

Good Afternoon SCO members,

This morning I wrote the following, which I still believe but then I listened to more testimony from last week and have another suggestion. I think there is enough apprehension about this amendment that, even if it passes both Chambers, there will be a lot of campaigning against it next session and in the general election. So here is a thought. If this passes both Chambers in 2024 it will need to come back to the 2025/26 session. If it passes that it would go to the General election in 2026. So no changes could be made until the 2027/28 session.

But you have another bill that is designed to look at all the issues of county government in Vermont. I think this is a great idea. That committee could have a report and suggestions that could be looked at during the 25/26 session. They will be able to look comprehensively at all the issues facing counties in Vermont. That is important. For example I heard Joyce talk about making sure that the election cycles in the county are the same. Having been involved in county government in Windham County I can say there are many issues and they need to be looked at comprehensively.

That said I would suggest that the study committee do its work, they come back to the 25/26 session for potential changes – which would no doubt require constitutional amendments. 2027 is the year that those amendments can be introduced – the same year that the GA would entertain any changes as a result of this year's Prop I.

So my belief is that this amendment is premature given the comprehensive study that is to be undertaken. All issues dealing with county government should be addressed at the same time.

Thanks for paying attention to my thoughts.

I am submitting the following comments about Prop I since that is what you are addressing.

Good Morning SGO members,

Thank you for hearing me yesterday. After my testimony I had some further thoughts. Senator Hardy, you asked me if I would feel more comfortable with the amendment if it was reworded. While I would feel more comfortable, I still would oppose it.

The reason – after thinking about allowing the Legislature to impose qualifications on those county officials here is my conclusion. I don't think it is appropriate for the Legislature to impose qualifications on professional. Each of these positions has a professional body that sets requirements.

The Judiciary sets qualifications and provides oversight for the assistant judges in their judicial roles. While there is no professional association to oversee the county administrative roles, there is an assistant judges' association for support.

In their law enforcement duties, the Criminal Justice Council sets qualifications, and also does investigations and imposes sanctions, for the sheriffs the same as they do for all law enforcement officers.

The state's attorneys, as are all lawyers, are regulated by the Vermont Judiciary and the Professional Responsibility Board.

The Legislature does not set qualifications for other professions – example dentists, nurses, plumbers, etc. It should not be setting qualifications for these three professions. What kind of qualifications would the Legislature impose that are not already required by their professional overseers. Singling out these professions for additional requirements decided on by the Legislature does not make sense. For example for sheriffs – would they have qualifications that all other law enforcement officers do not? This does not sound right.

That leaves the issue of being able to remove someone from one of these offices. I am not sure that there has been a really deep dive into all the options related to this. From Judge Zonay it seems that there are issues that need to be addressed. I understand that but feel that more of this could be done without amending the constitution