. 31.

By Senator Lyons,

An act relating to circulating nurses in hospital operating rooms.

To the Committee on Health and Welfare.

S. 32.

By Senators Lyons and McCormack,

An act relating to climate change considerations in State procurement.

To the Committee on Government Operations.

S. 33.

By Senators Sirotkin and Starr,

An act relating to the Rozo McLaughlin Farm-to-School Program.

To the Committee on Agriculture.

Adjournment

On motion of Senator Ashe, the Senate adjourned until one o'clock in the afternoon on Wednesday, January 18, 2017.

WEDNESDAY, JANUARY 18, 2017

The Senate was called to order by the President.

Devotional Exercises

A moment of silence was observed in lieu of devotions.

Bill Referred to Committee on Appropriations

S. 1.

Senate bill of the following title, appearing on the Calendar for notice and carrying an appropriation or requiring the expenditure of funds, under the rule was referred to the Committee on Appropriations:

An act relating to the determination of average daily membership for the 2016–2017 school year and equalized pupil count for fiscal year 2018.

Executive Order Referred

The President laid before the Senate Executive Order 05-17 relating to changes in the organization of the executive branch of the government of Vermont pursuant to the provision of 3 V.S.A. §2002, which was read by the Secretary and is as follows:

STATE OF VERMONT

EXECUTIVE DEPARTMENT

EXECUTIVE ORDER NO. 05-17

[Creation of the Agency of Economic Opportunity]

WHEREAS, the Governor, pursuant to 3 V.S.A. Section 2001, may make such changes in the organization of the Executive Branch or in the assignment of functions among its units as he considers necessary for efficient administration; and

WHEREAS, it is desirable to reorganize the agencies, departments and divisions of government by better coordinating certain activities and improve the coordination and effectiveness of services to the public; and

WHEREAS, the Agency of Commerce and Community Development and the Department of Labor administer programs and provide services that share common policy interests, objectives and constituencies; and

WHEREAS, the goals of greater affordability, economic growth and optimal government efficacy require a stronger and more direct alignment of State government workforce training, recruitment and service programs with economic and community development activities; and

WHEREAS, certain Department of Labor programs relating to workforce and consumer safety can be more efficiently administered by the Department of Public Safety, where additional opportunities for simplifying and streamlining service to Vermonters will be created; and

WHEREAS, the State could strengthen and more efficiently deliver services to the public through the reorganization of the Agency of Commerce and Community Development and the Department of Labor into a single Agency of Economic Opportunity.

NOW THEREFORE, by virtue of the authority vested in me by 3 V.S.A. chapter 41 as Governor, I, Philip B. Scott, do hereby create an Agency of Economic Opportunity by reorganizing the Agency of Commerce and Community Development and the Department of Labor. The Agency of Economic Opportunity shall be successor to the Agency of Commerce and Community Development and the Department of Labor.

1. All duties, responsibilities and authority of the Agency of Commerce and Community Development are hereby transferred to the Agency of Economic Opportunity.
2. All other authorized positions and equipment of the Agency of Commerce and Community Development are transferred to the Agency of Economic Opportunity.
3. All duties, responsibilities and authority of the Department of Labor, other than those relating to V.O.S.H.A., Project WorkSAFE and Passenger Tramway Safety, are hereby transferred to the Agency of Economic Opportunity.
4. All duties, responsibilities and authority of the Department of Labor relating to V.O.S.H.A., Project WorkSAFE and Passenger Tramway Safety, are hereby transferred to the Department of Public Safety.
5. The rules of the former Agency of Commerce and Community Development and the former Department of Labor in effect on the effective date of this Executive Order, other than those relating to V.O.S.H.A., WorkSAFE and Passenger Tramway Safety, shall be the rules of the Agency of Economic Opportunity.
6. The rules of the former Department of Labor in effect on the effective date of this Executive Order relating to V.O.S.H.A.,

WorkSAFE and Passenger Tramway Safety, shall be the rules of the Department of Public Safety.

7. The positions of Secretary of the Agency of Commerce and Community Development and Commissioner of the Department of Labor are abolished and all the duties, responsibilities, and authority of the Secretary and the Commissioner are hereby transferred to the Secretary of the Agency of Economic Opportunity.
8. Effective April 17, 2017, the Agency of Economic Opportunity shall administer the programs formerly administered by the Department of Labor, other than those programs relating to V.O.S.H.A, WorkSAFE and Passenger Tramway Safety, including but not limited to:
 - A. Apprenticeship Division and Council (21 V.S.A. §§ 1101-1105);
 - B. State and Federal job training and employment services programs, including Vermont Employment Service (21 V.S.A. §§ 1201-1206), Displaced Homemakers (21 V.S.A. §§ 1231-1232), Domestic and Sexual Violence Survivors' Transitional Employment Program (21 V.S.A. §§ 1253-1255), and Regional Workforce Education and Training (10 V.S.A. § 542);
 - C. Vermont Employment Security Board (21 V.S.A. § 1302);
 - D. Workforce Development Board (10 V.S.A. § 541a);
 - E. Advisory Council (21 V.S.A. § 1306);
 - F. Employee Leasing Companies (21 V.S.A. §§ 1031-1043);
 - G. Employment Practices (21 V.S.A. §§ 301-561);
 - H. Governor's Committee on Employment of People with Disabilities (21 V.S.A. § 497a);
 - I. Employee's Liability and Workers' Compensation program (21 V.S.A. §§ 601-711); and
 - J. Unemployment Compensation law (21 V.S.A §§ 1301-1471).
9. The Youth in Agriculture, Natural Resources and Food Production Consortium (21 V.S.A. §§ 1151-1153), shall be attached to the Agency of Economic Opportunity for administrative purposes.
10. All duties, responsibilities and authority of the Department of Labor relating to the following programs are hereby transferred to the Department of Public Safety:

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- A. V.O.S.H.A. and Project WorkSAFE programs (21 V.S.A. §§ 201-232 and 18 V.S.A. §§ 1415-1418 (transferred to Department of Labor by Executive Order No. 21-08 dated January 14, 2005)); and
 - B. Passenger Tramway program and the Passenger Tramway Board (31 V.S.A. §§ 701-712).
11. All other positions and equipment of the Department of Labor relating to VOSHA, Project WorkSAFE and the Passenger Tramway Program are transferred to the Department of Public Safety.
 12. Effective April 17, 2017, the Agency of Economic Opportunity shall administer all programs formerly administered by the Agency of Commerce and Community Development including, but not limited to:
 - A. Housing, Community Development, Economic Development Historic Preservation and Tourism and Marketing programs (3 V.S.A. §§ 2401-2516);
 - B. Vermont Housing Council (created by Executive Order 08-11); and
 - C. Travel and Information Council (10 V.S.A. § 484 (for purposes of the collection and distribution of travel information)).
 13. The Sustainable Jobs Fund Program (10 V.S.A. §§ 326-330), shall be attached to the Agency of Economic Opportunity for administrative purposes.
 14. Effective April 17, 2017, the Agency of Economic Opportunity shall consist of four Departments:
 - A. Department of Marketing and Tourism;
 - B. Department of Economic Development;
 - C. Department of Housing and Community Development; and
 - D. Department of Labor and Workforce Development.
 15. The Agency of Economic Opportunity shall be headed by a Secretary appointed by the Governor, with advice and consent of the Senate. The Governor shall also appoint a Deputy Secretary. Each of the four Departments shall be headed by a Commissioner to be appointed by the Governor.

16. The Secretary of the Agency of Economic Opportunity, together with the Commissioner of Labor and Workforce Development, shall further study the effectiveness, priority and delivery of services and shall report any additional recommendation for restructuring and/or statutory changes to the Governor by November 17, 2017.

This Executive Order supersedes and replaces Executive Order No. 01-05, codified as Executive Order No. 21-8.

This Executive Order shall be submitted to the General Assembly pursuant to 3 V.S.A. § 2002. This Executive Order shall take effect on April 17, 2017, unless disapproved by the General Assembly pursuant to 3 V.S.A. § 2002(b).

WITNESS my name hereunto subscribed
and the Great Seal of the State of Vermont
hereunto affixed at Montpelier this 15th day of
January, 2017.

/s/Philip B. Scott

PHILIP B. SCOTT

Governor

EXECUTIVE ORDER 05-17

Thereupon, pursuant to the rules of the Senate, Executive Order No. 05-17 was referred to the Committee on Economic Development; Housing and General Affairs.

Executive Order Referred

The President laid before the Senate Executive Order 06-17 relating to changes in the organization of the executive branch of the government of Vermont pursuant to the provision of 3 V.S.A. §2002, which was read by the Secretary and is as follows:

STATE OF VERMONT

EXECUTIVE DEPARTMENT

EXECUTIVE ORDER NO. 06-17

[Creation of the Agency of Digital Services]

WHEREAS, the Governor, pursuant to 3 V.S.A. Section 2001, may make such changes in the organization of the executive branch or in the assignment of functions among its units as he considers necessary for efficient administration; and

WHEREAS, it is desirable to reorganize the departments and divisions of government by better coordinating certain activities and to improve the coordination and effectiveness of services to the public; and

WHEREAS, the Department of Information and Innovation and various State agencies purchase information technology (IT) products and services, administer IT programs and provide IT services; and

WHEREAS, the existing structure of centralized IT and decentralized IT operating in parallel has made it difficult to (i) share data; (ii) capture comprehensive IT usage metrics, including spending; (iii) develop a comprehensive strategy for funding, procurement and use of IT; (iv) ensure results based accountability; and (v) collaborate on statewide best practices; and

WHEREAS, many states have restructured information technology governance in order to increase efficiency, broaden transparency and enable more strategic use of IT; and

WHEREAS, restructuring IT governance presents an opportunity to better align business functions and IT through:

- 1) Improved coordination of technology procurements;
- 2) Improved project management practices and standards;
- 3) Improved communication among State agency and department technology resources;
- 4) Improved IT governance;
- 5) Utilization of technology skills and resources across departments for the benefit of all agencies and departments;
- 6) A comprehensive understanding of IT spending;
- 7) Support of results based accountability;
- 8) Realignment of IT resources with State priorities; and

WHEREAS, this restructuring offers benefits to State employees through greater opportunities for professional development within State government; and

WHEREAS, the State could improve and more efficiently deliver services to the public through the creation of the Agency of Digital Services.

NOW THEREFORE, by virtue of the authority vested in me by 3 V.S.A. Chapter 41 as Governor, I, Philip B. Scott, do hereby create an Agency of

Digital Services. The Agency of Digital Services shall be the successor to, and the continuation of, the Department of Information and Innovation.

1. All duties, obligations, responsibilities and authority, including all contracts, grant agreements, service level agreements and MOUs of the Department of Information and Innovation are hereby transferred to the Agency of Digital Services and shall continue in force and effect without any interruption in their functions.

2. All financial assets and liabilities of the Department of Information and Innovation are hereby transferred to the Agency of Digital Services and shall be accounted for in the Internal Services Fund, known as the Communications and Information Technology Fund.

3. The position of the Commissioner of the Department of Information and Innovation is abolished and all the duties, responsibilities and authority of the Commissioner are hereby transferred to the Secretary and Chief Information Officer of the Agency of Digital Services.

4. All other authorized positions and equipment of the Department of Information and Innovation are transferred to the Agency of Digital Services.

5. Effective April 17, 2017, the Agency of Digital Services shall be headed by the Secretary and Chief Information Officer (together, the "CIO") appointed by the Governor with the advice and consent of the Senate.

6. Effective April 17, 2017, the CIO of the Agency of Digital Services may appoint a Chief Financial Officer who shall be exempt from the classified service.

7. Effective April 17, 2017, the Agency of Digital Services shall consist of five divisions: (A) the Security Division which shall be headed by the Chief Information Security Officer appointed by the CIO of the Agency of Digital Services, with the approval of the Governor; (B) the Enterprise Architecture Division which shall be headed by the Chief Technology Officer appointed by the CIO of the Agency of Digital Services, with the approval of the Governor; (C) the Data Management Division which shall be headed by the Chief Data Officer appointed by the CIO of the Agency of Digital Services, with the approval of the Governor; (D) the Division of Enterprise Project Management; and (E) the Division of Shared Services. The Division of Enterprise Project Management and the Division of Shared Services shall each be headed by a Director appointed by the CIO of the Agency of Digital Services, with the approval of the Governor. The Chief Information Security Officer, the Chief Technology Officer, the Chief Data Officer and the Directors shall be exempt from the classified service.

8. Effective April 17, 2017, all existing department and agency technology leaders, including, but not limited to, chief information officers and directors of information technology (“technology leaders”), and their professional IT personnel in the Executive Branch agencies and departments, shall report directly to the CIO of the Agency of Digital Services.

9. The Commissioner of the Department of Human Resources and the CIO of the Agency of Digital Services, in consultation with agency and department heads, shall identify technology leaders. The Commissioner of the Department of Human Resources and the CIO of the Agency of Digital Services shall define the position duties and identify and determine appropriate classifications for all State personnel who perform information security activities, as that term is defined in 3 V.S.A. §2222(9) and information technology activities, as that term is defined in 3 V.S.A. 2222(10). All technology leaders shall be exempt from the classified service.

10. Beginning April 17, 2017, on an agency-by-agency and department-by-department basis, all positions and incumbents identified by the Commissioner of Human Resources and the CIO of the Agency of Digital Services as set forth above, shall transfer to the Agency of Digital Services. Technology leaders and professional IT personnel shall remain in their current physical locations.

11. Beginning April 17, 2017, on an agency-by-agency and department-by-department basis, all appropriations associated with the positions transferred pursuant to paragraph 10 above, shall transfer from the affected agencies and departments to the Agency of Digital Services.

12. Beginning April 17, 2017, on an agency-by-agency and department-by-department basis, all the functions, equipment, supplies and inventory associated with the positions transferred pursuant to paragraph 10 above, shall transfer from the affected agencies and departments to the Agency of Digital Services. All agency and department contracts for goods and services shall remain with the respective agencies and departments.

13. The CIO of the Agency of Digital Services shall further study the effectiveness, priority and delivery of IT services and shall report to the Governor any additional recommendation for restructuring and/or statutory changes by November 17, 2017.

This Executive Order shall be submitted to the General Assembly pursuant to 3 V.S.A. § 2002 and shall take effect on April 17, 2017, unless disapproved by the General Assembly pursuant to 3 V.S.A. § 2002(b).

WITNESS my name hereunto subscribed
and the Great Seal of the State of Vermont
hereunto affixed at Montpelier this 15th day
of January, 2017.

/s/Philip B. Scott

PHILIP B. SCOTT

Governor

EXECUTIVE ORDER 06-17

Thereupon, pursuant to the rules of the Senate, Executive Order No. 06-17 was referred to the Committee on Government Operations.

Executive Order Referred

The President laid before the Senate Executive Order 07-17 relating to changes in the organization of the executive branch of the government of Vermont pursuant to the provision of 3 V.S.A. §2002, which was read by the Secretary and is as follows:

STATE OF VERMONT

EXECUTIVE DEPARTMENT

EXECUTIVE ORDER NO. 07-17

[Merger of the Department of Liquor Control and the State Lottery
Commission]

WHEREAS, the Governor, pursuant to 3 V.S.A. Section 2001, may make such changes in the organization of the Executive Branch or in the assignment of functions among its units as he considers necessary for efficient administration; and

WHEREAS, it is desirable to reorganize the departments and divisions of government by better coordinating certain activities and to improve the coordination, effectiveness and value of services to the public; and

WHEREAS, both the Department of Liquor Control and the State Lottery Commission have rights, powers, duties and responsibilities that involve, in significant part, the collection of proceeds, charges and other forms of revenue to the State of Vermont; and

WHEREAS, the State could improve and more efficiently deliver services to the public through the merger of the Department of Liquor Control and the State Lottery Commission; and

WHEREAS, streamlining and consolidating the functions of the Department of Liquor Control and the State Lottery Commission under a single Department offers the opportunity to realize cost savings, eliminate redundancy, improve accountability, provide more efficient use of specialized expertise and facilities, and promote more effective sharing of best practices and state of the art technology, among other benefits.

NOW THEREFORE, by virtue of the authority vested in me by 3 V.S.A. Chapter 41 as Governor, I, Philip B. Scott, do hereby create the Department of Liquor and Lottery by merging the Department of Liquor Control with the State Lottery Commission. The Department of Liquor and Lottery shall be successor to, and a continuation of, the Department of Liquor Control with the State Lottery Commission.

1. All duties, responsibilities and authority, including all contracts, grant agreements and MOUs of the Department of Liquor Control, are hereby transferred to the Department of Liquor and Lottery and shall continue in force and effect without any interruption in their functions.

2. The State Lottery Commission is abolished and all duties, responsibilities and authority, including all contracts, grant agreements and MOUs of the State Lottery Commission, are hereby transferred to the Department of Liquor and Lottery and shall continue in force and effect without any interruption in their functions.

3. The position of the Director of the Lottery Commission is abolished and all the duties, responsibilities and authority of the Director are hereby transferred to the Commissioner of Liquor and Lottery.

4. The position of the Commissioner of Liquor Control is hereby renamed the Commissioner of Liquor and Lottery with all of the duties, responsibilities and authority of the former Commissioner of Liquor Control and the former Director of the Lottery Commission. The Commissioner of Liquor and Lottery shall be a State employee exempt from the State classified system who shall serve at the pleasure of the Governor, subject to Laws of 2016, Act No. 144 § 20.

5. All other authorized positions and equipment of the Department of Liquor Control and the State Lottery Commission are transferred to the Department of Liquor and Lottery.

6. Effective April 17, 2017, the Department of Liquor and Lottery shall be comprised of a Commissioner of Liquor and Lottery and a Board of Liquor and Lottery.

7. The Board of Liquor and Lottery will consist of a Chair and four (4) members who shall be appointed by the Governor, with the advice and consent of the Senate. Initially, the members of the Board of Liquor and Lottery shall be the five (5) members of the former Liquor Control Board who shall serve the remainder of their terms at the pleasure of the Governor, subject to removal pursuant to 7 V.S.A. § 102. Vacancies on the Board of Liquor and Lottery shall be filled by the Governor, with the advice and consent of the Senate. A member appointed by the Governor when the General Assembly is not in session shall be subject to approval by the Senate at its next regular, special or adjourned session. The members shall serve until their successors are appointed and qualified. No member of the Board of Liquor and Lottery shall have any pecuniary interest in any licensee licensed to conduct a lottery or to sell malt, vinous beverages and/or spirituous liquors. No member of the Board of Liquor and Lottery shall have a pecuniary interest in any contract awarded by the Board or Department.

8. The Chair shall have general charge of the offices and employees of the Board. The Chair shall receive reasonable compensation at a level to be determined by the Governor.

9. The term of each member, other than the Chair and the members of the former Liquor Control Board, shall be three (3) years.

10. Effective April 17, 2017, the Department of Liquor and Lottery shall consist of a Division of Liquor Control and a Division of State Lottery, with both divisions reporting to the Commissioner of Liquor and Lottery. The divisions shall each be headed by a Director appointed by the Commissioner of Liquor and Lottery. The Directors shall be exempt from the classified service.

11. The Governor shall annually submit a budget to the General Assembly.

12. The rules of the Department of Liquor Control and the State Lottery Commission in effect on the effective date of this Executive Order shall be the rules of the Department of Liquor and Lottery, until amended or repealed.

13. The Chair, in consultation with the Board of Liquor and Lottery and the Commissioner of Liquor and Lottery, shall further study the effectiveness, priority and delivery of liquor and lottery sales and services and shall report to the Governor additional recommendation for restructuring and/or statutory changes by November 17, 2017.

This Executive Order shall be submitted to the General Assembly pursuant to 3 V.S.A. § 2002 and shall take effect on April 17, 2017, unless disapproved by the General Assembly pursuant to 3 V.S.A. § 2002(b).

WITNESS my name hereunto subscribed
and the Great Seal of the State of Vermont
hereunto affixed at Montpelier this 15th
day of January, 2017.

/s/Philip B. Scott

PHILIP B. SCOTT

Governor

EXECUTIVE ORDER 07-17

Thereupon, pursuant to the rules of the Senate, Executive Order No. 07-17 was referred to the Committee on Economic Development; Housing and General Affairs.

Bills Introduced

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

S. 34.

By Senators Sirotkin, Ashe, Mullin and Pearson,

An act relating to cross-promoting development incentives and State policy goals.

To the Committee on Government Operations.

S. 35.

By Senator Sears,

An act relating to nonconsensual sexual conduct.

To the Committee on Judiciary.

S. 36.

By Senators McCormack and Flory,

An act relating to shared parental rights and responsibilities.

To the Committee on Judiciary.

S. 37.

By Senators McCormack, Collamore, Degree and Flory,

An act relating to access to treatment for patients with a terminal illness.

To the Committee on Health and Welfare.

Message from the House No. 7

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 resolution originating in the Senate of the following title:

J.R.S. 10. Joint resolution relating to weekend adjournment.

And has adopted the same in concurrence.

Adjournment

On motion of Senator Ashe, the Senate adjourned until one o'clock in the afternoon on Thursday, January 19, 2017.

THURSDAY, JANUARY 19, 2017

The Senate was called to order by the President.

Devotional Exercises

Devotional exercises were conducted by the Reverend Deadra Bachorik Ashton of Burlington.

Bill Introduced

Senate bill of the following title was introduced, read the first time and referred:

S. 38.

By Senators Collamore, McCormack, Pollina and White,

An act relating to the Government Accountability Committee and the State Outcomes Report.

To the Committee on Government Operations.

Adjournment

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

FRIDAY, JANUARY 20, 2017

The Senate was called to order by the President.

Devotional Exercises

Devotional exercises were conducted by the Reverend John H.D. Lucy of Waterbury Center.

Message from the House No. 8

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 adopted House concurrent resolutions of the following titles:

H.C.R. 9. House concurrent resolution congratulating the 2016 Essex High School Division I championship softball team.

H.C.R. 10. House concurrent resolution honoring Richard Carter and Danby–Mt Tabor NOW for their innovative leadership in establishing the new Danby–Mount Tabor veterans memorial.

H.C.R. 11. House concurrent resolution congratulating the 2016 Essex High School State championship boys' rugby team.

H.C.R. 12. House concurrent resolution congratulating the 2016 Essex High School State championship Ultimate team.

H.C.R. 13. House concurrent resolution designating January 2017 as National Mentoring Month in Vermont.

H.C.R. 14. House concurrent resolution congratulating Robert McBride on receiving the 2016 Vermont Arts Council's Margaret L. (Peggy) Kannenstine Award for Arts Advocacy.

H.C.R. 15. House concurrent resolution congratulating Eric Aho of Saxtons River on his selection as the winner of the 2016 Governor's Award for Excellence in the Arts.

H.C.R. 16. House concurrent resolution designating January 2017 as School Board Recognition Month in Vermont.

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

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

S.C.R. 3. Senate concurrent resolution congratulating radio station WDEV in Waterbury on its 85th anniversary.

S.C.R. 4. Senate concurrent resolution congratulating Katherine McCann on her selection as the 2017 Vermont Teacher of the Year.

S.C.R. 5. Senate concurrent resolution honoring Howard Frank Mosher, the Northeast Kingdom's special chronicler and literary ambassador.

And has adopted the same in concurrence.

Bills Introduced

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

S. 39.

By Senator Benning,

An act relating to the repeal of the crime of obtaining maps and plans while at war.

To the Committee on Judiciary.

S. 40.

By Senators Sirotkin, Ingram, Ayer, Balint, Baruth, Brooks, Clarkson, Cummings, Lyons, MacDonald, McCormack, Pearson, Pollina and White,

An act relating to increasing the minimum wage.

To the Committee on Economic Development, Housing and General Affairs.

Bill Amended; Third Reading Ordered

S. 5.

Senator Sears, for the Committee on Judiciary, to which was referred Senate bill entitled:

An act relating to plea agreements.

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

Sec. 1. 13 V.S.A. § 6565 is amended to read:

§ 6565. PLEAS

(a) In prosecutions for felonies, the ~~state's attorney~~ State's Attorney shall place on record in open court the content of the plea agreement, including the offenses charged and the disposition of those charges, ~~and the prosecutor's reasons for entry into the plea agreement as permitted by the rules of criminal procedure.~~

* * *

Sec. 2. EFFECTIVE DATE

This act shall take effect on July 1, 2017.

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.

Third Reading Ordered

S. 2.

Senator Lyons, for the Committee on Finance, to which was referred Senate bill entitled:

An act relating to information sharing by the Commissioner of Financial Regulation.

Reported that the bill ought to pass.

Thereupon, the bill was read the second time by title only pursuant to Rule 43, and third reading of the bill was ordered.

Appointment of Senate Members to the Joint Energy Committee

Pursuant to the provisions of 2 V.S.A. §601, the President, on behalf of the Committee on Committees, announced the appointment of the following Senators to serve on the Joint Energy Committee for terms of two years ending on February 1, 2019

Senator Bray
Senator Lyons
Senator MacDonald
Senator Branagan

Appointment of Senate Members to Joint Fiscal Committee

Pursuant to the provisions of 2 V.S.A. §501, the President, on behalf of the Committee on Committees, announced the appointment of the following Senators to serve on the Joint Fiscal Committee for terms of two years ending February 1, 2017:

Senator Cummings, *ex officio*
Senator Sears
Senator Kitchel, *ex officio*
Senator Ayer
Senator Westman

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 Cummings, Brooks, and Pollina,

By Reps. Stevens and others,

S.C.R. 3. Senate concurrent resolution congratulating radio station WDEV in Waterbury on its 85th anniversary.

By Senators Cummings, Brooks, and Pollina,

By Representative Jessup,

S.C.R. 4. Senate concurrent resolution congratulating Katherine McCann on her selection as the 2017 Vermont Teacher of the Year.

By All Members of the Senate,

By All Members of the House,

S.C.R. 5. Senate concurrent resolution honoring Howard Frank Mosher, the Northeast Kingdom's special chronicler and literary ambassador.

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 Reps. Myers and others,

H.C.R. 9.

House concurrent resolution congratulating the 2016 Essex High School Division I championship softball team.

By Reps. Sullivan and others,

By Senators Collamore, Flory, and Mullin,

H.C.R. 10.

House concurrent resolution honoring Richard Carter and Danby–Mt Tabor NOW for their innovative leadership in establishing the new Danby–Mount Tabor veterans memorial.

By Reps. Myers and others,

H.C.R. 11.

House concurrent resolution congratulating the 2016 Essex High School State championship boys' rugby team.

By Reps. Myers and others,

H.C.R. 12.

House concurrent resolution congratulating the 2016 Essex High School State championship Ultimate team.

By All Members of the House,

H.C.R. 13.

House concurrent resolution designating January 2017 as National Mentoring Month in Vermont.

By Reps. Partridge and others,

H.C.R. 14.

House concurrent resolution congratulating Robert McBride on receiving the 2016 Vermont Arts Council's Margaret L. (Peggy) Kannenstine Award for Arts Advocacy.

By Reps. Partridge and others

H.C.R. 15

House concurrent resolution congratulating Eric Aho of Saxtons River on his selection as the winner of the 2016 Governor's Award for Excellence in the Arts.

By Reps. Long and others,

H.C.R. 16.

House concurrent resolution designating January 2017 as School Board Recognition Month in Vermont.

Adjournment

On motion of Senator Ashe, the Senate adjourned, to reconvene on Tuesday, January 24, 2017, at nine o'clock and thirty minutes in the forenoon pursuant to J.R.S. 10.

TUESDAY, JANUARY 24, 2017

The Senate was called to order by the President.

Devotional Exercises

A moment of silence was observed in lieu of devotions.

Pledge of Allegiance

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

Joint Senate Resolution Adopted on the Part of the Senate**J.R.S. 11.**

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

By Senator Ashe,

J.R.S. 11. Joint resolution relating to weekend adjournment.

Resolved by the Senate and House of Representatives:

That when the two Houses adjourn on Friday, January 27, 2017, it be to meet again no later than Tuesday, January 31, 2017.

Bills Introduced

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

S. 41.

By Senator Ashe,

An act relating to disallowing corporate income tax deductions for the payment of compensatory and punitive damages to a government.

To the Committee on Finance.

S. 42.

By Senator Pearson,

An act relating to eliminating the statute of limitations on prosecutions for sexual assault.

To the Committee on Judiciary.

S. 43.

By Senators Campion, Bray, Clarkson, Pearson, Pollina and Sears,
An act relating to establishing a regenerative soils program.
To the Committee on Natural Resources and Energy.

S. 44.

By Senators Bray, Ayer and Campion,
An act relating to shared candidate campaign expenditures.
To the Committee on Government Operations.

Bills Passed

Senate bills of the following titles were severally read the third time and passed:

S. 2. An act relating to information sharing by the Commissioner of Financial Regulation.

S. 5. An act relating to plea agreements.

Third Reading Ordered**S. 1.**

Senator Bray, for the Committee on Education, to which was referred Senate bill entitled:

An act relating to the determination of average daily membership for the 2016–2017 school year and equalized pupil count for fiscal year 2018.

Reported that the bill ought to pass.

Senator McCormack, for the Committee on Appropriations, to which the bill was referred, reported that the bill ought to pass.

Thereupon, the bill was read the second time by title only pursuant to Rule 43, and third reading of the bill was ordered.

Appointment of Senate Members to the Vermont Child Poverty Council

Pursuant to the provisions of No. 68 § 1(b) of the Acts of 2007, the President, on behalf of the Committee on Committees, announced the appointment of the following Senators to serve on the Vermont Child Poverty Council during this biennium:

Senator McCormack
Senator Ayer
Senator Baruth

Adjournment

On motion of Senator Ashe, the Senate adjourned until one o'clock and fifty-five minutes in the afternoon.

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

The Senate repaired to the hall of the House.

Having returned therefrom, at two o'clock and fifty-nine minutes in the afternoon, the President assumed the Chair.

Adjournment

On motion of Senator Ashe, the Senate adjourned until one o'clock in the afternoon on Wednesday, January 25, 2017.

WEDNESDAY, JANUARY 25, 2017

The Senate was called to order by the President.

Devotional Exercises

Devotional exercises were conducted by the Reverend Michael Caldwell of North Wolcott.

Bills Introduced

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

S. 45.

By Senators Lyons and Mullin,

An act relating to providing meals to health care providers at conferences.

To the Committee on Health and Welfare.

S. 46.

By Senators Collamore, Flory and Mullin,

An act relating to reducing Education Fund costs for fiscal year 2018.

To the Committee on Education.

Bill Passed

S. 1.

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

An act relating to the determination of average daily membership for the 2016–2017 school year and equalized pupil count for fiscal year 2018.

Adjournment

On motion of Senator Ashe, the Senate adjourned until one o'clock in the afternoon on Thursday, January 26, 2017.

THURSDAY, JANUARY 26, 2017

The Senate was called to order by the President.

Devotional Exercises

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

Bills Introduced

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

S. 47.

By Senators Flory, Collamore and Mullin,

An act relating to the assessment of Vermont's public benefit structure.

To the Committee on Health and Welfare.

S. 48.

By Pollina, MacDonald, McCormack and Pearson,

An act relating to creating the Commission on the State Bank of Vermont.

To the Committee on Finance.

S. 49.

By Senators White and Lyons,

An act relating to jurors' compensation.

To the Committee on Judiciary.

S. 50.

By Senator Ingram,

An act relating to insurance coverage for telemedicine services delivered in or outside a health care facility.

To the Committee on Finance.

S. 51.

By Senators Bray, Ayer, Balint, Campion, Lyons, McCormack and Pearson,

An act relating to renewable energy goals for Vermont's total energy consumption.

To the Committee on Natural Resources and Energy.

Message from the House No. 9

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 resolution originating in the Senate of the following title:

J.R.S. 11. Joint resolution relating to weekend adjournment.

And has adopted the same in concurrence.

Adjournment

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

FRIDAY, JANUARY 27, 2017

The Senate was called to order by the President.

Devotional Exercises

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

Bill Referred to Committee on Appropriations**S. 8.**

Senate bill of the following title, appearing on the Calendar for notice and carrying an appropriation or requiring the expenditure of funds, under the rule was referred to the Committee on Appropriations:

An act relating to establishing the State Ethics Commission and standards of governmental ethical conduct.

Senate Resolution Placed on Calendar**S.R. 4.**

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

By Senators Lyons, Ashe, Ayer, Balint, Baruth, Benning, Bray, Brooks, Campion, Clarkson, Ingram, Kitchel, MacDonald, McCormack, Nitka, Pearson, Pollina, Rodgers, Sirotkin, Starr, Westman, and White,

S.R. 4. Senate resolution relating to supporting a women's right to decide her own reproductive choices, commemorating the 44th anniversary of the U.S. Supreme Court's decision in *Roe v. Wade*, and the 52nd anniversary of Planned Parenthood of Northern New England.

Whereas, on January 22, 1973, the U.S. Supreme Court's decision in *Roe v. Wade*, 410 U.S. 113 (1973), established that the U.S. Constitution protects a woman's right to privacy and limits government interference with medical decisions, and

Whereas, Planned Parenthood of Northern New England has been providing essential health care services to all Vermonters since 1965, and all Vermonters continue to have access to Planned Parenthood's services at its health care centers regardless of income, and

Whereas, the State of Vermont has set a goal to reduce unintended pregnancies to 35 percent of all pregnancies by 2020, and

Whereas, Planned Parenthood of Northern New England helps individuals and families make responsible choices that contribute to our overall public health, and

Whereas, the Senate of the State of Vermont believes that the U.S. Supreme Court's decision in *Roe v. Wade* ensures that abortion remains a safe and legal procedure for a woman to consider, if and when she needs it, and

Whereas, in 2015, Planned Parenthood of Northern New England staff saw over 18,000 Vermonters who visited for essential health care services, trusted information, and family planning services, and

Whereas, the State of Vermont strives to enhance the health of all its citizens, including women of all ages, and to strengthen individuals and families by encouraging and promoting access to comprehensive family planning services, and

Whereas, Planned Parenthood of Northern New England plays a pivotal role in Vermont's health care landscape, *now therefore be it*

Resolved by the Senate:

That the Senate of the State of Vermont, on the 44th anniversary of *Roe v. Wade* and the 52nd anniversary of Planned Parenthood of Northern New England, urges Congress and other state legislatures to preserve the rights protected in *Roe v. Wade* and to preserve access to essential health care services, *and be it further*

Resolved: That the Senate of the State of Vermont reaffirms the right of every Vermont woman to privacy, autonomy, and safety in making personal decisions regarding reproduction and family planning and the right to continued access to safe and legal abortion, *and be it further*

Resolved: That the Senate of the State of Vermont acknowledges and celebrates Planned Parenthood of Northern New England's 52 years of providing essential, high quality health services to all Vermonters and advocating for and promoting women's health, *and be it further*

Resolved: That the Secretary of the Senate be directed to send a copy of this resolution to Planned Parenthood of Northern New England and the Vermont Congressional Delegation.

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

Bills Introduced

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

S. 52.

By Senators Lyons, Ashe, Cummings, Degree, MacDonald, Pollina and Sirotkin,

An act relating to the Public Service Board and its proceedings.

To the Committee on Finance.

S. 53.

By Senators Ayer, Lyons, Balint, Bray, Brooks, Clarkson, Cummings, Ingram, MacDonald, McCormack, Pollina, Sirotkin and White,

An act relating to a universal, publicly financed primary care system.

To the Committee on Health and Welfare.

S. 54.

By Senators Sirotkin, Collamore and Branagan,

An act relating to lobbyist identification.

To the Committee on Government Operations.

Third Reading Ordered**S. 17.**

Senator Collamore, for the Committee on Government Operations, to which was referred Senate bill entitled:

An act relating to the qualifications of candidates for Adjutant and Inspector General.

Reported that the bill ought to pass.

Thereupon, the bill was read the second time by title only pursuant to Rule 43, and third reading of the bill was ordered.

Message from the House No. 10

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 adopted House concurrent resolutions of the following titles:

H.C.R. 17. House concurrent resolution congratulating David Provost, Leonard Crouse, and the late Edward Meehan on their being named to the Captive Review Hall of Fame.

H.C.R. 18. House concurrent resolution in memory of esteemed Vermont poet David Budbill.

H.C.R. 19. House concurrent resolution designating January 20, 2017 as Vermont Pharmacists Day.

H.C.R. 21. House concurrent resolution designating January 22–28, 2017 as National Certified Registered Nurse Anesthetist Week in Vermont.

H.C.R. 22. House concurrent resolution commemorating the 240th anniversary of the Vermont Constitution.

H.C.R. 23. House concurrent resolution designating Wednesday, January 25, 2017 as School Choice Day in Vermont.

H.C.R. 24. House concurrent resolution congratulating The Dorset Inn on its 220th anniversary and honoring the current owners, Steve and Lauren Bryant.

H.C.R. 25. House concurrent resolution congratulating the Dorset Players and the Dorset Theater Festival on their respective 90th and 40th anniversaries.

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

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

S.C.R. 6. Senate concurrent resolution in memory of John Behan of Bennington.

S.C.R. 7. Senate concurrent resolution honoring Shirley Arlene Brown for her over half century of outstanding community service in the town of Belvidere.

S.C.R. 8. Senate concurrent resolution congratulating Jane Sprenger of Greensboro on her centennial birthday.

And has adopted the same in concurrence.

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 Campion and Sears,

By Reps. Morrissey and others,

S.C.R. 6. Senate concurrent resolution in memory of John Behan of Bennington.

By Senator Westman,

By Reps. Hill and others,

S.C.R. 7. Senate concurrent resolution honoring Shirley Arlene Brown for her over half century of outstanding community service in the town of Belvidere.

By Senators Rodgers and Starr,

By Reps. Strong and others,

S.C.R. 8. Senate concurrent resolution congratulating Jane Sprenger of Greensboro on her centennial birthday.

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 Committee on Commerce and Economic Development,

H.C.R. 17. House concurrent resolution congratulating David Provost, Leonard Crouse, and the late Edward Meehan on their being named to the *Captive Review* Hall of Fame.

By Reps. Donahue and others,

By Senators Cummings, Brooks, and Pollina,

H.C.R. 18. House concurrent resolution in memory of esteemed Vermont poet David Budbill.

By Reps. Canfield and others,

By Senators Champion, Collamore, Flory, Mullin, and Rodgers,

H.C.R. 19. House concurrent resolution designating January 20, 2017 as Vermont Pharmacists Day.

By Reps. Keenan and others,

H.C.R. 21. House concurrent resolution designating January 22–28, 2017 as National Certified Registered Nurse Anesthetist Week in Vermont.

By Reps. Devereux and others,

By Senators Clarkson, McCormack, and Nitka,

H.C.R. 22. House concurrent resolution commemorating the 240th anniversary of the Vermont Constitution.

By Reps. Strong and others,

H.C.R. 23. House concurrent resolution designating Wednesday, January 25, 2017 as School Choice Day in Vermont.

By Representative Sullivan,

By Senators Campion and Sears,

H.C.R. 24. House concurrent resolution congratulating The Dorset Inn on its 220th anniversary and honoring the current owners, Steve and Lauren Bryant.

By Representative Sullivan,

By Senators Campion and Sears,

H.C.R. 25. House concurrent resolution congratulating the Dorset Players and the Dorset Theater Festival on their respective 90th and 40th anniversaries.

Adjournment

On motion of Senator Ashe, the Senate adjourned, to reconvene on Tuesday, January 31, 2017, at nine o'clock and thirty minutes in the forenoon pursuant to J.R.S. 11.

TUESDAY, JANUARY 31, 2017

The Senate was called to order by the President.

Devotional Exercises

Devotional exercises were conducted by the Reverend Nancy McHugh of Waitsfield.

Pledge of Allegiance

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

Joint Senate Resolution Adopted on the Part of the Senate

J.R.S. 12.

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

By Senator Ashe,

J.R.S. 12. Joint resolution relating to weekend adjournment.

Resolved by the Senate and House of Representatives:

That when the two Houses adjourn on Friday, February 3, 2017, it be to meet again no later than Tuesday, February 7, 2017.

Bills Introduced

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

S. 55.

By Senator Sears,

An act relating to territorial jurisdiction over regulated drug sales.

To the Committee on Judiciary.

S. 56.

By Senator Cummings,

An act relating to life insurance policies and the Vermont Uniform Securities Act.

To the Committee on Finance.

S. 57.

By Senators Sirotkin, Ashe, Lyons, Mullin and Pearson,

An act relating to increase consumer awareness of prescription drug prices.

To the Committee on Finance.

Bill Passed

S. 17.

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

An act relating to the qualifications of candidates for Adjutant and Inspector General.

Joint Resolution Adopted on the Part of the Senate

S.R. 4.

Joint Senate resolution entitled:

Senate resolution supporting a woman's right to decide her own reproductive choices, commemorating the 44th anniversary of the U.S. Supreme Court's decision in *Roe v. Wade*, and the 52nd anniversary of Planned Parenthood of Northern New England.

Having been placed on the Calendar for action, was taken up and adopted on the part of the Senate.