

Office of the Vermont Secretary of State
Vermont State Archives

1995: Proposal 2

Subject: General Assembly; organizational session

PROPOSAL 2

Sec. 1. PURPOSE

This proposal would amend the Vermont Constitution to provide for an organizational session of the Vermont General Assembly on the first Tuesday in December following each general election for the exclusive purpose of organization, swearing in of members and selection of officers.

Sec. 2. Section 7 of Chapter II of the Vermont Constitution is amended to read:

§7. [ORGANIZATIONAL AND BIENNIAL SESSIONS]

On the first Tuesday in December following each general election, the General Assembly shall meet for an organizational session for the exclusive purpose of organization, swearing in of members and selection of officers.

The General Assembly shall meet biennially, for the commencement of a biennial session, on the first Wednesday next after the first Monday of January, beginning in A.D.1915.

Sec. 3. Section 17 of Chapter II of the Vermont Constitution is amended to read:

§17. [OATH OF SENATORS AND REPRESENTATIVES]

The Representatives *[having met on the day appointed by law for the commencement of a biennial session of the General Assembly, and chosen their Speaker,]* and the Senators *[having met]*, shall, before they proceed to business, take and subscribe the

following *[oath, in addition to the oath prescribed in the foregoing section]* oaths:

You do solemnly swear (or affirm) that you did not at the time of your election to this body, and that you do not now, hold any office of profit or trust under the authority of Congress. So help you God. (Or in case of an affirmation) Under the pains and penalties of perjury. The words "office of profit or trust under the authority of Congress" shall be construed to mean any office created directly or indirectly by Congress, and for which emolument is provided from the Treasury of the United States, other than that of a member of the commissioned or enlisted personnel in the reserve components of the armed forces of the United States while not on extended active duty.

You do solemnly swear (or affirm) that as a member of this Assembly, you will not propose, or assent to, any bill, vote or resolution, which shall appear to you injurious to the people, nor do or consent to any act or thing whatever, that shall have a tendency to lessen or abridge their rights and privileges, as declared by the Constitution of this State; but will, in all things, conduct yourself as a faithful, honest Representative and guardian of the people, according to the best of your judgment and ability. So help you God. (Or in the case of an affirmation) Under the pains and penalties of perjury.

You do solemnly swear (or affirm) that you will be true and faithful to the State of Vermont, and that you will not, directly or indirectly, do any act or thing injurious to the Constitution or Government thereof. So help you God. (Or in case of an affirmation) Under the pains and penalties of perjury.

Sec. 4. Section 46 of Chapter II of the Vermont Constitution is amended to read:

§46. [TERMS OF SENATORS AND REPRESENTATIVES]

The term of office of Senators and Representatives shall be two years, commencing on the first *[Wednesday next after the first Monday of January]* Tuesday in December following their election.

Sec. 5. REPEAL

Chapter II § 16 of the Vermont Constitution (oath for members of the House of Representatives) is repealed.

Sec. 6. EFFECTIVE DATE; TRANSITION

This proposal of amendment shall take effect from the date of its approval by a majority vote of the voters of the state. The term of office of Senators and Representatives elected in the general election in November of 1998 shall terminate on the first Monday of December 2000, and the term of office of Senators and Representatives elected in the general election in November of 2000 shall convene on the first Tuesday in December 2000.

Any law enacted under this article may be amended or repealed by the General Assembly. However, any amendment or repeal of a law enacted under this article within two years of the date it took effect may be done only by affirmative vote of two-thirds of the members elected to each House of the General Assembly.

Until the General Assembly shall enact further laws not inconsistent with the Constitution for applying the people's initiative, the election officers and other officials shall be governed by the provisions of this Constitution and of the general law, supplemented by such reasonable action as may be necessary to render this section self-executing. The General Assembly may enact laws not inconsistent with the Constitution to establish procedures for filing and determination of the validity of written petitions. Such laws shall include provision for judicial review of any determination, to be completed within 100 days from the date of filing of a written petition with the General Assembly.