

Journal
of the
JOINT ASSEMBLY
Biennial Session
2021

JOURNAL OF THE JOINT ASSEMBLY
of the
STATE OF VERMONT
BIENNIAL SESSION, 2021

IN JOINT ASSEMBLY, JANUARY 7, 2021

10:00 A.M.

The Senate and the 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. 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 7, 2021, 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 voters of any of said state officers, then to proceed forthwith to elect such officers as have not been elected by the voters, *and be it further*

Resolved: That the Joint Assembly shall be concurrently conducted electronically at which members of the General Assembly may participate, debate, and vote from a remote location, *and be it further*

Resolved: That should a ballot be necessary, voting by ballot shall be conducted, as practicable, consistent with Vermont's "Early or Absentee Voter" statute at 17 V.S.A. § 2531, et. seq.

Presiding Officer

Honorable David E. Zuckerman, President of the Senate, in the Chair.

Clerk

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

Report of the Joint Canvassing Committee

Senator White, Co-Chair, then presented the report of the Joint Canvassing Committee, which was as follows:

The Joint Canvassing Committee appointed to canvass the votes for Governor, Lieutenant Governor, State Treasurer, Secretary of State, Auditor of Accounts, and Attorney General respectfully reports:

That having been duly sworn, it has attended to the duties of its trust and finds the number of votes to have been:

For GOVERNOR.....	362,711
Necessary to have a major part of the votes.....	181,356
Wayne Billado III, Independent.....	1,431
Michael A. Devost, Independent.....	1,160
Charity Dickerson, Unaffiliated.....	1,037
Kevin Hoyt, Independent.....	4,576
Emily Peyton, Truth Matters.....	3,505
Philip B. Scott, Republican.....	248,412
Erynn Hazlett Whitney, Independent.....	1,777
David Zuckerman, Democratic/Progressive.....	99,214
Scattering (write-in votes).....	1,599

Pursuant to the Constitution of the State of Vermont, the Committee hereby declares that

PHILIP B. SCOTT

received a major part of the votes, and therefore was elected Governor of the State of Vermont for the two years next ensuing.

For LIEUTENANT GOVERNOR.....	356,234
Necessary to have a major part of the votes.....	178,118
Wayne Billado III, Independent.....	5,101
Ralph Corbo, Banish the F-35s.....	2,289
Cris Ericson, Progressive.....	7,862
Molly R. Gray, Democratic.....	182,820
Scott Milne, Republican.....	157,065
Scattering (write-in votes).....	1,097

Pursuant to the Constitution of the State of Vermont, the Committee hereby declares that

Molly R. Gray

received a major part of the votes, and therefore was elected Lieutenant Governor of the State of Vermont for the two years next ensuing.

For STATE TREASURER.....	343,845
Necessary to have a major part of the votes.....	171,923
Carolyn Whitney Branagan, Republican.....	114,177
Cris Ericson, Progressive.....	14,142

Elizabeth A. “Beth” Pearce, Democratic.....	197,255
Alex Wright, Independent.....	17,939
Scattering (write-in votes).....	332

Pursuant to the Constitution of the State of Vermont, the Committee hereby declares that

ELIZABETH A. “BETH” PEARCE

received a major part of the votes, and therefore was elected Treasurer of the State of Vermont for the two years next ensuing.

For SECRETARY OF STATE.....	346,920
Plurality, not a major part of the vote, is required	
James C. Condos, Democratic.....	214,666
Cris Ericson, Progressive.....	11,171
H. Brooke Page, Republican.....	99,564
Pamala Smith, Independent.....	21,210
Scattering (write-in votes).....	309

Pursuant to the Constitution of the State of Vermont, the Committee hereby declares that

JAMES C. CONDOS

received the greatest number of the votes, and therefore was elected Secretary of State of the State of Vermont for the two years next ensuing.

For AUDITOR OF ACCOUNTS.....	317,052
Plurality, not a major part of the vote, is required	
Cris Ericson, Progressive.....	48,731
Douglas R. Hoffer, Democratic/Republican.....	266,445
Scattering (write-in votes).....	1,876

Pursuant to the Constitution of the State of Vermont, the Committee hereby declares that

DOUGLAS R. HOFFER

received the greatest number of the votes, and therefore was elected Auditor of Accounts of the State of Vermont for the two years next ensuing.

For ATTORNEY GENERAL.....	345,515
Plurality, not a major part of the vote, is required	
Thomas J. Donovan, Democratic.....	234,081
Cris Ericson, Progressive.....	15,846
H. Brooke Page, Republican.....	94,892
Scattering (write-in votes).....	696

Pursuant to 3 V.S.A. §151, the Committee hereby declares that

THOMAS J. DONOVAN

received the greatest number of the votes, and therefore was elected Attorney General of the State of Vermont for the two years next ensuing.

All of which is respectfully submitted.

JEANETTE K. WHITE

Chair of the Joint Canvassing
Committee on the part of the Senate

SARAH COPELAND-HANZAS

Chair of the Joint Canvassing
Committee on the part of the House

Report of the Joint Canvassing Committee Adopted

Upon motion of Representative Copeland-Hanzas, Co-Chair, the report of the Joint Canvassing Committee was adopted.

Dissolution

Thereupon, the President declared that the Joint Assembly was dissolved.

JOHN H. BLOOMER, JR.
Secretary of the Senate
Clerk of the Joint Assembly

IN JOINT ASSEMBLY, JANUARY 7, 2021

2:00 P.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. 5. Joint resolution to provide for a Joint Assembly to hear a message from the Governor.

Resolved by the Senate and House of Representatives:

That the two Houses meet in Joint Assembly on Thursday, January 7, 2021, at two o'clock in the afternoon to receive a message from the Governor, *and be it further*

Resolved: That the Joint Assembly shall be concurrently conducted electronically.

Presiding Officer

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

Clerk

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

Introduction by Chair

The President of the Senate, Lieutenant Governor Molly R. Gray, then introduced the Governor of the State of Vermont, Philip B. Scott, for the purpose of presentation of his Message to the Joint Assembly.

Message to the Joint Assembly

Governor Scott then presented the following remarks.

“Madam President, Madam Speaker, Madam President Pro Tem and members of the General Assembly: Thank you for inviting me to share a few words with you today as you open a legislative session like no other.

“First, I just want to acknowledge the historic nature of what I just said. For the first time in our state’s history, we have female leadership in the House, Senate and Lieutenant Governor’s office, and I have to say, it’s been a long time coming and long overdue. As well, the House caucuses are all lead by strong female leaders: Representative McCoy, Representative Long and Representative Colburn. We should all be proud of these milestones and appreciate the history they’ve made.

“Now, before I go any further, I want to address what we saw yesterday at our nation’s capitol. Like many of you, I was shocked to see this attack on the fundamental principles of our republic. Seeing our capitol—a symbol of democracy around the world—stormed by this mob of traitors was heartbreaking. The fact that these flames of hate and insurrection were lit by the President of the United States will be remembered as one of the darkest chapters in our nation’s history.

“It also shows just how divided our country has become and how desperately we need to heal and be united once again. Because we simply can’t go on like this any longer, and as elected officials, we all have a responsibility to step up and show the way. Because if we don’t, who will?

“Now, moving on from that somber note, I want to congratulate all members, whether you were reelected or just beginning your first term. You’re all here because your constituents entrusted you to serve them well and to represent their interests here in Montpelier. Having served in the legislature myself, I know what an incredible honor it is, and I look forward to working with you to repay that trust with results.

“While I wish we could respect tradition and all be together in person, I’m grateful technology allows us to at least connect virtually. Most of us have become accustomed to remote work at this point but beginning a legislative session this way will be different as well as frustrating at times. And I know most of you would rather be conducting the people’s business at the “people’s house” but throughout these difficult months, I’ve found it helpful to try and find silver linings and take advantage of new opportunities. The ability to livestream and record committee hearings, and the transparency and accessibility it brings to Vermonters, are certainly benefits, because it’s important to keep our doors open to the people, even when those doors are virtual. Staying connected to Vermonters is critical and so is the way we conduct our business, set our priorities and achieve results.

“Vermonters turned out in record numbers this election, and they delivered what I believe was a clear mandate for practical, principled and cooperative leadership. They also delivered us split-party government, asking us to listen to all voices and all ideas and work together. Throughout my political life, that’s what I’ve tried to do, and I’m committed to doing it again—and I’m confident many of you are as well. I believe, with thoughtful and honest leadership, there’s nothing we can’t accomplish by working together.

“Now, I’m not naive—I know we won’t agree on everything, but that’s okay. That’s how our system is supposed to work. No one person, party or branch of government has a monopoly on all good ideas or solutions. Challenging each other’s proposals and asking tough questions to better understand leads to better policy and better outcomes. I believe if we take the time to listen to and learn from one another, seek consensus where we can and compromise when we can’t, Vermonters will benefit from our work. After watching the antics in Congress, Vermonters are pleading for consensus building and pragmatism, and I’m confident we can deliver.

“When I became governor four years ago, combating a global pandemic wasn’t something I expected and I’m sure that’s true for you as well. These past 10 months have been difficult for each and every one of us. Too many lives and livelihoods have been impacted by this invisible enemy. Too many Vermonters are still out of work, struggling to pay bills and wondering how to take care of their families. Kids are falling behind as remote learning continues, and they’re missing out on really important social interactions. The pandemic and its economic consequences have deepened some of the challenges we’ve faced for a long time and exposed new ones we’ll need to address this biennium.

“But it’s also brought out the best in Vermonters. Neighbors helping neighbors, communities banding together to lift each other up. We’ve seen the

profound impact of simple everyday acts of kindness, Vermonters going above and beyond to protect our most vulnerable, following public health guidance to help make Vermont's response the best in the nation. All these acts—large and small—have been inspiring as we confront this once-in-a-century crisis.

“Like governments before us, and ones that will come after, we’re asking a lot from people during this crisis in order to save lives. We’re asking them to make sacrifices that impact their businesses, livelihoods, mental health, social lives and more, all to help keep people safe. As elected officials, we must also do our part. Let’s set priorities that support Vermonters in all 14 counties. Let’s help them not only get through this crisis but get through it stronger. Let’s learn the lessons of this pandemic and resist the temptation to do things the way we’ve always done them.

“These next few months will be difficult—perhaps the hardest of the pandemic—but as vaccinations are underway, there’s finally light at the end of the tunnel and it’s getting brighter every day. In the short term, we must reach the end of that tunnel with as little loss of life as possible, and we must focus like a laser on laying the foundation for our economic recovery.

“On my very first day as governor in 2017, I set three strategic goals for my administration: To grow the economy, make Vermont more affordable and protect the most vulnerable. I know some may tire of hearing them, but I believe they’re just as relevant today, as we recover and rebuild, as they were four years ago. So, these priorities will continue to guide me and my team as we make our way out of this pandemic and start building for the future.

“I look forward to presenting my budget and proposals in the coming days and talking about how we can work together as we get this legislative session underway. We have so much work ahead of us but working together, as partners, I know we’ll get it done.

“Thank you for having me today. I look forward to working with you and I hope you’ll tune into my inaugural address tonight at 7:00 p.m.”

Dissolution

There being no further business, the President declared the Joint Assembly to be dissolved.

JOHN H. BLOOMER, JR.
Secretary of the Senate
Clerk of the Joint Assembly

IN JOINT ASSEMBLY, JANUARY 26, 2021**1:00 P.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. 9. 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 26, 2021, at one o'clock in the afternoon to receive the budget message of the Governor, *and be it further*

Resolved: That the Joint Assembly shall be concurrently conducted electronically.

Presiding Officer

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

Clerk

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

Introduction by Chair

The President of the Senate, Lieutenant Governor Molly R. Gray, then introduced the Governor of the State of Vermont, The Honorable Philip B. Scott, for the purpose of presentation of his Budget Message to the Joint Assembly.

Governor's Budget Message

“Madam President, Madam Speaker, Madam Pro Tem, Mr. Chief Justice, members of the General Assembly and fellow Vermonters:

“Last week, Joseph R. Biden was sworn in as our 46th President. This peaceful transfer of power was in stark contrast to the violent insurrection two weeks earlier - incited to undermine our Constitution and overturn the results of a free and fair election.

“In the end, the Constitution was followed, and truth and democracy prevailed. But we cannot pretend it didn't happen or sweep it under the rug.

“The violence was a sobering sign of how fragile and fractured we’ve become, and just how easy it is for politicians and foreign adversaries to manipulate and mislead millions of Americans.

“We must reflect on it and find a path forward that unites us.

“This isn’t just the responsibility of elected officials. Every American of every race, creed and color - on the right, left and in the center of the political spectrum - has a personal responsibility to do their part to preserve our republic and its democratic principles.

“It is up to each of us to strive towards a more perfect union and constantly work towards liberty and justice for all.

“We must face the darkness of oppression, hate and injustice (the real enemies of America) with unity, love and truth; see differences of opinion, not as obstacles, but as an opportunity to listen and learn from each other; seek consensus whenever possible, compromise when necessary; and be comfortable agreeing to disagree because that keeps us talking, so we leave a healthy democracy for the next generation.

“It is my hope that every American - those who voted for President Biden and those who didn’t - will come to the table; put the progress of our country ahead of partisanship; and not let this opportunity pass because the future of our nation truly depends upon our ability to come together.

“I hope every Vermonter will do their part and I can assure you, this Vermonter will.

“Turning to the work of state government, we must focus on the challenges created by the pandemic, as well as the problems we faced before - many of which have challenged us, and grown, for decades.

“We must support our communities, children, businesses and healthcare system; care for our neighbors; and lead a recovery that reaches *every* county and brings equal economic opportunity to *every* Vermonter.

“Now, I remember what it’s like to be a legislator. How tempting it is to seek a one-size-fits-all policy. But the regions of our state are very different, so we need a different approach.

“From the Northeast Kingdom to the Marble Valley, from Hogback Mountain to the Islands - our communities are unique. Unfortunately, population growth, job creation and economic tools also vary from region to region.

“Places like the Champlain Valley have grown while other parts of the state have watched their economic centers slowly erode. This was happening long before the pandemic hit, and it’s only gotten worse over the last 10 months.

“State spending that grew faster than Vermonters' paychecks and pushed too many down the economic ladder is another longstanding challenge we’ve worked to reverse.

“In the two years before I came to office, General Fund spending was growing at an average of about 3.75% a year. In the three years after, we held annual spending growth to about 1%, including two years without raising a single tax or fee.

“It’s important to remember, we did this while increasing investment in our downtowns and villages, housing, childcare, higher education, clean water, addressing climate change and more. We did it while improving the health of our UI Trust Fund and lowering rates for employers. And we did it while paying down debt in several areas and expanding reserves.

“While we slowed spending growth - helping Vermonters keep more of what they earned - the economy grew. In fact, before the pandemic hit, we were on track to see the biggest surplus in our state’s history.

“This better positioned us to weather the economic storm that hit.

“Our commitment to saving lives, limiting spread of the virus and protecting our healthcare system has also put us in better economic shape than many other states.

“And the federal funds we’ve received have been a critical lifeline, injecting billions into our economy to keep the doors of our hospitals, businesses, non-profits and childcare centers open.

“All of this has allowed me to present a balanced budget to you today totaling \$6.83 billion, which doesn’t increase taxes, raise existing fees or cut essential services. It includes \$123 million over two years in state capital construction; \$680 million in roads, bridges and other transportation projects; \$1.99 billion in General Fund spending; and \$1.89 billion for Pre-K-12 education.

“We’ve also fully funded our retirement obligations this year. You should know, to do so, we needed \$103 million more than last year, for a total payment of \$381 million.

“As we face this growing and unsustainable burden, I want to thank Treasurer Pearce for her courage to take this issue on. Because we all know we must do something, and I look forward to working with her, and you, to save this system.

“This budget also makes \$210 million of smart, one-time investments to improve services and stimulate growth by tackling major challenges like broadband, climate change and expanding economic opportunity.

“I want to thank our congressional delegation, especially Senator Leahy, for their work to help us through this difficult time.

“Overall, with the combined effort of state and federal officials, this budget makes enormous investments in immediate needs and to address long-term challenges so we can put ourselves back on a path to steadily grow our workforce, put more kids in schools, and help every region build a healthy economy and serve their families with the best education in the country.

“While our fiscal picture looks better than expected we must recognize that is mostly due to billions of dollars of one-time federal stimulus money. This isn’t ongoing revenue, meaning it won’t be here next year, so we need to be smart about how it’s spent.

“That’s why we must invest in areas that grow our economy or lower costs for the future. Let’s not fall into the trap of using it to create new programs we can’t afford after the federal money is gone.

“We must remember, despite this rosy picture, COVID-19 is still impacting families and businesses. The promise of a future rebound doesn’t offer much consolation to those facing devastating losses and sustained unemployment. We know too many small businesses are on the brink - months, weeks and even days away from closing their doors for good. So, we must continue doing all we can to keep them open.

“The latest round of federal funding, which includes more direct grants and loans to businesses, is an important step. But there are still many small employers who don’t qualify, which is why I proposed an additional \$10 million lifeline for them in Budget Adjustment.

“Unfortunately, this much needed lifeline for small businesses has met some resistance in the Legislature. I urge you: Please reconsider. They need and expect our help right now and we have the money to do it.

“The farmers, producers, markets and co-ops that make up our food system need help too, so my budget puts an additional \$3 million in the Working Lands program. This will help these businesses survive and will strengthen our supply chain.

“But the challenges in this sector are significant, especially in meat processing - and we have to be able to feed ourselves - so let’s work together to find new ways to support and rebuild this important part of the economy.

“I’ve also included a \$10 million package to boost outdoor recreation in all 14 counties.

“Three years ago, we launched a pilot program to invest in outdoor recreation - funded initially at just \$100,000. While it has helped projects like Newport’s waterfront trail, and Randolph’s outdoor hub, there are many more that could use this support. These projects improve communities, grow economic activity in the areas that need it most and strengthen our Vermont brand. So, my budget invests \$5 million in this program.

“Through the pandemic, we have seen increased use of our trails, paths and parks as folks looked for healthy ways to get out of the house. Let’s make them even more attractive and accessible - while protecting our public lands - with \$5 million to make much needed repairs and spruce up our recreational trails.

“And our capital bill will fund new cabins and improve access to state lands for hunting, fishing, hiking and boating.

“As much of a draw as these resources are, we continue to fall behind in tourism.

“Vermont has the smallest marketing budget in the Northeast, spending about half as much as our next closest competitor. To fix this, let’s kick start a marketing fund with a \$1 million, one-time appropriation. In future years, any rooms and meals tax revenue over and above what is projected would go into this fund to keep us competitive.

“Let’s not forget this economic activity benefits Vermonters. In 2019, visitor spending supported over 31,000 jobs and injected \$3 billion into our economy. The \$373 million in tax revenue this generates, pays for about \$1,400 in services for each Vermont household.

“An increased investment here will not only deliver a strong return but will give a much-needed boost to our hospitality sector as they struggle to recover from the pandemic.

“Investing in our downtowns and village centers is essential to growing regional economies in every county.

“Last year, we proposed relief funds for a Better Places pilot program to help communities and businesses create outdoor spaces that met public health and local development needs. Unfortunately, it didn’t make it to my desk. However, non-profits raised \$90,000 to help towns in need. The nearly 100 requests - from places like Wilmington, Swanton and Rupert - far exceeded funding and show there is much greater need, and opportunity. So, I’ve proposed an additional \$5 million into this initiative, making it easier to access funding for revitalization and putting this money - and more Vermonters - to work in our communities right away.

“Let’s also increase funding in the successful Downtown and Village Center Tax Credit program by \$1.75 million, bringing the total investment to \$4.75 million.

“There has never been a more important time to support communities across the state than today. We can do that with initiatives like the Building Communities Grant Program in the capital bill.

“Now I admit I’m partial to this program, having helped get it started when I was sitting in your seats 15 years ago. It supports much-needed projects that create new opportunities for recreation, health and safety, and culture. Projects like ADA compliance work at Martha’s Kitchen in St. Albans; doubling the childcare capacity at a center in Craftsbury; constructing a new park in Poultney; rehabbing community and rec centers in places like Bennington, Groton and Island Pond; and supporting Jenna’s House in Johnson to provide recovery and other services for those impacted by substance abuse and the opioid crisis.

“It funds small projects that make a big difference and can be just the lift towns need to attract new Vermonters, who we desperately need. Each year demand far exceeds available funds, so my capital bill includes a total of \$4.2 million over two years to help more communities.

“Another area where we can make an incredible impact is cleaning up brownfields: Places like the Jones and Lamson building in Springfield, the Bellows Falls Garage, the Lynnwood Crown Farm in Derby, the Calderwood

site in St. Johnsbury, the Upper Valley landfill in Thetford and so many others around the state.

“All these facilities once supported their local economies, but now sit vacant. And the environmental cleanup makes it too costly to redevelop.

“This is a barrier to the community’s economic growth, as many are in prime locations for development. So, I propose \$25 million in one-time funding to turn these old industrial sites from eyesores into opportunities.

“This will greatly benefit our environment *and* our economy, and it is *exactly* the kind of lasting impact we should be striving for with this one-time money.

“Infrastructure investments also strengthen our communities and economy.

“We’ll continue that work with our transportation bill, including an additional \$3.5 million paired with \$1.5 million from the General Fund to boost our Downtown Transportation Fund. This money goes to projects that make downtowns more accessible, bringing more customers to their businesses, reducing carbon emissions and improving safety. And I’ll propose legislation to expand eligibility, giving nearly 40 more towns and villages the opportunity to make these improvements.

“And our transportation bill includes record funding for our paving program, covering 360 miles, and in our bike and pedestrian program, which will finally complete the 93-mile Lamoille Valley Rail Trail, spurring economic activity for some of the most rural parts of the state.

“It also funds 40 traffic safety projects, 71 roadway projects, and over 115 structural improvement projects - which includes finishing the Middlebury Tunnel. It provides \$1 million to support a major infrastructure project at the Highgate airport and industrial area. And to help lower carbon emissions, it adds seven electric public transit busses, 228 Park & Ride spaces, and \$5 million to accelerate our transition to electric and more fuel-efficient vehicles.

“Beyond roads and bridges, we can also address important needs like broadband weatherization, and major IT and cybersecurity work that will better serve Vermonters.

“Broadband is an area we know will grow the economy, increase equity and quality in education and expand our workforce. We’ve long agreed on these goals but struggled to find a way to get there. Let’s face it, if it were easy or

affordable, we would have done it by now. Though the state has made steady progress, the reality is that it's hard and very expensive to get to the last mile.

“Even with the additional funding we have, it won't be enough. So we are going to need the federal government to treat high-speed internet access the same way they did electricity in the Rural Electrification Act of 1936. The good news is they are talking about it and I believe with the help of our influential congressional delegation, they will follow through.

“So, let's invest the dollars we have to put ourselves in the best possible position to hit the ground running when federal money arrives.

“The \$20 million broadband package I'm presenting includes \$2.5 million to extend internet to more Vermont homes; \$1.5 million to help our local utility and communications districts plan for broadband buildout; and a nearly \$16 million dollar fund for grants and loans to expand broadband in the areas that need it.

“I believe this is the best way to get ready for future federal dollars.

“And just like broadband, weatherization is an area where we've had a lot of agreement but not enough funding.

“Our current programs help families and municipalities reduce energy costs, improve housing and move us towards our carbon emissions goals. So, I propose investing an additional \$20 million to accelerate weatherization of homes for low- and moderate-income families, and - through the Vermont Housing Finance Agency - add private funding to expand the reach of these programs.

“And we'll put another \$5 million for the State Energy Management Program to help towns make efficiency upgrades that will save taxpayers money down the road.

“In total, we believe this \$25 million package will generate nearly \$70 million in weatherization projects and significantly increase the number of homes we weatherize.

“And let's not leave behind those who haven't been able to afford small-scale renewable energy. Let's put another \$10 million towards an initiative to bring affordable, clean energy to those with low and moderate incomes. These initiatives will lower energy costs for Vermonters and municipalities and move us significantly towards our climate change goals.

“We know housing isn’t just about energy costs because - from our biggest city to our smallest downtowns - a lack of affordable housing places a burden on families, and makes it difficult to keep people here and for employers to recruit workers.

“Last year we established the Vermont Housing Investment Program (VHIP) to revitalize old rental units. This program is putting Vermonters into better housing as we speak by helping small landlords rehab older units. Like Penny, who renovated two vacant properties in Westminster that were in desperate need of repair, beyond what she could afford. She used VHIP funds to renovate rooms and improve efficiency with window and heating upgrades. One of these units is now “home” for a single mom, who was in need of something safe and affordable.

“Or Jim, in Rutland and Tyler in Lyndonville, who both used VHIP to rehab 12 total units and worked with local community groups to help the homeless and others at risk.

“These are powerful results, delivered quickly. So, let’s build on it by devoting an additional \$2 million to this proven program.

“As you might remember, three years ago we worked with VHCB to borrow \$37 million, which has since leveraged almost \$200 million to build new housing. This year, instead of borrowing, let’s direct \$20 million to VHCB, which will help build even more homes.

“As well, let’s invest another \$1 million to help families purchase and rehab homes in communities that need the investment most. And as we work to ensure our state becomes more welcoming and diverse, let’s dedicate a portion of these funds to attract new homeowners who are black, indigenous and people of color.

“We’re starting to move the needle on the housing front, but we have so much more to do - let’s act now on a goal we all share.

“All of this work, together with Act 250 reform and the expansion of TIFs to smaller communities, means we can *finally* deliver on our commitment to expand growth outside Chittenden County and help more economic centers, more families and more businesses - in every region - recover and thrive.

“I’m confident with continued focus and effort, we can also grow our workforce.

“That’s why my budget includes \$500,000 to help the Department of Labor create a new tool to better connect job seekers with training programs, educational opportunities and good jobs. And we’ll continue to support VSAC’s Advancement Grants with an investment totaling \$2.9 million giving workers practical, hands-on training for good jobs that don’t require college degrees.

“We’ve also come together to recognize that a major contributor to the economic challenges we face is our aging population and shrinking workforce.

“The best way to increase revenue is to add taxpayers, not new or higher taxes. And due to our success managing the pandemic, our state is even more attractive to people looking to escape big cities, for a safe and healthy place to live. So, let’s strike while the iron is hot and expand our remote and new worker programs.

“In just two years, they have helped recruit 550 new Vermonters, growing our communities and schools. This represents \$25 million in income and approximately \$3 million in tax revenue - all with an initial investment of \$1 million. That’s a 300% return!

“That’s why my budget proposes another half-million dollars to make this program even more valuable by expanding our reach to a wider range of jobs and to people from more diverse backgrounds.

“Recruiting and retaining members of the National Guard and veterans is another way we can build our workforce.

“We’ve taken steps like college scholarships for those who enlist and simplifying licensing so those leaving active duty can easily transition to new careers. We’re also working on a recruitment campaign for veterans who are not only looking for a good place to live but a good job, after their active duty ends. Moving forward, we’ll create a permanent recruitment program, highlighting work and educational opportunities as well as the outdoor lifestyle many are looking for. And in partnership with the National Guard Legislative Caucus, I’ll propose we give any Guard member on state active duty the same tax-exempt allowances they receive when on federal orders, letting them keep more of what they earn.

“Unfortunately, one thing we haven’t been able to agree on over the last four years is eliminating the income tax on military pensions. We’re currently one of only *seven* states that taxes this benefit. This makes it difficult to compete because service members look at this when deciding where to spend their retirement years, which often begin in their 40s. My budget includes \$1.4 million to make this important change this year.

“We can take a similar approach to attract more nurses, which we know we desperately need. Every year approximately 300 RNs and 130 LPNs graduate or receive certification from programs across the state, but not all of them stay. So, I’ll once again propose \$1.25 million for a nurse retention incentive to keep more of them right here in Vermont.

“Our efforts to grow the workforce are tied directly to building the best education system in the country, from cradle to career - from affordable childcare for working parents and the draw of great public schools for young families with kids, to giving Vermonters the skills and training needed for good jobs, which helps businesses grow.

“As I said in my Inaugural Address, we worked together to make childcare more affordable for lower income families and invested relief funds to keep our providers open and safe during the pandemic.

“And, with my proposal to reorganize the Child Development Division, we can take steps to improve the system from within.

“Similarly, with a change to our tax code we can level the playing field for Pre-K providers. Currently some programs are housed in tax-exempt schools and others in taxable properties, putting them on unequal footing. So, let’s exempt all of them from educational property taxes. This will reduce budget pressures on these programs, which can result in lower costs and more options for parents.

“And I’ll once again propose we expand the lottery, generating as much as \$3 million more each year by allowing new games like Keno in bars and restaurants, which we should dedicate to childcare.

“As I said two weeks ago, we have a moral imperative to rethink how we’re spending the nearly \$2 billion that goes to PreK-12 and transform the system to give every student, the same chance to succeed.

“This year that has to include tackling the impact of remote learning on our kids. So, the Agency of Education and Department of Health are working with school leaders on how to measure, and then address, the developmental gaps students might have.

“This is critical work, and we can also invest one-time money for longer-term improvements.

“There is no doubt our schools have and will continue to experience budget pressures in responding to this pandemic. However, with the federal funds we

have, I'm confident we can fully fund school budgets and make progress on school building maintenance that's been deferred over the last two decades - all without raising statewide property tax rates.

"We have the resources to do this, and we have the obligation to follow through for the people we serve.

"We all know our state college system has been on an unsustainable trajectory for many years.

"Since coming to office, I've repeatedly proposed increased funding for the Vermont State Colleges - sometimes these requests were met and other times we settled for less. But you, the Legislature, have shown a renewed interest and I'm a willing partner.

"So, my budget proposes \$20 million in addition to their \$30-million base appropriation, giving Vermont State Colleges a total of \$139 million in state and federal funds in two years.

"We do, however, have to be realistic. Like our pension system, our state colleges need restructuring as well. It's my hope the State College Board, in partnership with the Legislature, will continue working to address the underlying structural issues we face.

"Because this is a one-year bridge, with one-time money, and we know this level of funding is not sustainable.

"Healthy families and safe communities are critical to a strong economy, so seeing Vermonters struggle with food insecurity during the pandemic has been troubling.

"While we have more work to do, we acted quickly and have fed over 64,000 households through the SEOC and delivered over one million meals to those experiencing homelessness with the help of partners.

"One of those initiatives, the Everyone Eats Program, has not only supported those in need but has provided income for hard-hit restaurants, farmers and other food producers. That's why I've requested an additional \$3.2 million in Budget Adjustment to keep this important program going while we continue to recover.

“Stronger, safer communities is also the goal of my team’s work with the Legislature, Judiciary and community partners on an initiative to help us better address, and better invest, in our justice and rehabilitation programs.

“This includes an emphasis on helping people re-enter society, contribute to their communities and rebuild their lives after incarceration because this makes our communities safer.

“So, I’ve devoted nearly \$1 million to this effort, which includes more mental health and substance abuse treatment for those under state supervision, increases transitional housing options for those re-entering our communities, and provides counseling and treatment to end the cycle of domestic violence and reduce repeat offenses.

“We’ll also continue our efforts to further improve policing in Vermont.

“But this has to be a partnership, built on trust and accountability between lawmakers, law enforcement and their communities, which is why I’m funding initiatives that help us build on years of work by the Vermont State Police, local departments, and advocates. This includes body cameras for all State sworn officers and in the Department of Corrections, and helps us modernize and implement our use of force policy to protect Vermonters and officers alike.

“Our equity work can’t just be about policing and criminal justice, so this budget also expands our Office of Racial Equity. And we’ve put forward several proposals to address inequity and systemic bias in the areas of housing, education, workforce recruitment and more.

“These are just some of the policies and programs that are included in my proposed budget. There will be more ideas and details in the days to come. And like every year, this is just the start of a conversation on how, together, we can support our people and our state with the resources we have.

“But we know that this year will be different, and this pandemic has tested all of us. It’s created new, immediate challenges that we never thought we’d face. It’s exposed and deepened older problems we’ve grappled with for decades. And it’s presented us with a rare opportunity - giving us more of the resources we need to make meaningful progress on both.

“To my friends in the Legislature: How we choose to proceed, the priorities we choose to set and how we spend one-time money will have a lasting impact on Vermont.

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“If we’re cautious, we can solve problems and fund projects that have been stalled for years, improving communities, services, outcomes and state government itself. And we can lay the foundation for an economic resurgence around the state, without having to ask more from taxpayers to do so.

“However, if we don’t learn from past mistakes, and choose to use one-time money to create ongoing obligations that we can’t afford in the future, we’ll be forced to increase the burden on working Vermonters, slowing our recovery and missing an incredible opportunity.

“If we can work together - put the politics and partisan agendas aside - we can pass a budget that could truly transform the future and set us on a path that supports all Vermonters in every corner of our state.

“One that helps to create equal opportunities in our schools, supports our communities, upgrades our infrastructure, builds more affordable housing, grows our workforce, and so much more. All without any new taxes, fully funded with what we have available to us today.

“The challenge and the opportunity before us are great, but I know - as we always have - together, we will rise to meet both.

“Thank you for listening, and I look forward to working with you.”

Dissolution

There being no further business, the President declared the Joint Assembly to be dissolved.

JOHN H. BLOOMER, JR.
Secretary of the Senate
Clerk 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:

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“(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:

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 Sibilila 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.

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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

IN JOINT ASSEMBLY, MARCH 25, 2021 AND APRIL 1, 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. 18. Joint resolution providing for a Joint Assembly to vote on the retention of two Superior Judges and three Magistrates.

Whereas, declarations have been submitted by the following two Superior Judges that they be retained for another six-year term, Judge Brian J. Grearson, and Judge Nancy J. Waples and three Magistrates that they be retained for another six year term, Magistrate Christine A. (Doremus) Hoyt, Magistrate Joseph M. Lorman and Magistrate Brian Valentine, and

Whereas, the procedures of the Joint Committee on Judicial Retention require at least one public hearing and the review of information provided by each candidate and the comments of members of the Vermont bar and the public, and

Whereas, the Committee was unable to fulfill its responsibilities under subsection 608(b) of Title 4 to evaluate the judicial performance of the candidates seeking to be retained in office by March 11, 2021, the date specified in subsection 608(e) of Title 4, and for a vote in Joint Assembly to be held on March 18, 2021, the date specified in subsection 10(b) of Title 2, and

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Whereas, subsection 608(g) of Title 4 permits the General Assembly to defer action on the retention of judges to a subsequent Joint Assembly when the Committee is not able to make a timely recommendation, and

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 which 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 Judicial Retention, *now therefore be it*

Resolved by the Senate and House of Representatives:

That the two Houses meet in Joint Assembly on Thursday, March 25, 2021, at ten o’clock and thirty minutes in the forenoon to vote on the retention of two Superior Judges and three Magistrate, *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 the reports of the Committee on Judicial Retention, the Joint Assembly shall recess until Thursday, April 1, 2021 at 2:00 P.M. (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 of Presiding Officer

Pursuant to our Constitution and statutes we are assembled here today in Joint Assembly to cast our votes on the retention of eight Superior Judges, and one Magistrate.

This year we are again operating under the Judicial Retention Act passed in 1976, as amended in subsequent sessions of the General Assembly, which establishes the procedure for retention of incumbent Superior Judges and Magistrates. Amendments made in 2010 require the retention of magistrates. The date for holding joint assemblies for the retention of judges is set by statute to be the eleventh Thursday of the session, which date may be deferred pursuant to 4 V.S.A. § 608(g). This year pursuant to statute which permits this, 4 V.S.A. § 608, we delayed the Joint Assembly from the eleventh Thursday to the present date, March 25th.

The procedure to be followed requires the vote be by written ballot. There will be two separate written ballots: one containing the names of all of the candidates for retention as superior judges; and one containing the names of the candidates for retention as magistrates. I will explain later the written ballots and submitting your votes.

Retention of Superior Judges

We shall now proceed to the matter of retention of the incumbent Superior Judges. Under the Judicial Retention Act which establishes the procedure for the retention of Superior Judges, nominations may not be received from the floor; rather, each judge seeking retention must file a declaration of intention to seek retention with the Secretary of State or if a Superior Judge is appointed after September 1 of the year preceding the expiration of the term of offices the Superior Judge shall automatically be a candidate for retention without filing notice. The name of each judge seeking retention is automatically voted on pursuant to the terms of the Judicial Retention Act.

In addition, the Judicial Retention Act provides that when a candidate does so declare for retention, the question to be decided is:

"Shall the following Superior Judges be retained in office?"

Tellers Appointed

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 Warren F. Kitzmiller, of Montpelier
Representative Kenneth W. Goslant, of Northfield

We shall now proceed to the matter of retention of the incumbent Superior Judges. For these positions we have received declarations of intention to seek retention to the office of Superior Judge from the following:

Brian J. Grearson
Nancy J. Waples

The question to be decided in each of these cases shall be as follows:

"Shall Superior Judge Brian J. Grearson be retained in office?"

Yes _____ No _____.

"Shall Superior Judge Nancy J. Waples be retained in office?"

Yes _____ No _____.

The ballot which you will receive will contain these questions in printed form on one single ballot. The terms of these Superior Judges are for six years, from and including the first day of April, 2021, and until their successors are elected and qualified.

To facilitate the procedure for this morning, the Chair will rule, unless there is objection, that debate on these two Judges will be received separately. At the end of the debates for the two Judges, any general debate on the entire question shall be in order.

Committee Reports

First, we will receive the report of the Joint Committee on Judicial Retention. The Chair now recognizes the Chair of this Committee, the member from Stannard, Representative Joseph "Chip" Troiano, for the purpose of receiving his report.

Representative Joseph "Chip" Troiano, then delivered a general report for the Joint Committee on Judicial Retention.

The Chair then recognized the member from Burlington, Representative Selene Colburn, who delivered the report of the Joint Committee on Judicial Retention with respect to the candidacy of Superior Judge Brian J. Grearson.

The Chair then recognized Senator Alice J. Nitka, of Windsor District, who delivered the report of the Joint Committee on Judicial Retention with respect to the candidacy of Superior Judge Nancy J. Waples.

Retention of Magistrate

Statement of Presiding Officer

We shall now proceed to the matter of the retention of the incumbent Magistrates. For these positions we have received a declarations of intention to seek retention to the office of Magistrate from the following:

Christine A. (Donremus) Hoyt
Joseph M. Lorman
Brian Valentine

The name of each magistrate seeking retention is automatically voted on, and the question to be decided is:

"Shall Magistrate Christine A. (Donremus) Hoyt be retained in office?"

Yes _____ No _____.

"Shall Magistrate Joseph M. Lorman be retained in office?"

Yes _____ No _____.

"Shall Magistrate Brian Valentine be retained in office?"

Yes _____ No _____.

The vote on this question shall again be by one single written ballot. The terms of these Magistrates are for six years, from and including the first day of April, 2021, and until their successor is elected and qualified.

Committee Report

The Chair then recognized, Senator Ruth Ellen Hardy of Addison District, who delivered the report of the Joint Committee on Judicial Retention with respect to the candidacy of Magistrate Christine A. (Donremus) Hoyt.

The Chair then recognized, the member from Rutland City, Representative William Notte, who delivered the report of the Joint Committee on Judicial Retention with respect to the candidacy of Magistrate James M. Lorman.

The Chair then recognized, Senator Richard J. McCormack of Windsor District, who delivered the report of the Joint Committee on Judicial Retention with respect to the candidacy of Magistrate Brian Valentine.

Statement of Presiding Officer

"Pursuant to J.R.S. 18, the vote on the retention of two Superior Judges and three Magistrates 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 ballots, certification envelope, an addressed, postage prepaid return envelope and an instruction sheet. As explained on the instruction sheet you are to:

- (1) Vote your ballots;
- (2) Place your voted ballots 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 ballots 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, April 1, 2021.”

Recess

Pursuant to J.R.S. 18 the Chair declared a recess until Thursday, April 1, 2020 at 2:00 P.M.

Called to Order

At 2:00 P.M. on Thursday, April 1, 2021 pursuant to J.R.S. 18, the Joint Assembly was called to order by the Honorable Molly R. Gray, in the Chair.

Results of Balloting

Balloting then proceeded for the office of Superior Judges, with the following results:

For Superior Judge Brian J Grearson

Total votes cast.....139
Necessary for a majority..... 70
For retention..... 134
Against retention..... 5

Whereupon the Chair declared that

BRIAN J. GREARSON, of Berlin

having received a majority of the total votes cast was duly retained in the office of Superior Judge for a term of six years, from and including the first day of April, 2021, and until his successor is elected and has qualified.

For Superior Judge Nancy J. Waples

Total votes cast.....137
Necessary for a majority..... 69
For retention..... 135
Against retention..... 2

Whereupon the Chair declared that

NANCY J. WAPLES, of Hinesburg

having received a majority of the total votes cast was duly retained in the office of Superior Judge for a term of six years, from and including the first day of April, 2021, and until her successor is elected and has qualified.

Results of Balloting

Balloting then proceeded for the office of Magistrate, with the following results:

For Magistrate Christine A. (Donremus) Hoyt

Total votes cast.....	124
Necessary for a majority.....	63
For retention.....	122
Against retention.....	2

Whereupon the Chair declared that

CHRISTINE A. (DONREMUS) HOYT, of Tunbridge

having received a majority of the total votes cast was duly retained in the office of Magistrate for a term of six years, from and including the first day of April, 2021, and until her successor is elected and has qualified.

For Magistrate Joseph M. Lorman

Total votes cast.....	126
Necessary for a majority.....	64
For retention.....	115
Against retention.....	11

Whereupon the Chair declared that

JOSPEH M. LORMAN, of Rutland

having received a majority of the total votes cast was duly retained in the office of Magistrate for a term of six years, from and including the first day of April, 2021, and until his successor is elected and has qualified.

For Magistrate Brian Valentine

Total votes cast.....	125
Necessary for a majority.....	63
For retention.....	123
Against retention.....	2

Whereupon the Chair declared that

BRIAN VALENTINE, of Huntington

having received a majority of the total votes cast was duly retained in the office of Magistrate for a term of six years, from and including the first day of April, 2021, and until his successor is elected and has qualified.

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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

