

*Office of the Vermont Secretary of State*  
**Vermont State Archives**

**Veto Message: Governor Hoff  
1968 (H.386)**

**An act relating to time allowed respondent to plead and to amend 13 V.S.A. 6551.**

STATE OF VERMONT  
Executive Department.  
Montpelier, Vt., February 7, 1968

The Speaker laid before the House the following communication from the Governor:

To the Speaker of the House of Representatives:

Sir:

I am returning to the House, unsigned and without my approval, House bill No. 386, entitled

An act relating to time allowed respondent to plead and to amend 13 V.S.A. § 6551.

The bill would change the provisions of existing law by requiring a person charged with a misdemeanor to plead to an information or indictment upon his initial arraignment. Section 6551 of Title 13 V. S.A. as it presently exists provides a substantial procedural safeguard to rights of individuals charged with serious crimes which though not classified as felonies, nevertheless, may carry substantial terms of imprisonment as a penalty. It is clear that the provisions of section 6551, as they presently exist, were intended to insure that any person accused of a crime would have an opportunity to consult with counsel, and to reach a deliberate and considered decision with respect to the entry of a plea, outside of the tension and pressures necessarily attending his arrest and arraignment. The removal of such a procedural safeguard flies in the face of the trend of recent court decisions which have extended the scope and effect of the safeguards available to a

person charged with a crime. Although the enactment of H. 386 would no doubt result in a reduction of the amount of paper work and time required by our courts in the administration of the criminal law, such a result should not outweigh our responsibility to see that every person is afforded complete procedural due process.

Philip H. Hoff Governor"

**Governor's Veto Sustained  
H.386, 1968**

The Governor's veto was sustained in the House:  
**Yeas 79. Nays 63**

\*Note despite the vote totals, two-thirds majority was not attained so the veto was ruled sustained.

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Sources: *Journal of the House*, February 7, 1968 (pages 139 and 177)