

Journal of the Joint Assembly

IN JOINT ASSEMBLY, FEBRUARY 18, 25 AND MARCH 9, 2021

10:30 A.M.

The Senate and House of Representatives met in the hall of the House of Representatives pursuant to a joint resolution which was read by the Clerk and is as follows:

J.R.S. 13. Joint resolution providing 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.

Whereas, Vermont has been declared by the Governor to be in a State of Emergency as a result of a pandemic known as “COVID-19”; and

Whereas, it is critical to take steps to control outbreaks of COVID-19 to minimize the risk to the public, maintain the health and safety of Vermonters, and limit the spread of infection in our community; and

Whereas, technology exists that would enable the General Assembly to conduct a Joint Assembly during this time of a declared emergency in a manner: consistent with public access to, and transparency of, its proceedings, as demanded by the Vermont Constitution; and consistent with and in compliance with statutory and legislative rule requirements regarding the election of a Sergeant at Arms, an Adjutant and Inspector General, and three Trustees of the University of Vermont and State Agricultural College, *now therefore be it*

Resolved by the Senate and House of Representatives:

That the two Houses meet in Joint Assembly on Thursday, February 18, 2021, at ten o'clock and thirty minutes in the forenoon to vote on the election of a Sergeant at Arms, an Adjutant and Inspector General, and three Trustees of the University of Vermont and State Agricultural College, *and be it further*

Resolved: That the Joint Assembly shall be concurrently conducted electronically at which members of the General Assembly may participate and debate from a remote location; that voting by ballot shall be conducted, as practicable, consistent with Vermont’s “Early or Absentee Voters” statute at 17 V.S.A. §2531, et seq.; that after nominations and debates, if necessary, the Joint Assembly shall recess until Thursday, February 25, 2021 at 2:00 pm (or as otherwise ordered by the Joint Assembly) so that ballots may be submitted;

and that upon reconvening, the results of the vote shall be announced or the Joint Assembly shall proceed until the above is completed.

Presiding Officer

Honorable Molly R. Gray, President of the Senate, in the Chair.

Clerk

John H. Bloomer, Jr., Secretary of the Senate, Clerk.

Statement by Presiding Officer

“Pursuant to our Constitution and statutes we are assembled here today in Joint Assembly for the election of an Adjutant and Inspector General, a Sergeant at Arms and three Trustees for the University of Vermont.

“With respect to the election of all of these officers, if a contest exists, then the voting must be done by written ballot. This mandate is set forth in 2 V.S.A. §12 and in Joint Rule 10(a). Joint Rule 10 provides:

“(a) Whenever a Joint Assembly is required to elect one or more persons to any office, the voting shall be by ballot, except that if there is only one candidate for any office, and if there is no objection, the Chair may put the question to the Joint Assembly by voice vote.

“(b) If two or more offices are to be filled, each office will be voted upon and decided separately. If two or more vacancies for the same office are to be filled, nominations for all vacancies will be received before voting begins for the first vacancy, but each vacancy will be voted upon and decided separately. The Joint Assembly may limit the number and length of nominating and seconding speeches for each candidate.

“(c) Election to any office is by a majority of the votes cast, exclusive of spoiled and blank ballots. After two votes have been taken for any vacancy without an election, all nominees except the two having the highest number of votes on the second ballot shall be withdrawn, and voting shall then continue until a candidate is elected. In no event shall the involuntary removal of nominees result in fewer than two nominees remaining in the contest.

“(d) The person who first nominated a candidate may withdraw that candidate's name at any time; a withdrawal may be complete or may be limited to one or more vacancies. A candidate for any office having more than one vacancy who is defeated for the first vacancy shall automatically be a candidate for successive vacancies, unless the nomination is voluntarily withdrawn.

“The following rules shall apply to the conduct of these elections:

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First: All nominations for these offices will be received by the Chair prior to voting, presented in alphabetical order.

Second: There will be only one nominating speech of not more than three minutes and not more than two seconding speeches of not more than one minute each for each nominee.

“We have three sets of elections today:

- a. First, To elect a Sergeant at Arms.
- b. Second, To elect an Adjutant and Inspector General.
- c. Third, To elect three UVM Trustees.

“For the first two elections, that for the Sergeant at Arms and for the Adjutant and Inspector General, since there are no contests the provisions of Joint Rule 10(a) will apply.

“This means that election to these two positions may be by voice vote if there is no objection.

“For the third set of elections --- for the three UVM Trustees -- the provisions of Joint Rule 10 have been suspended as a result of the adoption by both houses of J.R.S. 14. Different rules will apply to that election, and majority votes for the three trustees will not be necessary.

Tellers Appointed

“As stated before, one of our elections today is contested and must be decided by written ballot.

“Accordingly, we will need tellers, and the Chair now appoints as tellers:

Senator Rebecca A. Balint, of Windham District, as Chief Teller
Senator Andrew Perchlik, of Washington District
Representative Anne B. Donahue, of Northfield
Representative Warren F. Kitzmiller of Montpelier”

Election of Sergeant at Arms

The Joint Assembly then proceeded to the election of a Sergeant at Arms.

For the office of Sergeant at Arms, Senator Joseph C. Benning of Caledonia District nominated *Janet C. Miller*, of Montpelier.

The nomination was seconded by Representative Alice M. Emmons of Springfield.

There being no other nominations, the Chair declared that nominations were closed.

Whereupon, no other nominations being made, the vote was taken *viva voce* pursuant to Joint Rule 10(a), and the Chair declared that

JANET C. MILLER, of Montpelier

was unanimously elected to the office of Sergeant at Arms for a term of two years, from and including the first day of March, 2021, and until her successor is elected and has qualified.

Election of Adjutant and Inspector General

The Joint Assembly then proceeded to the election of an Adjutant and Inspector General.

For the office of Adjutant and Inspector General, Representative Laura Sibilina of Dover nominated *Gregory C. Knight*, of Huntington.

The nomination was seconded by Representative Peter J. Fagan of Rutland City.

The nomination was seconded by Senator Ruth Ellen Hardy of Addison District.

There being no other nominations, the Chair declared that nominations were closed.

Whereupon, no other nominations being made, the vote was taken *viva voce* pursuant to Joint Rule 10(a), and the Chair declared that

GREGORY C. KNIGHT, of HUNTINGTON

was unanimously elected to the office of Adjutant and Inspector General for a term of two years, from and including the first day of March, 2021, and until his successor is elected and has qualified.

Election of UVM Trustees

The Joint Assembly then proceeded to the election of three Trustees of the University of Vermont and State Agricultural College, each for a term of six years, from and including the first day of March, 2021.

The Chair reminded the Joint Assembly that nominations for the office of three UVM Trustees would be received in alphabetical order, with one nominating speech of not more than three minutes and not more than two seconding speeches of not more than one minute for each nominee.

Statement by the Presiding Officer

“As stated previously, for the election of UVM trustees, we will be operating under a different set of rules. This is because both houses adopted J.R.S. 14, which suspended the provisions of Joint Rule 10 for this particular election.

“By adopting this joint resolution (J.R.S. 14), we have set up a special voting procedure for this election, which will help expedite the process.

“The adoption of J.R.S. 14 permits the Joint Assembly to determine the winners of this election of the three Trustees of the University of Vermont and State Agriculture College by means of a plurality vote.

“A plurality voting procedure simply means that the three candidates receiving the greater number of the total votes cast are elected. You will be instructed to vote for not more than three candidates at the same time, on the same ballot.”

Nominations for UVM Trustees

Representative Carol Ode of Burlington nominated *Representative Stephanie Zak Jerome* of Brandon. The nomination was seconded by Representative Harold Colston of Winooski and Representative Laura Sibia of Dover.

Representative William J. Lippert, Jr. of Hinesburg then nominated *Representative Lucy Rogers* of Waterville. The nomination was seconded by Representative James Harrison of Chittenden and Senator Jeannette K. White of Windham District.

Representative Jessica Brumstead of Shelburne then nominated *Representative Tristan Toleno* of Brattleboro. The nomination was seconded by Representative Charlie Kimbell of Woodstock.

Representative Mary S. Hooper of Montpelier then nominated *Catherine “Kitty” Toll* of Danville. The nomination was seconded by Representative Scott Beck of St. Johnsbury.

Summary of Names Placed in Nomination

The four members placed in nomination and on the ballot for the office of Trustee of the University of Vermont and State Agricultural College are as follows:

Stephanie Zak Jerome, of Brandon
Lucy Rogers, of Waterville
Tristan Toleno, of Brattleboro
Catherine “Kitty” Toll, of Danville

Statement of Presiding Officer

“Pursuant to J.R.S. 13, the vote on election of three Trustees of the University of Vermont and State Agricultural College shall be conducted, as practicable, consistent with Vermont’s “early or absentee voters” statute. In conformance with this requirement, ballots and related documents were sent to you last week, prior to this Joint Assembly. In the envelope you received you should have a ballot, certification envelope, an addressed, postage prepaid return envelope and an instruction sheet. As explained on the instruction sheet you are to:

- (1) Vote your ballot;
- (2) Place your voted ballot inside the certification envelope;
- (3) Print your name in the space provided on the front of certification envelope and sign the certification on the certification envelope;
- (4) Seal the certification envelope with your voted ballot inside;
- (5) Put the certification envelope inside the pre-paid, pre-addressed mailing envelope; and,
- (6) Mail back the envelope. Return your ballot by mail or in person so it is received by noon, February 25, 2021.”

Recess

Pursuant to J.R.S. 13 the Chair declared a recess until Thursday, February 25, 2020 at 2:00 P.M.

Called to Order

At 2:00 P.M. on Thursday, February 25, 2021 pursuant to J.R.S. 13, the Joint Assembly was called to order by the Honorable Molly R. Gray, in the Chair.

The Chair recognized Representative Emily Long of Newfane for the purpose of a motion.

Representative Long moved that the Joint Assembly recess until Tuesday, March 9, 2021 at 1:00 P.M.

Which was agreed to.

Called to Order

At 1:00 P.M. on Tuesday, March 9, 2021 pursuant to J.R.S. 13, the Joint Assembly was called to order by the Honorable Molly R. Gray, in the Chair.

Results of Balloting for UVM Trustees

The ballots were taken and counted, and the result was as follows:

Total ballots.....	171
Necessary for election.....	the three greatest numbers of votes
Jerome.....	116*
Rogers.....	141*
Toleno.....	49
Toll.....	152*
Write-in votes.....	2

Whereupon the Chair declared that

CATHERINE“KITTY” TOLL, of Danville

having received the most votes cast was duly elected a Trustee of the University of Vermont and State Agricultural College for a term of six years, commencing March 1, 2021.

The Chair further declared that

LUCY ROGERS, of Waterville

having received the second most number of votes cast was duly elected a Trustee of the University of Vermont and State Agricultural College for a term of six years, commencing March 1, 2021.

The Chair further declared that

STEPHANIE ZAK JEROME, of Brandon

having received the third most number of votes cast was duly elected a Trustee of the University of Vermont and State Agricultural College for a term of six years, commencing March 1, 2021.

Dissolution

The purposes for which the Joint Assembly was convened having been accomplished, the Chair then declared the Joint Assembly dissolved.

John H. Bloomer, Jr.
Secretary of the Senate
Clerk of the Joint Assembly