

Journal of the Joint Assembly

IN JOINT ASSEMBLY, MARCH 20, 2014

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. 46. Joint resolution providing for a Joint Assembly to vote on the retention of six Superior Judges.

Resolved by the Senate and House of Representatives:

That the two Houses meet in Joint Assembly on Thursday, March 20, 2014, at ten o'clock and thirty minutes in the forenoon to vote on the retention of six Superior Judges. In case the vote to retain said Judges 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 until the above is completed.

Presiding Officer

Honorable John F. Campbell, President *pro tempore* 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 six Superior Judges.

We are 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. The date for holding joint assemblies for the retention of judges is set by statute to be the eleventh Thursday of the session, in order to give the Committee on Judicial Retention adequate time.

The procedure to be followed requires the vote be by written ballot. There will be a written ballot containing the names of all of the candidates for retention as superior judges.

Retention of 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. By this means the name of each judge seeking retention is automatically placed in nomination and considered for retention 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 shall automatically be:

"Shall the following Superior Judges be retained in office?"

Tellers Appointed

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

Senator Jeanette K. White, of Windsor District, as Chief Teller
 Senator Norman H. McAllister, of Franklin District
 Senator David E. Zuckerman, of Chittenden District
 Representative Cindy Weed, of Enosburg Falls
 Representative Barbara Rachelson, of Burlington
 Representative Martin Feltus, of Lyndon
 Representative Tristan Toleno, of Brattleboro

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:

Nancy S. Corsones
 Amy M. Davenport
 Katharine A. Hayes
 Martin A. Maley
 David T. Suntag
 Thomas G. Walsh

The question to be decided in each of these cases shall be as follows:

"Shall Superior Judge Nancy S. Corsones be retained in office?"

Yes _____ No _____.

"Shall Superior Judge Amy M. Davenport be retained in office?"

Yes _____ No _____.

"Shall Superior Judge Katharine A. Hayes be retained in office?"

Yes_____No_____.

"Shall Superior Judge Martin A. Maley be retained in office?"

Yes_____No_____.

"Shall Superior Judge David T. Suntag be retained in office?"

Yes_____No_____.

"Shall Superior Judge Thomas G. Walsh be retained in office?"

Yes_____No_____.

The ballot which you will receive will contain these questions in printed form on one single ballot. The term of these Superior Judges are for six years, from and including the first day of April, 2014, 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 six Judges will be received separately. At the end of the debates for the six 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 Member from Barre Town, Thomas F. Koch, for the purpose of receiving his report.

Representative Thomas F. Koch, then delivered a general report for the Joint Committee on Judicial Retention with respect to the candidacy of all the Judges.

The Chair then recognized Representative Thomas F. Koch, of Barre Town, who delivered the report of the Joint Committee on Judicial Retention with respect to the candidacy of Superior Judge Nancy S. Corsones.

The Chair then recognized Senator Joseph C. Benning, of Caledonia District, who delivered the report of the Joint Committee on Judicial Retention with respect to the candidacy of Superior Judge Amy M. Davenport.

The Chair then recognized Representative Linda J. Waite-Simpson, of Essex Junction, who delivered the report of the Joint Committee on Judicial Retention with respect to the candidacy of Superior Judge Katharine A. Hayes.

The Chair then recognized Senator Alice W. Nitka, of Windsor District, who delivered the report of the Joint Committee on Judicial Retention with respect to the candidacy of Superior Judge Martin A. Maley.

The Chair then recognized Representative Thomas F. Koch, of Barre Town, who delivered the report of the Joint Committee on Judicial Retention with respect to the candidacy of Superior Judge David T. Suntag.

The Chair then recognized Representative Chip Conquest, of Newbury, who delivered the report of the Joint Committee on Judicial Retention with respect to the candidacy of Superior Judge Thomas G. Walsh.

Results of Balloting

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

For Superior Judge Nancy S. Corsones

Total votes cast	153
Necessary for a majority	77
For retention	146
Against retention	7

Whereupon the Chair declared that

NANCY S. CORSONES, of Rutland

having received a majority of the total votes cast was duly elected to the office of Superior Judge for a term of six years, from and including the first day of April, 2014, and until her successor is elected and has qualified.

For Superior Judge Amy M. Davenport

Total votes cast	155
Necessary for a majority	78
For retention	146
Against retention	9

Whereupon the Chair declared that

AMY M. DAVENPORT, of Montpelier

having received a majority of the total votes cast was duly elected to the office of Superior Judge for a term of six years, from and including the first day of April, 2014, and until her successor is elected and has qualified.

For Superior Judge Katharine A. Hayes

Total votes cast153
 Necessary for a majority77
 For retention151
 Against retention2

Whereupon the Chair declared that

KATHARINE A. HAYES, of Brattleboro

having received a majority of the total votes cast was duly elected to the office of Superior Judge for a term of six years, from and including the first day of April, 2014, and until her successor is elected and has qualified.

For Superior Judge Martin A. Maley

Total votes cast156
 Necessary for a majority79
 For retention150
 Against retention6

Whereupon the Chair declared that

MARTIN A. MALEY, of St. Albans

having received a majority of the total votes cast was duly elected to the office of Superior Judge for a term of six years, from and including the first day of April, 2014, and until his successor is elected and has qualified.

For Superior Judge David T. Suntag

Total votes cast154
 Necessary for a majority78
 For retention144
 Against retention10

Whereupon the Chair declared that

DAVID T. SUNTAG, of Brattleboro

having received a majority of the total votes cast was duly elected to the office of Superior Judge for a term of six years, from and including the first day of April, 2014, and until his successor is elected and has qualified.

For Superior Judge Thomas G. Walsh

Total votes cast158
 Necessary for a majority80
 For retention156
 Against retention2

Whereupon the Chair declared that

THOMAS G. WALSH, of Barre

having received a majority of the total votes cast was duly elected to the office of Superior Judge for a term of six years, from and including the first day of April, 2014, 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