

Journal of the Joint Assembly

IN JOINT ASSEMBLY, FEBRUARY 17, 2011

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 Campbell,

J.R.S. 14. Joint resolution providing for a Joint Assembly for the election of a Sergeant at Arms, an Adjutant and Inspector General, and three Trustees of the University of Vermont and State Agricultural College.

Resolved by the Senate and House of Representatives:

That the two Houses meet in Joint Assembly on Thursday, February 17, 2011, at ten o'clock and thirty minutes in the forenoon to elect a Sergeant at Arms, an Adjutant and Inspector General, and three trustees of the University of Vermont and State Agricultural College. In case election of all such officers 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 officers are elected.

Presiding Officer

Honorable Philip B. Scott, President of the Senate, in the Chair.

Clerk

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

Statement by Presiding Officer

“Pursuant to our Constitution and statutes we are assembled here today in Joint Assembly for the election of an Adjutant and Inspector General, a Sergeant at Arms and three Trustees for the University of Vermont.

“With respect to the election of all of these officers, if a contest exists, then the voting must be done by written ballot. This mandate is set forth in 2 V.S.A. §12 and in Joint Rule 10(a). The chair now calls to the attention of the Joint Assembly the text of Joint Rules 10 which applies to elections held by the Assembly:

(a) Whenever a joint assembly is required to elect one or more persons to any office, the voting shall be by ballot, except that if there is only one candidate for any office, and if there is no objection, the chair may put the question to the joint assembly by voice vote.

(b) If two or more offices are to be filled, each office will be voted upon and decided separately. If two or more vacancies for the same office are to be filled, nominations for all vacancies will be received before voting begins for the first vacancy, but each vacancy will be voted upon and decided separately. The joint assembly may limit the number and length of nominating and seconding speeches for each candidate.

(c) Election to any office is by a majority of the votes cast, exclusive of spoiled and blank ballots. After two votes have been taken for any vacancy without an election, all nominees except the two having the highest number of votes on the second ballot shall be withdrawn, and voting shall then continue until a candidate is elected. In no event shall the involuntary removal of nominees result in fewer than two nominees remaining in the contest.

(d) The person who first nominated a candidate may withdraw that candidate's name at any time; a withdrawal may be complete or may be limited to one or more vacancies. A candidate for any office having more than one vacancy who is defeated for the first vacancy shall automatically be a candidate for successive vacancies, unless the nomination is voluntarily withdrawn.

“It should be noted that Joint Rule 10 states that the Joint Assembly may limit the number and length of nominating and seconding speeches for each candidate.

“For the purpose of this Joint Assembly:

All nominations for these offices will be received by the Chair prior to voting, presented in alphabetical order.

And there will be only one nominating speech of not more than three minutes and not more than two seconding speeches of not more than one minute each for each nominee.

“We have three sets of elections today:

First, To elect a Sergeant at Arms.

Second, To elect an Adjutant and Inspector General.

Third, To elect three UVM Trustees.

“The elections for Sergeant at Arms and for the three UVM trustees, are not contested and the provisions of Joint Rule 10(a) will apply.

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

“For the election of the Adjutant and Inspector General --- as there is a contest the election shall be by ballot.

Tellers Appointed

“As stated before, one of our elections today is contested and must be decided by written ballot.

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

Senator Jeannette K. White, of Windham District, as Chief Teller

Senator Timothy R. Ashe, of Chittenden District

Senator Randolph D. Brock, of Franklin District

Representative Eldred Minor French, of Shrewsbury

Representative George W. Till, of Jericho

Representative Mollie Burke, of Brattleboro

Representative Harvey T. Smith, of Fair Haven”

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, Representative Ernest W. Shand of Weathersfield nominated *Francis K. Brooks*, of Montpelier.

The nomination was seconded by Senator Margaret K. Flory of Rutland 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

FRANCIS K. BROOKS, of Montpelier

was unanimously elected to the office of Sergeant at Arms for a term of two years, from and including the first day of March, 2011, and until his successor is elected and has qualified.

Election of Adjutant and Inspector General

The Joint Assembly then proceeded to the election of an Adjutant and Inspector General.

For the office of Adjutant and Inspector General, Representative Martha P. Health of Westford nominated *Michael D. Dubie*, of Essex Junction.

The nomination was seconded by Representative Peter J. Fagan, Jr. of Rutland City.

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

The Presiding Officer by way of explanation then provided the following statement:

“Our joint rules permit nominations before the joint assembly.

“Vermont statutes require the official ballot be that provided by the secretary of state. By statute the requirement for inclusions on the ballot is timely notification to the secretary of state.

“The statutory authority determines the ballot for this election. As such the official ballots have been printed by the secretary of state and contain the names of Michael D. Dubie and Louis Thabault.”

Results of Balloting for Adjutant General

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

Total votes cast	153
Necessary for a choice	77
Dubie	151
Thabault.....	2

Whereupon, the Chair declared that

MICHAEL D. DUBIE, of Essex Junction

having received a majority of the total votes cast elected to the office of Adjutant and Inspector General for a term of two years, from and including the first day of March, 2011, and until his successor is elected and has qualified.

Election of UVM Trustees

The Joint Assembly then proceeded to the election of three Trustees of the University of Vermont and State Agricultural College, each for a term of six years, from and including the first day of March, 2011.

Statement by the Presiding Officer

“The Chair reminds the Joint Assembly that nominations for the office of three UVM Trustees will 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.

“As stated previously, for the election of UVM trustees, we will be operating under the temporary rule set forth in J.R.S. 17.

“The adoption of J.R.S. 17 permits the Joint Assembly to elect the three Trustees of the University of Vermont and State Agriculture College by a plurality vote.

“A plurality voting procedure simply means that the three candidates receiving the greater number of the total votes cast are elected. You are instructed to vote for not more than three candidates at the same time on the same ballot.”

Nominations for UVM Trustees

Representative Mitzi Johnson of South Hero nominated *Representative Bill Botzow* of Pownal. The nomination was seconded by Representative Donald H. Turner of Milton and by Senator Robert M. Hartwell of Bennington District.

Representative Alice M. Emmons of Springfield then nominated *Representative Joan G. Lenes* of Shelburne. The nomination was seconded by Senator Diane B. Snelling of Chittenden District.

Representative Johannah Leddy Donovan of Burlington then nominated *Representative Kesha Ram* of Burlington. The nomination was seconded by Senator Richard A. Westman of Lamoille 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:

BILL BOTZOW, of Pownal
JOAN G. LENES, of Shelburne
KESHA RAM, of Burlington

were unanimously elected as Trustee of the University of Vermont and State Agriculture College for a term of six years, commencing March 1, 2011.

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