

Journal of the Joint Assembly

IN JOINT ASSEMBLY, FEBRUARY 18, 2010

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:

By Senator Shumlin,

J.R.S. 43. Joint resolution providing for a Joint Assembly for the election of 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 18, 2010, at ten o'clock and thirty minutes in the forenoon to elect two legislative Trustees of the Vermont State Colleges Corporation to serve a four year term commencing March 1, 2010, and expiring on March 1, 2014. In case election of all such Trustees 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 all such Trustees are elected.

Presiding Officer

Honorable Brian E. Dubie, President of the Senate, in the Chair.

Clerk

David A. Gibson, Secretary of the Senate, Clerk.

Statement by Presiding Officer

Pursuant to our statutes we are assembled here today in Joint Assembly for the election of two legislative trustees for the Vermont State Colleges Corporation, who are to be elected as trustees for four-year terms commencing on March 1, 2010, and expiring on March 1, 2014. The Chair now cautions

you with respect to two statutory conditions imposed by that law for this election:

First: No candidate for election to the Vermont State Colleges Corporation can presently be serving as a member of the Board of Trustees of the University of Vermont.

Second: Consideration shall be given to the *geographic* distribution of those elected in order to "prevent an unfair focus on any single college".

The procedure for the election of these two legislative trustees of the Vermont State Colleges Corporation will be similar to the procedure which we followed in past years. The candidates will be nominated from the floor and elected by plurality vote.

In the event that more than two candidates are nominated, the procedure for the election of these two legislative trustees of the Vermont State Colleges Corporation will be different from the procedure which we would normally follow under the Joint Rules.

J.R.S. 44 sets up a special procedure for this particular election. In the event that more than two candidates are nominated, the adoption of J.R.S. 44 permits us to determine the winners of this election by means of a *plurality vote*, so that two candidates can be elected on the *same* ballot.

In the event that more than two candidates are nominated, you will be instructed to vote for not more than two candidates on the same ballot.

Accordingly, we will need tellers, and the Chair will now make these appointments.

Tellers Appointed

The Chair appointed the following tellers:

Senator Jeanette K. White, of Windham District, as chief teller

Senator Margaret K. Flory, of Rutland District

Senator Mark A. MacDonald, of Orange District

Representative Susan H. Davis, of Washington

Representative Albert Pearce, of Richford

Representative Robert South, of St. Johnsbury

Representative Linda J. Waite-Simpson, of Essex Junction

Election of Trustees of Vermont State Colleges Corporation

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, 2010.

Nominations for Both Vacancies

Representative Johannah L. Donovan of Burlington nominated *Representative William N. Aswad* of Burlington. The nomination was seconded by Representative Carolyn W. Branagan of Georgia.

Representative John Zenie of Colchester nominated *Representative Michel A. Consejo* of Sheldon. The nomination was seconded by Senator Randolph D. Brock of Franklin District.

Representative Martha P. Heath of Westford nominated *Representative Timothy Jerman* of Essex Junction. The nomination was seconded by Representative Joseph L. Krawczyk, Jr. of Bennington.

Senator Susan J. Bartlett of Lamoille District then nominated *Representative James W. Masland* of Thetford. The nomination was seconded by Representative George Till of Jericho and Representative Carolyn W. Branagan of Georgia.

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

Summary of Names Placed in Nomination

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 William N. Aswad of Burlington
Representative Michel A. Consejo of Sheldon
Representative Timothy Jerman of Essex Junction
Representative James W. Masland of Thetford

Review of Voting Procedure

Prior to the taking of any ballots, the Chair reviewed the “plurality” procedure for choosing candidates, by quoting verbatim from the text of J.R.S. 44:

“(1) All candidates for the office of trustee shall be voted upon and decided on the same ballot; members may vote for any number of candidates up to and including the maximum number of vacancies to be filled, which in this case shall be two.

“(2) The two candidates receiving the greater number of votes shall be declared elected to fill the two vacancies.

“(3) In the event that the first balloting for the trustee vacancies results in a tie vote for one or more of the two vacant positions, then voting shall continue on successive ballots until the vacancies have been filled, again by

election declared of those candidates receiving the greater number of votes.”

Balloting for Both Vacancies

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

Total ballots cast	167
Necessary for election	two greater numbers of votes
Aswad	72
Consejo	41
Jerman.....	109
Masland.....	81
Write-in Kilmartin	2
Write-in Donahue	1
Write-in Komline.....	1
Write-in Morrissey.....	1

Whereupon the Chair declared that

TIMOTHY JERMAN, of ESSEX JUNCTION

having received a greater number 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, 2010.

The Chair further declared that

JAMES W. MASLAND, of THETFORD

having received a greater number 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, 2010.

Dissolution

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

DAVID A. GIBSON
Secretary of the Senate
Clerk of the Joint Assembly