

Journal
of the
JOINT ASSEMBLY
Adjourned Session
2024

**JOURNAL OF THE JOINT ASSEMBLY
OF THE
STATE OF VERMONT
ADJOURNED SESSION, 2024**

IN JOINT ASSEMBLY, JANUARY 4, 2024

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. 32. Joint resolution to provide for a Joint Assembly to receive the State-of-the-State message from the Governor.

Resolved by the Senate and House of Representatives:

That the two Houses meet in Joint Assembly on Thursday, January 4, 2024, at two o'clock in the afternoon to receive the State-of-the-State message from the Governor.

Presiding Officer

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

Clerk

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

Committee Appointed

Senator Philip E. Baruth of Chittenden-Central District moved that a Committee of three Senators and three Representatives be appointed by the Chair to wait upon His Excellency, the Governor, and inform him that the Joint Assembly was now convened for the purpose of receiving his State-of-the-State message.

Which was agreed to.

The Chair appointed as members of such Committee:

Senator Philip E. Baruth, of Chittenden-Central District
Senator Alison H. Clarkson, of Windsor District
Senator Randolph D. Brock, of Franklin District
Representative Jessica C. Brumsted, of Shelburne
Representative Francis M. McFaun, of Barre Town
Representative Kelly M. Pajala, of Londonderry

The Committee performed the duty assigned to it and appeared within the Joint Assembly accompanied by His Excellency, Philip B. Scott, who delivered the following message:

Governor’s State-of-the-State Message

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

“In his second Inaugural Address, Governor Weeks talked about recovering from the Flood of 1927. He said, “The common watchwords” were “progress and rehabilitation,” noting the true spirit of Vermont is its “indomitable courage in a time of adversity.” And that “the faith and valor of Vermonters has turned catastrophe into opportunity.”

“Progress and rehabilitation. Catastrophe into opportunity.

“From the first struggles of the pandemic to the rising waters of July and December, and a once in a century opportunity to revitalize our communities – the indomitable courage of Vermonters is as strong as ever.

“This session, let’s honor their resilience and strength, kindness and generosity – not only in flood recovery, but by working together to address persistent problems, like demographics, housing, affordability, and recent increases in violence and crime.

“To meet this moment, we are going to have to prioritize, set aside good things that are less urgent, and rise above the toxic polarization of America’s political parties to focus our work directly on these fundamental issues.

“If we do, we’ll turn catastrophe into opportunity once more.

“President Clinton’s advisor James Carville famously said, “It’s the economy, stupid.”

“Now, I’m not calling anyone stupid, but I think you’ll get my point that in Vermont, we could insert “demographics” in place of “economy.”

“I get asked all the time, even by some of you, “where did all the workers go?”

“So let me share three numbers from your Joint Fiscal Office that tell you everything you need to know: 14,000, 28,000 and 48,000. As of 2022, we have 14,000 fewer kids under the age of 18 than we did in 2010. During that same period, we have 28,000 fewer adults ages 40 to 54, which is the core of our workforce. And we have 48,000 more over the age of 65. This is all within just 12 years, but this is nothing new. It’s been happening for decades.

“Let that sink in for a moment.

“As the JFO points out, this can mean higher per pupil costs, declines in income and sales tax revenue, and increased demand for services like healthcare.

“They conclude, if nothing changes, and I quote, “Vermont’s ratio of older residents to working-aged people will continue to rise, placing a greater burden on workers to support both young and old.”

“If this sounds familiar, it’s because you heard it from me in 2017, when I said, “The biggest obstacle we face to economic sustainability, is a shrinking workforce.” In 2018, I said demographic trends are, “shifting the tax burden onto fewer and fewer people.” Again in 2020, I said, “Our demographic crisis is, without question, the greatest challenge we face as a state.”

“Unfortunately, it hasn’t gotten any better. It continues to be an issue we must solve to meet today’s obligations, and make every investment needed for the future.

“And to have any chance of reversing our demographic trends, there are three issues we can’t ignore: public safety, affordability, and housing.

“These challenges are urgent, immediate, and we must address them this session.

“For as long as I can remember, our safe, close-knit communities, and the peace of mind healthy cities and towns provide, have been integral to keeping and attracting families to our state.

“But with crime rising in too many places, I fear many see the Vermont they know, slipping away.

“A growing number of headlines share news of the latest murder, drug-related shooting, and small businesses struggling with increasing vandalism and theft.

“Here’s the thing, it’s not just the headlines. According to reports from the Council of State Governments, in 2017 Vermont had the second lowest property crime and second lowest violent crime rates in the nation. By 2022, we had dropped to 18th and eighth.

“And in the last 10 years, violent crime reported to police increased 56%, aggravated assault by 65%, sexual assault by 76%, and homicide by 166%. We cannot deny these trends.

“When those who victimize others are put back on the streets, hours after being apprehended only to reoffend again and again, Vermonters question law enforcement, prosecutors, our courts, and they question the wisdom of the work done here in this building.

“Now, I want to give credit where credit is due: We’ve made progress on justice reform and treating addiction as the public health crisis it is.

“But when spiking crime rates make it clear that not all the changes have been effective, we have a responsibility to take a step back and consider other strategies.

“We must make a real effort this session to solidify our place as the safest state in the country and reverse the increases we’re seeing – both for the people we serve and the victims of these crimes.

“We must also acknowledge our crisis of affordability is making it difficult to address public safety, as well as other areas like education and healthcare. And the high cost of everyday life in Vermont is dulling the tools we’ve put in place to keep and attract working families.

“In three weeks, I’ll present my budget for Fiscal Year 2025, and it will be a much different picture than previous years. “Sobering” comes to mind.

“With historic one-time federal aid ending, another large increase in our pension obligation, and last year’s spending decisions catching up to us, we are back to where we were several years ago with difficult decisions to be made.

“For many of you, this will be the first time you’ll work on a budget without hundreds of millions of dollars in surplus. For others, it’s déjà vu.

“Once again, we’ll face the discomfort of saying “no,” choosing between many good things, and maintaining the discipline to focus on what Vermonters need most.

“I continue to believe we need to keep our spending within existing revenue. So in full transparency, you can expect my budget will increase by about 3%.

“I know from experience, many of you view 3% growth as an “austerity” approach.

“So it’s important to know that with this increase, and after meeting our obligations, we have *very little* money left. So, if you go higher, we will be spending more than we’re taking in, leading to higher taxes and fees, adding to the burden Vermonters are already feeling.

“I’m sure you’re aware the federal government just announced its increase for those on social security, which was 3.2%. So if our seniors are expected to manage to that, it seems as though we should do the same.

“Now, I’m a realist, and I know you have a super majority. You’ve proven the final budget, and the growing burden of taxes, fees and other policy-driven costs, is in your hands.

“So all I can do is make my case, which is the same case I’ve made to Vermonters since I first ran for governor. What I hear from people every day is they can’t afford to pay more, or even what they are paying now.

“So this year, let’s do what’s best for them, and live within their means.

“Unfortunately, the cost of our Pre-K through 12 education system has already grown beyond the means of many.

“As you know, it’s about to grow even more. Because if nothing changes, we’ll see an estimated 18.5% increase in statewide property tax bills. And that’s after we use a \$37 million Education Fund surplus to buy rates down.

“In total, this would be a quarter billion-dollar tax increase on Vermonters. For a family with a \$250,000 home, their bill could go up by \$650 a year. And with a \$400,000 home, you could pay an additional \$1,000.

“Before you brush this off because of income sensitivity, remember the vast majority will still see an increase. And renters don’t typically pay property taxes directly, but if a landlord receives a \$1,000 increase on their four-unit building, I’m pretty sure it’ll be passed on to those who live there.

“So think about those folks who are just barely getting by – living paycheck to paycheck, already deciding what bills to pay and what to do without. Or the working parents, who need every extra penny so their kids can go to summer camp. Or the small business owner rebuilding after the flood, working hard just to stay open.

“They’re all going to struggle to figure out how to pay for this. Not to mention inflation that’s still making everything more expensive. Or future burdens like the payroll tax you passed last year, that will take effect in July. Or the 20% increase in DMV fees that began three days ago – both over my, and some of your, objections (just not enough of you). Concern about taxes, fees and increased costs *is* a concern about people.

“I appreciate the optimism I’ve heard from some of you, who think we can just buy it down. Some even committed to getting it down to 2%, or lower. So to be clear, that would cost \$225 million.

“And from the average person’s perspective, it doesn’t matter which pocket the money comes from, whether it’s the property tax, income tax, or some other creative combination – it’s still going to hurt.

“Keep in mind, the Education Fund is now more than \$2.1 billion dollars. With fewer than 83,000 Pre-K through 12 students, we’re spending about \$25,000 a year per student, among the very highest in the country. And that might be okay with me if we were leading in student performance. But in several areas, we’re in the middle of the pack, according to the U.S. Department of Education.

“Please know, this is not a critique of our teachers or our students. It’s the result of an education infrastructure that is too large for the number it serves, so not enough money is making it to the kids.

“Unfortunately, there’s no quick fix to this. But we could discuss ideas I’ve put on the table before, like additional consolidation or classroom size targets, addressing healthcare and retirement costs, moving to a statewide teacher contract, or capping property tax growth. And I’m sure you have ideas on how to contain spending as well.

“I believe we all want better education outcomes for our kids, and to have a system our seniors, families and young workers can afford. So let’s work together to address the affordability issues we can control and restore the size of the working class so there are more people to pay taxes, and more kids in our schools.

“To do that, we need to jumpstart housing in the areas that need it most.

“Because this crisis is not only holding us back when it comes to filling jobs and refilling our schools – it’s hurting Vermonters here right now. Due to a lack of housing, and our tax and regulatory policies, rents and purchase prices are far too high, and rising.

“Decades of studies and data show it’s too expensive, too complicated and too slow to buy, rehab and build in Vermont.

“Since March of 2020, we’ve invested over \$500 million to fix vacant units, construct new homes and expand shelter capacity. This is unprecedented. And it’s on top of the \$37 million dollar housing bond we passed in 2017, which at the time was the biggest investment we’d ever made.

“We have made progress, and it far exceeds what we were doing 10 years ago. But \$500 million is a lot of money, so we need to be honest about what we’re getting, why it costs so much, and how to lower it.

“Overall, we’re seeing about 2,200 residential units permitted each year. About one-third of these, around 700, are state funded. Census data and vacancy rates show that to meet current demand and create a healthy market that puts downward pressure on prices, we need 6,800 units right now. Most of our funding goes to homes that cost, on average, \$450,000 per unit to develop. \$450,000! So that’s \$3 billion in public and private funding, just to fill the gap we have today.

“With these costs in mind, I think most of us would agree, something’s got to change.

“Last year I said, “we won’t be able to make the most of this opportunity if we don’t address the decades-old regulations holding us back.” While we took some steps, I know many of you would agree, we need to do a lot more.

“The fact is, Act 250 did exactly what it was intended to do. It slowed down growth, and in some cases, stopped it altogether. But it was enacted at a time when we were growing way too fast. Today we face a different reality – one where families desperately need homes, and communities need reinvestment.

“There’s an expression: “If nothing changes, then nothing will really change.” In our case, that means if nothing changes, things will continue to get worse.

“We’ve committed the funds, and laid the groundwork, but if we don’t truly address Act 250, we won’t solve our housing crisis.

“Every single one of you, and the people you represent, need a voice in this debate. This issue is too important and too consequential for two committees, and a couple of special interest groups, to control the outcome.

“If we make commonsense improvements, we can give young families the decent, affordable homes they need. We can offer seniors a chance to enjoy retirement, without the burden of a large home they can’t afford. And we can put homeless Vermonters in real homes, not over-priced hotel rooms we can’t afford.

“By jumpstarting housing for working families, we can revitalize communities, refill our schools, and make our neighborhoods more inviting in all 14 counties. We can help solve the challenges we face – funding healthcare and education, climate change mitigation, I.T. infrastructure, and so much more.

“Housing is key, and it’s something we can do right now. So let’s work together and get more families in homes faster, and at a cost they can afford.

“My friends, I’ve now spent about 20 minutes talking about the significant challenges we face. There’s no doubt, we have a lot of hard work ahead.

“But there’s also a lot of good things happening.

“Like the opening of Beta Technologies’ new production facility, leading the revolution in electric aviation, adding to our green economy. The opportunity we have with the federal CHIPS Act to build an innovative Tech Hub and expand semiconductor manufacturing. The work of our refugee resettlement office, which along with many partners, has helped 500 refugees get settled, contributing to our communities, workforce and economy, while pursuing the American dream.

“Or how about the ten Vermont businesses that ranked among the nation’s fastest growing companies. And Killington broke ground on an infrastructure project that will boost the economy throughout the region.

“We should also be proud of our work together to help anchor employers, like Chroma in Bellows Falls and Ethan Allen in the Northeast Kingdom, and hundreds of small businesses with flood recovery so they could reopen, stay open, grow and thrive. And this weekend, the 93-mile Lamoille Valley Rail Trail will be fully open, after crews worked quickly to repair the damage caused by the July storms.

“These are just some of the many reasons I’m still incredibly optimistic about our future.

“Another reason is because I see a path where we can reverse our downward trends if we prioritize these urgent crises.

“That’s why we’ve already shared many of our proposals in these three areas.

“Now, I know these aren’t the only challenges we face, and there are many others, like addiction, healthcare costs, and climate change mitigation, where we need to – and *will* – continue our work.

“But public safety, affordability, and housing are the issues that demand our immediate attention, because Vermonters are seeing, feeling, and living them every single day. And they’re critical to reversing our demographic trends.

“So, while the lobbyists and advocates will have their agendas, and being an election year, political parties and partisans will have theirs as well, we owe it to Vermonters to put all that aside and make real progress on public safety,

affordability, and housing needs – because these issues don't discriminate based on your party affiliation.

“We've already laid the foundation – literally in many cases – to help revitalize communities across the state. With \$1 billion from ARPA, we've invested in over 500 initiatives in 160 towns and cities in all 14 counties. From big capital projects to small renovations, what they all have in common is an investment in the basic tools a community needs to keep from falling behind and spark momentum for more good work.

“So following through on each of our federally funded investments, including what we've allocated for state match, is one of the most important actions we can take this session.

“We are also aligning this work with flood recovery, and the new federal dollars that come with it, to help more places restore their vitality and expand economic security.

“Catastrophe into opportunity.

“Imagine what neighborhoods in our communities could look like with the old, run-down houses renovated; front yards decorated for the holidays; a swing set and a sandbox in the backyard.

“The neighborhood buzzing with the chatter of kids out sliding (or “sledding,” for those of you who are confused).

“Imagine seeing those empty classrooms filled with children again.

“Younger families shopping in town, getting their car, lawnmower, bike, or chainsaw serviced at their local shop, and then those small businesses going on to support their community by sponsoring local events and youth programs.

“More workers to lessen the burden of property taxes and healthcare costs.

“Good jobs and opportunity – a hopefulness that defeats despair, and helps reduce addiction and the crime it causes.

“We can get there, but we must follow through on what we started. We have to learn the lessons of the last few years, refocus on what's working, and be honest about what's not. If we do, we will turn the tide and lift all communities in every corner of our state.

“Most importantly, I'm optimistic about our future because of the people of Vermont.

“On the morning of July 11, a flood-damaged grocery store in Windsor County was filled with neighbors mucking out. And they didn’t stop there. With rows of undamaged produce and perishables, locals acted quickly to distribute it to those in need. Donating coolers and time, they helped hundreds of their neighbors by delivering food to a senior center, mobile home park, the local food shelf, and more. Even when they had to jump on an ATV to get over downed trees and washed-out roads.

“A few days later in Barre, Bob Nelson opened his hardware store, still without power and surrounded by damaged shelves and destroyed inventory. He wanted his neighbors to have what they needed to clean up their homes and businesses.

“30 miles away in Caledonia County, eight- and 10-year-old Andee and Allie Ackerman started their own business, a lemonade stand, giving every single penny of the \$700 they made to help the Hardwick House of Pizza.

“Weeks later in Johnson, at Highland Heights Mobile Home Park where several residents lost everything, you could see a community who rallied to support one another. From those who spent weeks trying to find help for a long-time neighbor in crisis, to park owners Ken and Martha Harvey who moved damaged homes, cleaned up lots, and filled out FEMA paperwork. They could tell you where every single homeowner was and kept tabs on them to help if needed.

“This is “Vermont Strong.”

“It’s the incredible resilience found in our sense of community. It’s the “faith and valor” Governor Weeks described.

“And it’s not just during floods.

“In St. Albans, Shawn Careau wanted to offer a helping hand. So as the owner of a downtown restaurant, he began taping receipts for free meals on his front window for folks to claim – as he put it, with no questions asked. Patrons at the restaurant saw this and started chipping in, adding more meals to the window. Warm food on a cold day, dinner out for those who otherwise might not be able to afford it, that’s what community looks like. No one asked Shawn to do this, he saw a way to use his skills to help his neighbors and he and his customers stepped up.

“So did families in Coventry. After learning the school playground wasn’t safe, they didn’t sit back and wait for someone else to fix the problem. They worked to provide a few swings and other basics, and then rallied support to

help finish the job. With everyone pulling in the same direction, in a matter of weeks, they had rebuilt better than before.

“Sometimes, it’s the little things that make the biggest difference.

“A few years ago, the residents of Wallingford were looking for a way to strengthen their town. Many of us might think that means new sidewalks or a business expanding. But in Wallingford, they kept coming back to the simple idea of just getting together. So, they brought back “Wallingford Day.” A day to celebrate who they are, reconnect with neighbors with food trucks and fireworks, art shows and auctions, music and dancing. Most importantly, it’s a day set aside to be together, a reminder that it takes effort to build community.

“Folks in Guilford also wanted to reconnect and decided to refresh an old idea. After the Civil War, grange halls became an important part of civic life in agricultural areas across the country. A place to get together, hear candidates speak, and work to solve the issues of the day. As small farms and membership dwindled, underused grange halls could be found all over the U.S. So in Guilford, they worked to bring this historic community space back to life. These days, you can see their renovated grange hall bustling with students, full of people for Thanksgiving dinner, the Apple Pie social, or raising money for a neighbor in need.

“At a time when so much of our interaction is by text, email, social media, or Zoom, just being in the same place, at the same time, and seeing people face to face can help make the world a better place for all of us.

“Folks in East Calais knew this about their General Store. For over a century, it was a local gathering spot – somewhere to get a coffee or sandwich, catch up with your neighbors, get your news and maybe a little gossip as well. So when they were about to lose it, residents formed a Trust to purchase the building and keep this local hub alive. Nearly five years later, through pandemic and floods, the East Calais General Store reopened its doors in October.

“Many of these projects have benefited from government funding, and that’s an important role we can play. But the reality is, no grant or earmark would bring these initiatives to life on their own. Neither government, nor money, build community. People do.

“Many of those I just mentioned are here today. If they could please rise, if able, so we can thank them. And I know, there are thousands of others like them across our state, who step up for their community, each and every day. By the way, if you want the Ackerman sisters’ lemonade, or to meet some of these folks, stop by the office afterwards.

“President Biden has said, “good communities are built by thousands of small acts of decency...”

“To me, it’s our decency to one another, where we as Americans and Vermonters find our greatest strength.

“I’ve seen this my entire life. I saw it in my dad and in my mom, and in the people of my hometown when he passed away. I’ve seen it in teachers and classmates, co-workers, friends, neighbors, colleagues in the legislature and dedicated state employees. Like many of you, I’ve tried to pass it on to my kids.

“President Coolidge said Vermonters are, “pioneers who almost beggared themselves to serve others...”

”That’s the Vermont I know. Those are the people I know.

“Basic human decency, giving a helping hand to others around us, even to those we don’t agree with, or even like that much. This is the foundation, the bedrock of our communities.

“But traditions and values must be exercised and nurtured to be passed along to the next generation.

“Dick DeGray woke up before dawn for a decade to water the 200 flowerpots that brightened up downtown Brattleboro. No one asked him to do it, and because he started at 3:00 in the morning, not many knew he did and took this good deed for granted. Now in his seventies, he’s looking to hang up his watering can.

“So, the question is, who’s going to water the flowers?

“Across the state from Alburgh to Vernon, Island Pond to Bennington, and everywhere in-between, there are things, large and small, that build community and give these places character and identity.

“So, I want to talk directly to Vermonters, what is it for you? Is it the flowers or lights during the holidays? The senior center or playground? Youth sports or the local theater? Food pantries or meals on wheels? The good work done by the Rotary, Elks, Moose or Lions club, VFW and American legion?

“Whatever it is, if it matters to you, it’s time to step up, get involved, and make sure it remains for years to come.

“Take Brenda Greika, a 35-year state employee, now retired. Tomorrow is her 70th birthday, but she’s not asking for it to be about her. She’s planned a full day of shopping, eating and entertainment in downtown Montpelier.

“All she wants is for people to support these local businesses who were devastated by the flood. And by the way, you’re all invited. Remember, no gifts, just bring your credit card!

“It’s clear there are many people doing this good work. But they can’t do it on their own. It takes all of us.

“So, it’s up to you to find something. Plant a tree, mentor a kid, coach a team, volunteer for your local fire department or rescue squad. Or sign up for the National Guard, which has been essential to our state emergencies and national security. We desperately need them, and they need more of you.

“Because the reality is, that *thing*, that tradition, or cause, or service that means something to you, won’t last if no one carries it on.

“It’s about action, not apathy. Dedication, not destiny.

“The progress we’ve made in the short 246 years since our nation’s founding is not a coincidence of history. The burden of citizenship, and all who aspire to it, is the work to fulfill the promise of a more perfect union. This is the great gamble of our republic – that everyday Americans, and everyday Vermonters, will show up, do the work, and carry out those “small acts of decency” that build community.

“That’s the most important work of all. It’s the antidote, the cure, to the hate and poison of partisanship – red versus blue; you versus me; us versus them; and the constant conflict we see on social media or cable news.

“Strengthening our communities, connecting with our neighbors, doing our part, however big or small, is how we prove there is a better way.

“As I’ve shared today, many people in our communities are setting the example for us, their elected officials.

“The Harvey’s didn’t care whether residents were Republicans or Democrats when they helped them get back on their feet. Up in St. Albans, Shawn isn’t asking what policies you support before you get your meal. It doesn’t matter who you voted for when using the community center in Guilford, or to enjoy Wallingford Day.

“So let’s choose to follow their example, reject partisanship, and do what’s best for the people we’re here to serve.

“Show up and do the work, so we don’t lose what makes Vermont so special.

“Focus on the things that strengthen our communities, so all parts of our state can build upon their character and fulfill their potential.

“And together, all of us in this room and across the state will meet this moment, and all that comes next.”

Dissolution

The Governor, having completed the delivery of his message, was escorted from the Hall by the Committee appointed by the Chair.

The purpose 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, JANUARY 23, 2024

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. 34. 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 23, 2024, at one o'clock in the afternoon to receive the budget message of the Governor.

Presiding Officer

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

Clerk

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

Committee Appointed

Senator Philip E. Baruth of Chittenden-Central District moved that a Committee of three Senators and three Representatives be appointed by the Chair to wait upon His Excellency, the Governor of the State of Vermont, to inform him that the Joint Assembly is now convened and to escort the Governor to the Chamber to deliver his budget message.

Which was agreed to.

The Chair appointed as members of the Committee:

Senator M. Jane Kitchel, of Caledonia District
Senator Ann E. Cummings, of Washington District
Senator Richard J. McCormack, of Windsor District
Representative Diane M. Lanpher, of Vergennes
Representative Emilie K. Kornheiser, of Brattleboro
Representative Patrick M. Brennan, of Colchester

The Committee performed the duty assigned to it and appeared within the Joint Assembly accompanied by His Excellency, Governor Philip B. Scott, who delivered the following message.

Governor's Budget Message

“Mr. President, Madam Speaker, Members of the General Assembly, and fellow Vermonters.

“Earlier this month, I reported on the state of the state, laying out three priorities: affordability, public safety, and at the center of it all, housing.

“Solutions for these issues are within our reach, especially with the historic infrastructure investments we’ve committed to. If we address them head on, we’ll restore the working class, refill our schools, and revitalize communities and neighborhoods in every county.

“But I also understand the realities of a supermajority, which means you don’t have to listen, or even consider, my priorities or objections.

“But I bet many of you do hear, and maybe even share, some of my concerns. More importantly, I’m pretty sure the majority of our constituents certainly do.

“So let’s put them first by doing the hard work to *fix* – not *just fund* – the problems they face, put party labels aside, and listen to each other so we help our communities, just like the Vermonters I highlighted in the State of the State helped theirs.

“This work, especially when it comes to affordability, starts with the budget I’m presenting, which totals \$8.6 billion across all funds: \$353 million for transportation, \$2.4 billion for education, and \$2.3 billion in the General Fund.

“Now, I want to talk a little more about the 3.57% growth in the General Fund, because regardless of what you might think or hear, it’s *not* arbitrary. I didn’t just pick it out of a hat. It is what we can do within available revenue, without new or higher taxes and fees.

“I’m sure it’s no surprise to you, given the growing burden they already face, I don’t support asking Vermonters to pay more. To me, it *does matter* how much money we have. Because every penny we spend comes out of the pockets of the people who live, work and invest in Vermont.

“And we hear from them all the time, with stories of desperation and fear. The very people I know many of you are trying to help, who want to do their part, but they’re being crushed by the burden of property taxes, or the higher rents that come with it. As well as by increased fees, just to renew a license and register a vehicle. Or the looming payroll tax and the unknown of higher fuel and electricity costs – not to mention inflation.

“I truly believe most of us want to help people – it’s who we are. But burdening them with more taxes, fees and other costs, is not the way to do it. Especially when they have less expensive options.

“So instead of taking the easy route, we dug deep to fund existing work and priorities, all within available resources.

“And despite the recent upgrade in revenue, this is still going to be a tough budget year. And here’s why:

“Historic federal aid, and the spending power it gave us, has dried up. But we still had to fund last year’s 13% budget growth, which – as you know – I vetoed and you overrode.

“We had unexpected obligations, like FEMA match, and \$9.5 million for the first of three payments negotiated by the Attorney General to settle the EB-5 scandal of 2015.

“We as a state are also impacted by inflation, rising costs, and other increased pressures. Nearly all the additional revenue is needed just to sustain our core services and programs. This includes a total of \$24.7 million for our existing hotel/motel program; around \$23 million for last year’s extra staffing, incentives and overtime costs due to workforce challenges; \$31.7 million for employee salaries and benefits, which is \$10 million more than last year; \$2.7 million to fill deficits in E911 and Fire Safety; and \$5 million for another bridge payment to keep Vermont State University going.

“And this year’s payment for pensions increased to over \$485 million. As a reminder, we’ve put almost \$2 billion into it over the last 5 years, and the experts say we’re still about \$4.7 billion shy of fully funding them.

“Some of this is for critical needs and services, but a lot of it is because we didn’t get ahead of the problem early enough. So now, the added money doesn’t necessarily bring better outcomes or more services, it just keeps us afloat.

“In my State of the State, I said we needed to learn the lessons of the past, and these are some of them. When we spend beyond our means, it catches up to us, and ultimately with taxpayers. And when we fail to address the fundamentals of decades-old problems, they get worse, making it harder to find money to catch up.

“Before the pandemic we saw that disciplined budgeting, without higher taxes, resulted in organic revenue increases, which is the real and lasting economic growth we need to support more public investments. And with post-pandemic federal aid, we’ve shown that smart, strategic investments can put us in a better position to grow and provide resilience in leaner times.

“This budget does both. It aligns with our fiscal reality and prioritizes the fundamentals. And it makes smart new investments, which along with our policy proposals, will build on our resiliency and help communities recover, not just from the flood, but in response to each of our top challenges.

“We know affordability isn’t just about taxes and fees, so let’s talk about health care.

“In the past, we’ve acted to support dental care, home health, and more. This year let’s stabilize rates for nursing homes and rehabilitation centers with a \$4.2 million increase, which secures another \$4.7 million from the feds, so we are not reliant on emergency funding year after year.

“And we’ll continue to move away from fee-for-service. The Centers for Medicare and Medicaid Services are advancing a national model on health care reform, called AHEAD, which builds upon the innovation of states, specifically citing Vermont’s All-Payer ACO model. Like our approach, it includes Medicare, Medicaid and commercial insurance, using a “global payment” instead of paying for each service, increasing investment in primary care, and emphasizing collaboration amongst providers.

“We know we’ve had our challenges, but we are moving in the right direction, and we can work with the Biden Administration to do more. So, my budget includes \$3.9 million to transition to these new tools to improve patient outcomes, increase health equity, and slow the growth in costs for Vermonters.

“While this is important work, job number one for addressing affordability and sustainability is to bring more working families to our state. Remember

those three numbers I shared in the State of the State? 14, 28 and 48? 14,000 fewer kids, 28,000 fewer in their prime working age, and 48,000 more over the age of 65. Those numbers make a big difference, whether it's healthcare, education, or overall costs to our systems.

“Until we address demographics, we will continue to struggle.

“While we fix these fundamentals, we'll need to constantly look for ways to contain costs and improve outcomes.

“That includes education, where taxpayers could see their property tax bills rise by an estimated 17.3%.

“Vermonters can't afford this increase. And when you consider it comes with stagnant or declining enrollment, and troubling test scores, none of us should be okay with it.

“But we have to be honest, it is not something we can simply buy down, or take from another pocket. Because getting it to 2% as some of you have suggested, would take about \$213 million.

“So, we need to work with school boards, administrators, parents, and teachers, because the reality is, changes need to be made before budgets pass.

“At a minimum, we need to address the factors that fuel these increases year after year, even if it won't reduce costs this year. I truly believe if we'd acted on any of the proposals I put forward in 2017, or 2018, or 2019, we'd be better off today.

“As I said, I'm willing to discuss any of those past ideas, from rightsizing schools and classrooms to better addressing healthcare and retirement costs to property tax caps and adjustments, or more. And maybe we need to revisit – and undo – some of the things we have done that added to school pressures. Or rethink the funding formula.

“But I'm not naïve. Without a willing partner, I'm sure any proposal I put on the table will be used to drive divisive attacks and headline clicks, and we won't get anything done.

“To be clear, I'm here, ready to work on these ideas, or any of yours, whenever you are, to contain costs and improve outcomes. So for those who understand the challenges at hand, who recognize this is not a political issue, it's a people issue, and agree the trajectory we're on is not sustainable or good for our kids, let's work together.

“And it’s not just about cost containment, because there are opportunities to better serve students within existing resources.

“National and state tests show less than half of our third and fourth graders are reading at grade level. And the results are similar when it comes to math. So we’re proposing new strategies and more tools to improve reading levels, strengthen training, and refocus on proven techniques to help teachers and students.

“We can also make real progress on Career and Technical Education.

“For years, I’ve been proud to stand here and talk about my own trades education. CTE is a good way to give kids hands-on experience, a deeper set of skills, and multiple paths to a great career. But we can’t do that if kids have to wait until high school before choosing one path or the other, without ever having been exposed to the possibility of a career in the trades.

“So let’s get to them earlier and show them the opportunities. If we fund CTE centers directly, we can put an end to the competition between sending schools and tech centers for students and tuition dollars. We can eliminate the barriers keeping kids out of programs because their center happens to be full. And we can show students the variety of careers and skills available by making sure everyone, regardless of track, has the chance to explore tech courses and real career opportunities.

“There’s no doubt we need more tradespeople, more construction and healthcare workers, auto and aviation techs, IT professionals, and more, just to keep all the things we count on going.

“We also know a large number of students graduate from high school and don’t pursue further training. With CTE, we can set them on a better path with jobs waiting and local businesses willing to hire them on the spot.

“We’re already working with many of you on literacy and CTE and I truly appreciate the collaboration. Because we owe it to our kids to give them the tools they need to succeed in the future.

“A nation-leading cradle-to-career education system is essential to keeping and attracting more working families and revitalizing communities throughout the state. So is making sure we solidify our place as the safest state in the country.

“Let’s start with something you don’t hear too often in this building: I may have been wrong. I’ve supported, and signed, some of the very legislation I’ll ask you to change today.

“I agree people deserve second chances, and maybe even third or fourth, especially when it comes to mistakes made as a young adult or when struggling with addiction.

“But I wish I had better anticipated the challenge of implementing laws to raise the age of criminal accountability. Because we weren’t ready. We put the policy idea ahead of the fundamentals, the real work of actually helping our youth.

“Like many other areas, we moved too far and too fast into a policy experiment. And we didn’t plan for, or build, the system needed to address extreme cases, or have the workforce to support it. We focused so much on our well-intentioned goals that we didn’t think through all the possible consequences. Like what adding older, more violent youth to DCF caseloads would do. Or how traffickers would exploit young adults to run their deadliest drugs and expand their markets in Vermont.

“I’ll admit the same for bail reform, which I signed because I agreed with the goals. But again, there were negative consequences because we limited a valuable tool. And on top of that, conditions of release aren’t effective, which makes it harder to prevent people from harming their neighbors and communities, over and over and over.

“For example, in the matter of a year, two murders in St. Johnsbury involved multiple people out on conditions of release. One of them had seven criminal charges pending. But they were all free and involved in these homicides.

“On at least four different occasions, a woman in Franklin County was arrested for narcotic sales and released on conditions. So instead of being in jail, she continued selling crack and fentanyl. By the way, she was also involved in a homicide in Leicester, all because she wasn’t held accountable.

“A man in Rutland had 35 – yes, 35 – criminal charges pending in state court, and 18 earlier cases of 'failing to appear.' He continued to roam free until he was picked up for stealing a firearm, and finally a federal court had the good sense to detain him, pointing to his state record.

“All these policies were well intentioned, but we must be honest: Some of the changes we’ve made are harming our communities. And you don’t have to take it from me.

“Just talk to some of the police chiefs you see up in the balcony from Bennington, Essex, Rutland, and Springfield.

“Or Brattleboro Police Chief Norma Hardy, who spoke with my team, noting she believes reforms were well-intentioned, but given what she’s seeing on the frontlines, asked, 'at what point do you decide things have to change?'

“Or small business owners in Middlebury, who made clear you can have empathy for the factors that drive people to crime, and still want that crime to stop.

“Or Dr. Levine, who works every day to improve public health and address the tragic loss of life to overdose, but also shares the concerns of law enforcement that our policies and lack of accountability leave us vulnerable to major drug traffickers who see Vermont as, quote, “a destination state.”

“We’ve spent months talking to members of your communities, local police and selectboards, judges, states’ attorneys, and health professionals to build our reform package.

“It includes repealing 2018 bail changes and increasing accountability for those who violate conditions of release. I’ll ask you to adjust the “Raise the Age” thresholds to make sure we have the systems and tools in place before we take the next step. I’ll also ask you to add to the list of violent crimes which allow prosecution of a juvenile to start in criminal court, and move to a system of universal sealing, rather than expunging records, so we give people a second chance, but also hold repeat offenders accountable. And we need to continue talking about a secure facility for those who are mentally ill and a danger to the community, and a process to restore competency when possible – building on our previous collaboration.

“I also propose updates to our drug laws to account for the rise in deadlier and more addictive drug combinations, which are being injected into our communities by dealers and gangs, controlled by international cartels. And when a death results from their lethal products, we should hold dealers accountable.

“It’s time we started thinking about addressing this crime and violence as *harm reduction*.

“We already have some agreement in this area, so let’s make sure our laws are not doing more harm than good.

“At the same time, we know issues like addiction and mental health are intertwined and are often at the root of why people commit some of these crimes in the first place.

“And despite the trends we’re seeing, Vermont remains a leader in addressing the opioid epidemic, and addiction overall. I know other places

have taken what some would call ‘bold action,’ but in many cases, their trends have gotten worse.

“Our hub and spoke model, and focus on prevention, treatment, recovery, and enforcement, is still effective. But we know fentanyl, and now Xylazine, have changed the game. So, I agree, we need to do more. And we are.

“The Department of Health and community partners are expanding treatment and recovery services, adding satellite treatment hubs, using outreach workers to find those in need at shelters, homeless encampments, community spaces and social service agencies, and putting recovery coaches in emergency departments and correctional facilities. And to reduce overdose deaths, we’ve significantly expanded Narcan distribution and increased access to tools that test drugs for fentanyl and Xylazine.

“We can build on this with \$4.9 million in opioid settlement funds available this year. With it, we should expand staff and hours of operation in three or more existing hubs, while also finally opening one in Bennington. And support re-entry and recovery center work for those leaving Corrections, as well providing medical care and wrap-around services. With another \$1 million, we can make sure people don’t lose out on the chance to recover, simply because they relapsed. And we can help others in recovery with the housing they need. Prevention is still our best solution to this challenge, so we should dedicate \$1.4 million to expand our school-based prevention services.

“In the General Fund, we’re increasing investment in mental health with \$1 million to follow through on opening a youth inpatient facility in Bennington. And as the result of our successful pilot, which put 12 mental health workers in our State Police barracks, this budget makes those permanent, and adds eight more.

“We are also aligning our tools and teammates from Public Safety, Human Services, Labor, Commerce, and Digital Services through a Public Safety Enhancement Team. Along with local partners, they are identifying specific community hotspots to interrupt the trends and better serve our most vulnerable.

“By connecting our teams on the frontlines, we can improve safety and health, linking people to services when they’re most likely to take advantage. For example, in Springfield, Turning Point Recovery Center and the Fire Department are working together for the first time. And in Bennington, they’ve put a social worker in their local police department, connected EMS and recovery coaches, and trained outreach workers to identify and intervene in domestic violence situations.

“Having a multipronged approach is what will turn the tide.

“Because the reality is, that’s what it takes. Hard work, every day, across many partners.

“There is no easy answer, as much as we all want to stop the pain and loss.

“If we want to do more, let’s do more with proven solutions, so we can reverse our overdose trends; provide people treatment and recovery, helping them rejoin their communities and families; and prevent more of our kids from ever entering this harmful cycle in the first place.

“To really get ahead of these issues, and so many others, we need to give more families and young people the security and stability of a good home in a vibrant neighborhood.

“Most of us agree we need to act on our housing crisis. State and federal data, and VHFA analysis, show there is a significant gap in every county. And our experience with historic spending, and decades of anecdotes and case studies from homebuilders, including trusted non-profits, show it’s too expensive, too slow, and too complicated to close this gap.

“But we have an opportunity to change this, with tripartisan bills in both the House and Senate.

“First, let’s spark more investment in our smaller, more disadvantaged areas by supporting the tax proposals in H.719. This will turn abandoned or rundown properties back into good homes for low- and middle-income working families. It will brighten up neighborhoods that need it most and give everyday Vermonters the opportunity to invest in improving their community. And we should increase the Downtown and Village Center Tax Credits to \$5 million.

“Next, with more common sense changes to local zoning, and especially Act 250 jurisdiction and triggers, we can see more homes where we have the infrastructure to support them.

“Act 250 was supposed to prevent sprawl. So to limit housing density in the places we want it, and then force a homebuilder to move five miles away to build more, is counterintuitive. That seems to *encourage* sprawl and makes individual projects more expensive with fewer units. It just doesn’t make sense to me.

“Neither does an appeals system that allows a small number of people to stop a project the vast majority want, and can also be used to exclude people from neighborhoods.

“The common sense changes in H.719 and a similar version in the Senate will make a real difference.

“So will the \$6 million I’m proposing for VHIP to get more units online quickly and affordably, as well as \$4 million for Healthy Homes, and \$2 million for the Mobile Home Improvement and Repair program to help keep people housed. We’ll also fund VHCB with nearly \$24 million, add \$7.1 million to grow shelter capacity, and a new base budget initiative for permanent supportive housing for homeless families.

“Without real change to jumpstart reinvestment, we will continue to see talented young professionals decline jobs because they can’t find a decent, affordable home. Seniors forced to stay in a house that’s too large for them to maintain, instead of something smaller and more affordable nearby, and then we’ll lose the working families who could have called that larger home their own. And our smaller, more rural communities will further erode, with more properties falling into disrepair.

“You see, our communities and all those looking for, or struggling to afford, a decent home – they don’t have the lobbyists, the money, or the time to push back on the campaigns we’ve already started to see, to keep you from taking action.

“So those everyday Vermonters need us to represent *them*, over the special interests. They need us to withstand the pressure, make the right choices and have the courage to act, so they too can afford a home, and a life, here in our beautiful state.

“Here’s the important part: All this hard work – from making Vermont more affordable and improving our healthcare and education systems, to maintaining our reputation as the safest state in the nation and housing that meets the needs and budgets of working families – this is how we keep and attract the people we need to reverse our demographic trends, revitalize our communities, and restore economic equity and opportunity in every corner of our state.

“And while I haven’t detailed this today, this budget includes ongoing investment for workforce, as well as economic and community development, which also support these goals.

“It’s these fundamentals that help us do all the things we need to do, to have welcoming, strong communities, invest in the social issues we care about, and support the people of our state so they can all lead healthy, safe, and independent lives, full of opportunity.

“By investing to address our core challenges, rather than just spending, we’ll get a better return now and into the future.

“And we’re seeing that with ARPA dollars, which continue to pump money into the economy, generating the revenue that’s supporting budget growth and more investment in communities.

“The same is true of the money we dedicated to the State’s match for federal IJA funds, which gets us at least four dollars from the Feds, for every dollar we put in.

“We’ve already moved forward with dozens of water improvement projects in places like Castleton, Brighton, Shaftsbury, and Bethel. As well as transportation projects in Lyndon, Granville, Fairfield and more.

“These are communities that don’t always get the support they need but are benefiting now.

“So let’s make sure we follow through with the match money we set aside to fund infrastructure projects that will eliminate sewer overflows and remove lead, as well as bridges in places like Bradford, Elmore, Searsburg, Springfield, Westminster, Worcester, and many, many others.

“These initiatives make Vermonters safer and healthier and support the economic growth we desperately need in so many of our rural communities.

“Now, I want to make sure you hear what I’m saying: Walking back from this strategy would be a huge mistake.

“Because these smart investments will serve the communities we’re here to represent and make our state budget more resilient to future ups and downs, helping us weather both financial and literal storms bound to come our way.

“And we will see the same kind of results as we help communities mitigate the impacts of future floods and build resiliency that benefits the whole state.

“That’s why our BAA proposal includes \$36 million for State and some of the municipal match money, which will secure the hundreds of millions of dollars available through FEMA to repair the damage done to our public infrastructure. It also transfers back the \$20 million we used for BEGAP, which helped over 500 businesses, non-profits and apartment owners make repairs to open their doors, bringing back employees and customers and returning renters to their homes.

“My budget also includes \$12.5 million, getting us half of the match needed, to secure \$75 million in FEMA Hazard Mitigation funds, giving us a total of \$100 million dollars for this work. This funding will support buyouts

and floodplain restoration projects to better protect homes and communities, like we did with Melrose Terrace in West Brattleboro and Water Street in Northfield. And it will fund infrastructure upgrades like the overflow culvert in Brandon, which has helped a downtown devastated by Irene withstand the storms that followed.

“While often necessary, we know the negative impact buyouts can have, including on municipal budgets and the Education Fund. So, I propose a Disaster Resilient Investment initiative, which will offer a TIF-like approach to recovery and resiliency projects, to keep or add properties to the grand list.

“Many towns along the Winooski, Lamoille and West rivers, and the tributaries extending to them, continue to suffer damage with every major storm. So, this budget funds a study of the Winooski watershed to build out storage capacity and protect the communities throughout the river basin. And we are working with partners on similar strategies in these other regions.

“And it’s important we get our long-term resiliency policy right. That’s why my team is partnering with Treasurer Picciak to look ahead, beyond our current work, to build a truly comprehensive strategy. We should align it with the Climate Action Plan because these issues go hand in hand, and a strategic project-by-project approach is the best way to make progress on both. Look no further than our Clean Water plan. By doing the work to assess total need, we planned projects based on impact and then found existing funding to implement. And we’re showing measurable progress toward repairing and protecting our water ways.

“So let’s learn from that and do the hard work, so we’re not just spending, but investing; and we don’t just make promises, we make real progress.

“That’s really the case I’m trying make across the board.

“I don’t think there will be a lot of disagreement about what’s in this budget. The disagreement will lie in what’s not in it. But pretending we can fund everything isn’t realistic.

“We have to be honest, just pushing more and more money at problems and needs, hasn’t always equaled progress. Not in education, pensions, state colleges, housing, homelessness, and other areas where we’ve funded, but have not fixed, the problem.

“I believe there is a better way.

“A middle majority of this Legislature can help Vermont find the sweet spot, where we do the hard policy work and invest in the things that help people, without pushing them further behind, or making it too expensive for

young workers to get started here, and without forcing our anchor employers out of state, or “Main Street” mom and pops out of business.

“You see, I’m not even asking you to cross the aisle, which I’ve done for over twenty years. I’m just asking you to meet me in the middle.

“And to set a new standard that lives up to the example Vermonters show us every day. Because when they see us in action, they wonder why we don’t follow their lead.

“There are so many things we can achieve, so many shared goals we can reach, if we take the time to get it right, focus on the fundamentals, and follow through – making steady progress at a pace Vermonters can afford.

“We can work towards that vision of vibrant neighborhoods, full of families breathing life back into communities; healthy and safe kids filling classrooms and reaching their fullest potential; great jobs with solid employers; entrepreneurs from all walks of life; and a thriving, growing economy that gives Vermonters the security and opportunity they deserve, for all they do, and all they invest.

“I know we can get there. And I’ve never been more energized to help Vermonters and communities turn catastrophe into opportunity, once more.”

Dissolution

The Governor, having completed the delivery of his message, was escorted from the Hall by the committee appointed by the Chair.

The purpose 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, FEBRUARY 15, 2024

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. 38. Joint resolution providing for a Joint Assembly for the election of an Adjutant and Inspector General, and two legislative Trustees of the Vermont State Colleges Corporation.

Resolved by the Senate and House of Representatives:

That the two Houses meet in Joint Assembly on Thursday, February 15, 2024 at ten o'clock and thirty minutes in the forenoon to elect an Adjutant and Inspector General to serve a two-year term commencing on March 1, 2024 and expiring on March 1, 2026, and two legislative Trustees of the Vermont State Colleges Corporation to serve four-year terms commencing on March 1, 2024 and expiring on March 1, 2028. In case such election shall not be made on that day, the two Houses shall meet in Joint Assembly at ten o'clock and thirty minutes in the forenoon, on each succeeding day, Saturdays and Sundays excepted, and proceed in such election, until said vacancy is filled.

Presiding Officer

David E. Zuckerman, 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, and two Trustees for the Vermont State Colleges Corporation.

“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). The Chair now calls to the attention of the Joint Assembly the text of Joint Rule 10(a) which applies to elections held by this assembly:

“Rule 10(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.

“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.

“Election of any office is by majority of the votes casts, 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 in the contest.

“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 two sets of elections today:

First, To elect an Adjutant and Inspector General.

Second, To elect two legislative Trustees of the Vermont State Colleges Corporation.

“For the elections, that are not contested, the provisions of Joint Rule 10(a) will apply.

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

Tellers Appointed

“In the event there is a contest, the Chair appoints as tellers:

Senator Ruth Ellen Hardy, of Addison District, as Chief Teller

Senator Robert W. Norris, of Franklin District

Senator Tanya C. Vyhovsky, of Chittenden-Central District

Representative Matthew J. Birong, the Member from Vergennes

Representative Mark A. Higley, the Member from Lowell

Representative Julia Andrews, the Member from Westford

Representative Jed Lipsky, the Member from Stowe.”

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 Senator Kesha Ram Hinsdale of Chittenden-Southeast 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, 2024, and until his successor is elected and has qualified.

Election of Vermont State Colleges Corporation Trustees

The Joint Assembly then proceeded to the election of two legislative Trustees of the Vermont State Colleges Corporation, each for a term of four years, from and including the first day of March, 2024.

Statement by the Presiding Officer

The Chair reminded the Joint Assembly that nominations for the office of Vermont State Colleges Corporation 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.

“For the election of the Vermont State Colleges Corporation Trustees, we will be operating under the temporary rules set forth in J.R.S. 39.

“The adoption of J.R.S. 39 permits the Joint Assembly to elect two Trustees of the Vermont State Colleges Corporation on a plurality vote.

“A plurality voting procedure simply means that the two candidates receiving the greatest number of the total votes cast are elected.”

Nominations for Both Vacancies

Representative David Durfee of Shaftsbury nominated *Representative Eileen G. Dickinson* of St. Albans Town. The nomination was seconded by Representative Kathleen James of Manchester.

Representative Sara Coffey of Guilford then nominated *Representative Marc B. Mihaly* of Calais. The nomination was seconded by Representative James Harrison of Chittenden.

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

Accordingly, those names placed in nomination and on the ballot for the office of Trustee of the Vermont State Colleges Corporation were as follows:

Representative Eileen G. Dickinson of Saint Albans Town
Representative Marc B. Mihaly of Calais

Vermont State Colleges Corporation Trustees Declared Elected

There being two vacancies and two nominations, under Joint Rule 10(a), with no objection, the question, Shall Eileen G. Dickinson and Marc Mihaly be elected to the Office of Trustee of Vermont State Colleges Corporation? was agreed to *viva voce* pursuant to Joint Rule 10(a).

Whereupon, the Chair declared that

Eileen G. Dickinson, of Saint Albans Town

having received a plurality of the total votes cast, was duly elected a Trustee of the Vermont State Colleges Corporation, for a term of four years, commencing March 1, 2024.

Whereupon, the Chair declared that

Marc B. Mihaly, of Calais

having received a plurality of the total votes cast, was duly elected a Trustee of the Vermont State Colleges Corporation, for a term of four years, commencing March 1, 2024.

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 1, 2024

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.H. 8. Joint resolution providing for an election to fill a vacancy in the Office of Sergeant at Arms.

Whereas, Sergeant at Arms Janet Miller has announced her retirement and has provided a retirement date of Friday, March 1, 2024, which will cause a vacancy in the office on that date, *and*

Whereas, 2 V.S.A. § 11 provides that the General Assembly shall fill a vacancy in office existing or occurring while it is in session, where the incumbent is by law elected by the General Assembly, and such an officer so elected shall hold the respective office during the unexpired term, *now therefore be it*

Resolved by the Senate and House of Representatives:

That the two Houses meet in Joint Assembly on Friday, March 1, 2024 at ten o'clock and thirty minutes in the forenoon, to elect a Sergeant at Arms for the remainder of the unexpired term. In case the election of Sergeant at Arms shall not be made on that day, the two Houses shall meet in Joint Assembly at ten o'clock and thirty minutes in the forenoon, on each succeeding day, Saturdays and Sundays excepted, and proceed in such election, until the officer is elected.

Presiding Officer

Honorable David E. Zuckerman, 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 a Sergeant at Arms.

“With respect to the election of this officer, 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). The Chair now calls to the attention of the Joint Assembly the text of Joint Rule 10 which applies to elections held by this assembly, and which in part provides as follows:

“(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.

“(c) Election to any office is by a majority of the votes cast, exclusive of spoiled and blank ballots.”

“The following rules shall apply to the conduct of this election:

“First: All nominations for this office 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 one election today, the election of a Sergeant at Arms. As there is a contest, the election shall be by ballot.”

Tellers Appointed

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

Senator Ruth E. Hardy, of Addison District, as Chief Teller
Senator Tanya C. Vyhovsky, of Chittenden-Central District
Senator Robert W. Norris, of Franklin District
Representative Melanie Carpenter, of Hyde Park
Representative Kenneth W. Goslant, of Northfield
Representative Elizabeth Burrows, of West Windsor
Representative Troy Headrick, of Burlington”

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 Russell H. Ingalls of Essex District nominated *Michael “Mike” Ferrant*, of Williamstown.

The nomination was seconded by Representative Laura H. Sibia of Dover.

For the office of Sergeant at Arms, Representative Diane M. Lanpher of Vergennes nominated *Agatha Kessler*, of Barre Town.

The nomination was seconded by Representative Michael J. Marcotte of Coventry.

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

Accordingly, those names placed in nomination and on the ballot for the office of Sergeant at Arms were as follows:

Michael “Mike” Ferrant, of Williamstown
Agatha Kessler, of Barre Town

Results of Balloting for Sergeant at Arms

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

Total votes cast.....	166
Necessary for a choice.....	84
Michael “Mike” Ferrant.....	82
Agatha Kessler.....	84

Whereupon, the Chair declared that

AGATHA KESSLER, of Barre Town

having received a majority of the total votes cast, was duly elected to the office of Sergeant at Arms for a term to February 20, 2025, and until her successor is elected and has qualified.

Recess

Upon request of Representative Sabilia of Dover, the Chair declared a recess until the fall of the gavel.

Call to Order

The Chair called the Joint Assembly to order. Thereupon, the Chair explained the process of reconsideration. No further motions were received from the floor.

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 26, 2024

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. 47. Joint resolution providing for a Joint Assembly to vote on the retention of two Superior Judges and one Magistrate.

Whereas, declarations have been submitted by the following two Superior Judges that they be retained for another six-year term, Judge John R. Treadwell, and Judge Lisa A. Warren and one Magistrate that he be retained for another six year term, Magistrate Barry E. Peterson, 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, Subsection 608(b) of Title 4, requires the committee to complete its evaluation of judicial performance of the candidates seeking to be retained in office by March 7, 2024, and subsection 10(b) of Title 2 requires a vote in Joint Assembly to be held on March 14, 2024, and

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, *now therefore be it*

Resolved by the Senate and House of Representatives:

That the two Houses meet in Joint Assembly on Tuesday, March 26, 2024, at ten o'clock and thirty minutes in the forenoon to vote on the retention of two Superior Judges and one Magistrate.

Presiding Officer

Honorable David E. Zuckerman, 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 two 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 requires 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 26th.

“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 name of the candidate for retention as magistrate.

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 Tanya C. Vyhovsky, of Chittenden-Central District, as Chief Teller
 Senator Andrew J. Perchlik, of Washington District
 Senator Robert W. Norris, of Franklin District
 Representative Carolyn W. Branagan, of Georgia
 Representative Kirk White, of Bethel
 Representative Leslie Goldman, of Rockingham
 Representative Mark A. Higley, of Lowell

"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:

John R. Treadwell
 Lisa A. Warren

"The question to be decided in each of these cases shall be as follows: "Shall Superior Judge John R. Treadwell be retained in office?"

Yes _____ No _____ .

"Shall Superior Judge Lisa A. Warren 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, 2024, 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 Senator from Windsor District, Senator Richard J. McCormack, for the purpose of receiving his report."

Senator Richard J. McCormack, then delivered a general report for the Joint Committee on Judicial Retention.

The Chair then recognized Senator Brian P. Collamore, of Rutland District, who delivered the report of the Joint Committee on Judicial Retention with respect to the candidacy of Superior Judge John R. Treadwell.

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 Superior Judge Lisa A. Warren.

Results of Balloting

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

For Superior Judge John R. Treadwell

Total votes cast.....	146
Necessary for a majority.....	74
For retention.....	140
Against retention.....	6

Whereupon the Chair declared that

JOHN R. TREADWELL, of BURLINGTON

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, 2024, and until his successor is elected and has qualified.

For Superior Judge Lisa A. Warren

Total votes cast.....	146
Necessary for a majority.....	74
For retention.....	141
Against retention.....	5

Whereupon the Chair declared that

LISA A. WARREN, of WATERFORD

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, 2024, and until her successor is elected and has qualified.

Retention of Magistrate**Statement of Presiding Officer**

We shall now proceed to the matter of retention of the incumbent Magistrate. For this position we have received a declaration of intention to seek retention to the office of Magistrate from the following:

Barry E. Peterson

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

"Shall Magistrate Barry E. Peterson be retained in office?"

Yes _____ No _____.

The vote on this question shall again be by one single written ballot. The term of this Magistrate is for six years, from and including the first day of April, 2024, and until his successor is elected and qualified.

Committee Report

The Chair then recognized, Representative Thomas Oliver, Jr. of Sheldon, who delivered the report of the Joint Committee on Judicial Retention with respect to the candidacy of Magistrate Barry E. Peterson.

Results of Balloting

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

For Magistrate Barry E. Peterson

Total votes cast.....	148
Necessary for a majority.....	75
For retention.....	145
Against retention.....	3

Whereupon the Chair declared that

BARRY E. PETERSON, of EAST FAIRFIELD

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, 2024, and until his successor is elected and has qualified.

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