

# Journal of the Senate

WEDNESDAY, FEBRUARY 8, 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. 15

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 passed a House bill of the following title:

**H. 38.** An act relating to the membership of the Clean Water Fund Board.

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

## Senate Resolution Placed on Calendar

### S.R. 6.

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

By Committee on Economic Development, Housing and General Affairs,

**S.R. 6.** Senate resolution relating to disapproving of Executive Order 05-17.

*Whereas*, on January 15, 2017, the Governor signed Executive Order 05-17 providing for the creation of an “Agency of Economic Opportunity by reorganizing the Agency of Commerce and Community Development and the Department of Labor,” and

*Whereas*, according to the Executive Order, effective April 17, 2017, “the Agency of Economic Opportunity shall administer” many of the “programs formerly administered by the Department of Labor,” including training and inspection, and oversight over enforcement of wage and hour laws, employment practices, the workers’ compensation program, and the unemployment compensation law, and

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*Whereas*, the Senate Committee on Economic Development, Housing and General Affairs has taken testimony and public comment concerning this Executive Order, and

*Whereas*, the Senate agrees with the Governor that “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*, the Senate supports reorganizing State government to improve efficiency, to create a coherent and complete system of workforce training and development, to meet employer demands better where there are workforce shortages, to promote employment opportunities for Vermonters at all skill and education levels, and to increase economic opportunity, and

*Whereas*, the Senate also wishes to ensure that the Governor’s reorganization achieves these goals without leading to unintended consequences, and

*Whereas*, the Senate is concerned that having one agency fulfill the dual roles of both promoting and regulating business will introduce a conflict between these two missions, and

*Whereas*, the fair adjudication and oversight of employees’ rights and protections must be safeguarded such that any reorganization does not weaken the Department of Labor’s regulatory and adjudicatory functions, and

*Whereas*, the best mechanism to explore a merger of the appropriate functions and responsibilities of the Agency of Commerce and Community Development and of the Department of Labor is to use the standing committee process, with the resulting opportunity for enhanced research, analysis, and public participation, and

*Whereas*, the General Assembly wishes to continue the work it began when it passed 2013 Acts and Resolves No. 81 and 2016 Acts and Resolves No. 172 to begin to bring greater efficiency to the State’s workforce development programs, and

*Whereas*, as part of this process, the Senate Committee on Economic Development, Housing and General Affairs looks forward to reviewing, and taking testimony on, the Administration’s complete compilation of all job training and workforce education programs, and

*Whereas*, the Senate is fully committed to working cooperatively and promptly with the Administration to produce legislation that will achieve our shared goals and that will increase economic opportunities for all Vermonters while also safeguarding employees’ rights, *now therefore be it*

***Resolved by the Senate:***

That the Senate, pursuant to 3 V.S.A. § 2002, disapproves of Executive Order 05-17, *and be it further*

***Resolved:*** That the Senate invites the Administration to bring forward draft legislation to foster a more coherent workforce development “system” in Vermont, *and be it further*

***Resolved:*** That the Secretary of the Senate be directed to send a copy of this resolution to Governor Philip B. Scott.

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

**Bill Referred**

House bill of the following title was read the first time and referred:

**H. 38.**

An act relating to the membership of the Clean Water Fund Board.

To the Committee on Natural Resources and Energy.

**Message from the House No. 16**

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 a bill originating in the Senate of the following title:

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

And has passed the same in concurrence.

The House has adopted joint resolution of the following title:

**J.R.H. 4.** Joint resolution reaffirming the General Assembly’s commitment to equal educational opportunity on the 20th anniversary of the Vermont Supreme Court’s decision in *Brigham v. State*.

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

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

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**J.R.S. 13.** Joint resolution providing for a Joint Assembly for the election of a Sergeant at Arms, an Adjutant and Inspector General, and three Trustees of the University of Vermont and State Agricultural College.

**J.R.S. 14.** Joint resolution establishing a procedure for the conduct of the election of UVM trustees by plurality vote by the General Assembly in 2017.

**J.R.S. 15.** 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, February 9, 2017.