

2023 Weekly Legislative Report

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[Introduction to the 2023 Legislative Session!](#)

Energy was high and enthusiasm palpable on Wednesday as the legislature convened under the golden dome for the 2023-2024 biennium, the first session since 2020 that is convening in person. Everyone in the building welcomed the still novel opportunity to greet colleagues in person.

Both House and Senate swore in members on Wednesday morning, elected their leaders, and heard from them about their priorities. In the House, committees were announced, revealing some anticipated shifts in jurisdiction. The lists of House and Senate committees and their membership are included with this report. Find your legislators and the committees on which they sit! Introduce yourselves to them and let them know your top concerns for local government.

At least 25 new legislators have served in local government and are well aware of the challenges facing cities, towns, villages, and special districts. They and their veteran colleagues who also served at the municipal level understand the ways in which legislation over the years has both neglected and built a tangled web of requirements that challenge local governance capacity. They are eager to address those challenges in innovative ways.

This week as the new biennium swings into action, Speaker of the House Representative Jill Krowinski, Senate President Pro Tempore Senator Philip Baruth, and Governor Philip Scott described their expectations for a collaborative and productive session. Read about their initiatives in this Legislative Report.

[Open Meeting Law and Town Meeting Day 2023](#)

One of VLCT's priorities this legislative session is to amend the Open Meeting Law and make fully remote meeting options a long-term, voluntary option for public bodies. Such a provision was adopted temporarily during the COVID-19 pandemic to allow all state, regional, and local public bodies to meet safely and remotely. Most recently, that authority was extended in 2022 in [Act 78](#). Over the past three years state agencies, departments, and local governmental entities have used remote meetings, which has led to increased public participation and access, increased transparency, and safer and more flexible meeting options. Remote meetings have allowed members of public bodies and members of the public to attend meetings during flu season and COVID variant outbreaks, or meetings held in regions of the state far from home. They have also allowed them to hold meetings and keep quorums during inclement weather, while recovering from illness, or simply when childcare and eldercare duties prevented in-person attendance. Vermonters have grown accustomed to remote meetings via Zoom and Microsoft Teams. However, on January 15, 2023, this temporary law will sunset.

In recent weeks, VLCT also heard from a growing number of selectboards that need the temporary COVID-19 adjustments to the Town Meeting Day and annual meeting processes and procedures – provided in [Act 77](#) and [Act 79](#) – to be extended beyond 2023. The temporary law currently sunsets in 2022. VLCT supports extending the provisions in these acts to again:

- allow local legislative bodies to move to Australian ballot voting for those communities traditionally voting from the floor;
- allow local legislative bodies to move the date of Annual Town Meeting; and
- authorize selectboards to hold the informational hearing in preparation for Town Meeting remotely.

VLCT Advocacy staff and House Government Operation leadership are working in close coordination this week to get legislation introduced that will hopefully address both the remote meeting and Town Meeting Day proposals. The details and language for the bill are currently being discussed but will largely be modeled on the temporary laws in Acts 77, 78, and 79 from 2022. VLCT is very appreciative of the committee's leadership and willingness to take up these issues early in the session, and Advocacy staff will likely testify in the committee next week as to the merits of both proposals. **We encourage all local government officials who have or may make use of either proposal to reach out to your representatives and senators to express your support for these flexible provisions in law.** Briefly explain to

them how your town and city will benefit from these provisions and thank them for taking up these important issues so early in the session.

A Day of Inaugural Addresses 2023

Early in the day on Thursday, Lieutenant Governor David Zuckerman was administered the Oath of Office in the Senate Chamber, and he then commenced his job of presiding over the Senate. After offering thanks to his family, he also expressed gratitude for the way in which candidates for the office of Lieutenant Governor conducted themselves, and for Vermont voters. He had placed a jar of maple cream on each senator's desk and remarked, "Maple, in all its glorious forms, is a symbol of the beauty of Vermont. It's a symbol of hard work, ingenuity, natural beauty, and resilience. It's a symbol of who we are, of all that we have, and also, all that we are on the precipice of losing," before listing some of those iconic Vermont features we risk losing.

On Thursday afternoon, in a ceremony steeped in Vermont's history, Governor Scott was inaugurated to his fourth term as governor, and he then administered the oath of office to the constitutional officers – Michael Pieciak, State Treasurer; Sarah Copeland Hanzas, Secretary of State; Douglas Hoffer, State Auditor; and Charity Clark, Attorney General. As with so much of this session's opening proceedings, it was the first time in three years that an inaugural address was given in person. And apparently everyone welcomed the real-life vibe and opportunity for new beginnings. In an interesting twist, the Speaker of the House and the President Pro Tem of the Senate did not hold a press conference after the governor's speech.

Governor Scott began his speech by congratulating Senator Leahy on his lengthy Senate career that consistently and reliably benefited Vermont, and his well-earned retirement. Speaking in terms that resonate with local governments around the state, Scott called on legislators to take a page from Senator Leahy's playbook and "deliver for your small communities the way he [Leahy] has delivered for our small state." Touching on many local governments' legislative priorities, the governor made clear that towns need more tools tailored to their unique circumstances and the flexibility to undertake initiatives that build more vibrant and dynamic communities.

Governor Scott cited the investment of unprecedented federal assistance in broadband, water, sewer, and stormwater systems; climate change resiliency; housing; and economic

revitalization. Time and again he emphasized that smaller communities need the tools to access opportunities that have already passed them by – or threaten to. In this regard, the governor would seem to have the support of the legislative Rural Caucus, which, replete with new and younger, energetic legislators, are likely to advance a slew of new ideas to help those communities access once-in-a-lifetime opportunities that thus far have been beyond their reach. He is sounding a note of alarm regarding smaller communities lacking capacity to access resources that resonates around the country.

The speech's focus went well beyond assuring infrastructure, housing, and economic opportunities, to urge lawmakers to build on actions that seek to address overdoses, suicides, homelessness, and crime reduction. While the governor acknowledged that his approach to addressing climate change may be different from the legislature's, they clearly share the goals of reducing emissions and energy costs, revitalizing housing, and building resiliency, and that together the state has invested almost \$250 million in climate related activities.

Governor Scott reminded listeners of the approximately one-half billion dollar investment in housing, saying that it cannot be maximized as long as outdated regulations stand in the way. He called out regulatory barriers to the construction and reconstruction of housing, stating “they empower very small groups of residents to stand in the way of projects – not because of a legitimate environmental threat, but because they simply don't want it in their backyards.” “Here,” he continued, “is the bottom line: the failure to update a system that was meant to curtail development is contributing to the housing crisis we face today.”

While he urged lawmakers to consider expanding educational opportunities paid for with the \$2 billion spent from the Education Fund every year on approximately 80,000 students, the governor was clear that Vermonters cannot afford to pay increased taxes and fees on top of the across-the-board inflationary pressures with which they already deal.

The administration is presenting its budget adjustment proposal to the House Appropriations Committee at 3:00 on Friday. That proposal will provide an inkling of how the governor is thinking about continuing to address some of the priorities described in his inaugural speech. On January 20, he will present his budget for the 2024 fiscal year, the instrument to implement his vision for Vermont.

[Opening Remarks from Speaker of the House and Senate Pro Tem](#)

On Wednesday, during the inaugural gathering of both the House of Representatives and Senate, the Speaker of the House and Senate Pro Tempore were both elected by their respective bodies. In the House of Representatives, Representative Jill Krowinski was elected to her second term as Speaker of the House, and Senator Philip Baruth was elected to his first term as Senate President Pro Tempore (Pro Tem) in the Senate. The Senate President Pro Tem and Speaker of the House oversee their respective bodies' activities throughout the legislative process. The Speaker presides over the House Chamber and the President Pro Tem presides over the Senate Chamber when the Lieutenant Governor is absent.

Both the Speaker and President Pro Tem's opening remarks paid homage to outgoing and returning legislators of both chambers. Both expressed excitement and optimism noting how both the House and Senate have one-third new members, which will bring new perspectives and insight to their legislative work. The need for patience, teamwork, and staying true to the needs of the constituents that elected them were also themes in their remarks. Senator Baruth noted that there will be updates and modernization made to Senate Rules to allow for Senators to appear and vote remotely when dealing with "short-term" crises and family and health obligations. Representative Krowinski made no specific comment on rule changes; however, she did say that access to affordable housing, support for working families, tackling workforce challenges, and implementing climate change initiatives were key focuses on the course she hopes to set for the work of the House. She noted that leaving no Vermonter behind, protecting historically marginalized populations, and moving all fourteen counties forward in the policies and law implemented by the legislature are paramount.

A similar tone was set by both the Governor and Lieutenant Governor in their speeches, and one cannot help but be optimistic when different branches of government in addition to leaders from different political parties aspire to the same goals and outcomes for leading Vermont forward.

[Committee Assignments & Interactive State House Map](#)
[House Committee Assignments](#) (2023-2024)

[Senate Committee Assignments](#) (2023-2024)

This [interactive state house map](#), provided by Vermont General Assembly staff, can help you navigate the many committee rooms.

[Bills of Interest to Municipalities Introduced This Week](#)

Number	Summary	Current Location
H.5	Would require the Vermont Association of Planning and Development Agencies to study various issues related to improving and coordinating effectiveness between municipal, regional, and State planning.	House Environment & Energy
H.6	Would extend Act 250 jurisdiction to development within 100 feet of a stream above 1,500 feet and to municipal, state or county development above the elevation of 2,000 feet.	House Environment & Energy
H.19	Would allow municipal boards of abatement to abate de minimis amounts of taxes when necessary to reconcile municipal accounts.	House Government Operations and Military Affairs
H.21	Would require a utility to notify the owner of a rental property when service to the property has been disconnected even if the tenant is the ratepayer.	House General and Housing
H.23	Would require the Secretary of State's office to mail general election ballots to active voters only upon request, rather than automatically mailing ballots to all active voters.	House Government Operations and Military Affairs

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