

**Journal**  
**of the**  
**JOINT ASSEMBLY**  
**Adjourned Session**  
**2014**



**JOURNAL OF THE JOINT ASSEMBLY  
OF THE  
STATE OF VERMONT  
ADJOURNED SESSION, 2014**

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**IN JOINT ASSEMBLY, JANUARY 8, 2014**

**2:00 P.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. 33.** Joint resolution to provide for a Joint Assembly to receive the State-of-the-State message from the Governor.

***Resolved by the Senate and House of Representatives:***

That the two Houses meet in Joint Assembly on Wednesday, January 8, 2014, at two o'clock in the afternoon to receive the State-of-the-State message from the Governor.

**Presiding Officer**

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

**Clerk**

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

**Committee Appointed**

Senator John F. Campbell of Windsor District moved that a Committee of three Senators and three Representatives be appointed by the Chair to wait upon His Excellency, the Governor, and inform him that the Joint Assembly was now convened for the purpose of receiving his State-of-the-State message.

Which was agreed to.

The Chair appointed as members of such Committee:

Senator Claire D. Ayer, of Addison District  
Senator Jeanette K. White, of Windham District  
Senator Margaret K. Flory, of Rutland District  
Representative Susan H. Davis, of Washington  
Representative Brian K. Savage, of Swanton  
Representative Tess Taylor, of Barre

The Committee performed the duty assigned to it and appeared within the Joint Assembly accompanied by His Excellency, Governor Peter E. Shumlin, who delivered the following message:

**Governor's State-of-the-State Message**

“Mr. Speaker, Mr. President, Mr. Chief Justice, members of the General Assembly, members of our National Guard, and fellow Vermonters:

“Thank you for the privilege of serving as your governor. We are lucky to live in the best state in the Union, where people work hard, trust and take care of each other, and strive to keep Vermont a place where our children and grandchildren will grow up and thrive. The state of our state is strong and growing stronger. Vermonters are working. Companies are expanding. Home values are rising. Opportunities for good jobs are growing. We enjoy the fifth lowest unemployment rate in America. We've added over 11,000 jobs since I first spoke to you three years ago. As I crisscross Vermont, most people I meet are hopeful and optimistic about the direction our economy is headed.

“There remains more work to do. Our challenge is not only to create good jobs; we share an obligation to deliver a better quality of life for everyone. All Vermonters deserve to live in a state where we know our schools are among the best in the country and our families are safe in their homes. Where we have a clean environment with a bright, renewable energy future. Where we have good jobs that pay fair wages. Where we all have affordable, high quality health care. You will hear from me on many of these topics next week when I present my budget. Today I will focus exclusively on another matter of great concern to our state's future.

“During the tenure of every governor there are numerous crises. Some are created by natural disasters when we all need to pull together to provide immediate relief from pain and heartbreak. After Irene, Vermonters needed to feel relief quickly in order to know that a return from disaster to normal life was in fact possible. Hope is born in such efforts.

“There are other crises that confront us that are actually much tougher because they are more complicated, controversial, and difficult to talk about. Vermont is confronted by one of these right now.

“The crisis I am talking about is the rising tide of drug addiction and drug-related crime spreading across Vermont. In every corner of our state, heroin and opiate drug addiction threatens us. It threatens the safety that has always blessed our state. It is a crisis bubbling just beneath the surface that may be invisible to many, but is already highly visible to law enforcement, medical personnel, social service and addiction treatment providers, and too many

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Vermont families. It requires all of us to take action before the quality of life that we cherish so much is compromised. The facts speak for themselves.

- In Vermont, since 2000, we have seen a more than 770% increase in treatment for all opiates.
- What started as an Oxycontin and prescription drug addiction problem in Vermont has now grown into a full-blown heroin crisis.
- We have seen an over 250% increase in people receiving heroin treatment here in Vermont since 2000, with the greatest percentage increase, nearly 40%, in just the past year.
- In 2013, there were twice as many federal indictments against heroin dealers than in the prior two years, and over five times as many as had been obtained in 2010.
- Last year, we had nearly double the number of deaths in Vermont from heroin overdose as the prior year.

“Some of you may have seen the film made by Bess O’Brien, “The Hungry Heart,” which focuses on one Vermont community’s struggle to save its children from this growing epidemic.

“Bess tells the story through Dr. Fred Holmes, a pediatrician who spent 43 years taking care of young Vermonters in St. Albans, some of whom became addicts. When Dr. Holmes first investigated opiate addiction in an effort to help, he learned just how devastating it can be and how little most of us understand it. Dr. Holmes said, “these kids don’t look different, walk different, talk different. It’s just the nature of their disease is different.”

“He said, “I was clueless. I figured that it was something I ought to be able to do something about, just like diabetes or epilepsy or asthma or ear infections.” But he quickly learned about addiction, recognizing that his patients, as he put it, had “a relentless relapsing illness that is potentially fatal.”

“He realized that his obligation was to help them treat that illness. When he retired last summer, he was treating more than 80 kids for opiate addiction in his small practice.

“The stories of these young Vermonters break your heart. Dustin Machia, one of Dr. Holmes’ patients, was raised by his hard-working, supportive family on a dairy farm. Dustin started using drugs in 10th grade, during a 15-minute break between school exams when a bunch of his friends offered him Oxycontin. He became an addict, hard and fast. His addiction quickly went from \$100 a week to \$3500 a week – that’s \$500 a day. He found, like most opiate addicts, that drugs transformed his way of life and altered his moral compass. He needed drugs to survive, and he stole to pay for his addiction. He even stole more than \$20,000 worth of farm tools and equipment from his own

parents. Dustin said, “be careful because your addiction is waiting out in the driveway, just getting stronger, just waiting for you to slip up and take you away.” His family knows too well the crushing hurt and harm that comes from opiate addiction, even as they have stuck with him throughout his disease. As his mom said, “My son is an addict, and I love him with all my heart.” Dustin has now been clean more than 5 years.

“Addiction comes at people insidiously. Sometimes it comes through a dealer looking to get someone hooked to make more money. It starts as a way to feel good, a rush that may seem harmless at first, since you are often doing it with your friends. It quickly devolves into an uncontrollable, unrelenting addiction, and those who become addicts are sentenced to a lifetime battle. As one person now in recovery said, “The first thing you think about [is] not feeding your kids. It’s how am I going to get high.”

“Heroin is a drug that does not only grip those who are born into poverty. Consider the life of Will Gates, who went to UVM but died of a heroin overdose before he could graduate. He was a neurobehavioral science major and ski racer. He was born to opportunity. His ashes were spread on one of his favorite ski trails. Will’s father Skip speaks for all grieving families when he says, “I never knew anything in human experience could be this hard. I never knew any human being could feel this much pain. It has redefined the rest of my life.” Skip felt powerless to stop the overwhelming impact of drugs on his son. Since Will’s death, Skip has worked with our U.S. Attorney Tris Coffin, dedicating his life to warning others of the circumstances that stole Will.

“We often hear in the news about the criminal side of drug addiction, about the robberies or the busts in our communities. Our police, prosecutors, defense attorneys, and judges do an extraordinary job under tough circumstances. But as Chief Justice Reiber and so many others who are in the thick of this struggle have concluded, we must bolster our current approach to addiction with more common sense. We must address it as a public health crisis, providing treatment and support, rather than simply doling out punishment, claiming victory, and moving onto our next conviction.

“I am not naïve and I know you aren’t either. Terrible crimes – murders, armed robbery, sex trafficking and others – are committed by those in the drug trade and by those who are supporting their drug habits. These crimes have victims and devastating consequences. But Dr. Holmes got it right when he noted that addiction is, at its core, a chronic disease. We must do for this disease what we do for cancer, diabetes, heart, and other chronic illness: first, aim for prevention, and then eradicate any disease that develops with aggressive treatment.

“Getting this right is not just a matter of compassion. It is also the right thing to do for our pocket books. Let’s put aside our hearts for a moment, and with our heads look at the math:

- Every week, our Drug Task Force estimates more than \$2 million of heroin and other opiates are being trafficked into Vermont.
- Due to our proximity to Boston, New York, Philadelphia, and other cities where heroin is cheap, dealers can make a lot of money from addicts in Vermont. A \$6 bag of heroin in New York City can go for up to \$30 here. So think about that: a \$6 purchase could sell for five times as much, just a few hours up the interstate.
- That means that a heroin habit in Vermont can cost an addict tens of thousands of dollars per year, and that’s before they put a roof over their head, food on the table, or sneakers on the kids.

“Nearly 80% of our incarcerated population are either addicted or in prison because of their addiction. And listen to this math: a week in prison in Vermont costs about \$1,120, but \$123 will buy a week of treatment for a heroin addict at a state-funded center. Today, our state government spends more to imprison Vermonters than we do to support our colleges and universities, and our prison spending has doubled in the last nine years.

“You do not have to be a math major to realize that we can’t afford our current path. We have to figure out how to spend taxpayer money more wisely, while we treat the disease more effectively.

“We have made some headway. We have opened treatment centers in nearly every region of our state, considered to be national models. Thanks to your good work last year, we have expanded our efforts to combat Oxycontin and prescription drug abuse and to offer safe harbor to those reporting overdoses. We have lessened the penalties for small amounts of marijuana, acknowledging that we can better use our limited resources. Through a partnership between the Vermont State Police, the state drug task force, our state’s attorneys, local police, the federal government, and our Attorney General Bill Sorrell, we are getting tougher, using drug busts to disrupt dealer networks that kill our neighbors and kids.

“This important work must continue. Yet despite all of these efforts, we are losing too many Vermonters to drug addiction, and the crime that comes with it.

“Today, I propose action in four areas to help us gain ground in this battle.

“**First**, let’s start treating drug addiction as the immediate health crisis that it is by dramatically increasing treatment across Vermont. Right now, we have

hundreds of Vermonters who are addicted and are ready to accept help but who are condemned to waiting because we still do not have the capacity to treat the rising demand.

“Our largest waiting lists of over 500 addicts are in Central Vermont, the Northeast Kingdom, and Chittenden County. Today, I ask you to approve an additional \$200,000 in the Budget Adjustment to help slash those waiting lists. The money will allow treatment centers to immediately staff up and bring on additional resources to begin eliminating the existing backlog, while preparing to serve a growing number of patients going forward. I am also proposing increased resources for our statewide recovery centers, and additional funding for substance abuse and mental health treatment services for Reach Up recipients. In total, this funding will represent more than \$1 million of additional support for treatment and recovery, and is on top of the more than \$8 million in ongoing funding of these efforts in my budget proposal.

“I am also pleased to announce that another regional treatment center – this one providing services in St. Johnsbury and Newport – has just opened. These expanded services will help the Kingdom meet its increased demand.

“I know that we have more work to do to provide the right treatment and support to those who are addicted, not just using maintenance drugs as a Band-Aid for this complicated disease. I also know that treatment facilities have not always been embraced by our local communities. But the time has come for us to stop quietly averting our eyes from the growing heroin addiction in our front yards, while we fear and fight treatment facilities in our back yards.

“This is tough stuff. But this is about getting help to those who are desperately sick, and giving hope to those who wish to get better. Help and hope are what we Vermonters do best.

“**Second**, let’s do a better job of convincing drug users who wind up in our criminal justice system that getting help is a better path than addiction. This too is not easy work. Drug addicts are the best deniers and the best liars you will ever meet. Some will do just about anything to continue using. But all the research tells us that an addict is most accepting of treatment right after the bust. It’s when the blue lights are flashing and cold reality sets in that we have our best shot. Here’s the problem. Our current judicial system is not well-equipped to seize this moment. It can take weeks or months to wind your way through the court system from arrest to conviction, leaving an addict time to settle back into old habits. I want to give our prosecutors and judges the resources needed to strike immediately. My 2015 budget will include an additional \$760,000 to provide objective, evidence-based assessments to help our state’s attorneys and our courts determine who may qualify for immediate



treatment and services, and then hire the necessary personnel to monitor their recovery. In this new system, a third-party team chosen in conjunction with local prosecutors, defense counsel and court personnel but contracted through the State would promptly, after arrest, conduct an evidence-based risk and needs assessment for prosecutors, defense counsel, and our judges. Our state's attorneys in every county will be enabled to establish a rapid intervention program, paid for by the State, where those addicts accused of drug-fueled crimes could agree to seek immediate treatment for their disease and avoid criminal prosecution if they successfully adhere to the strict requirements imposed. For any individual not suitable for early intervention, our judges can choose to use these same assessments to set conditions of release and monitoring before trial that include immediate treatment and other services. One's success or failure in recovery would be considered during sentencing.

"I am confident we can do this. State's Attorneys T.J. Donovan in Chittenden County and David Fenster in Addison County, among others, have been implementing prosecutor-lead intervention programs with good results. Some of our courts have used grants and pilots to experiment with ways to better address addiction in the criminal justice system. Senators Sears, Ashe, Flory, Fox, and Snelling have sponsored tri-partisan legislation, S.295, which seeks to build upon some of these efforts. My proposals today expand upon all of this good work, taking us farther and faster to bring evidence-based assessment and intervention programs statewide as quickly as we possibly can, and I ask for your support.

"**Third**, we have to couple enhanced treatment and intervention with even stronger, more coordinated law enforcement.

"That is why we have just launched a new mapping portal, led by my Department of Public Safety, to share and analyze data statewide to determine where our hot spots are and where our resources can be most effective in stopping the flow of drugs. To further aid in our coordination efforts, I am also reorganizing the Governor's Criminal Justice Cabinet to include substance abuse prevention so that its membership reflects the broader challenge we face.

"I also ask you to make two important statutory changes that will help ensure that high-volume dealers who bring drugs into our state to prey upon Vermonters in pursuit of profits will suffer the consequences, and that those who break into our homes with weapons in hand to rob us to feed their habit will face enhanced criminal penalties. Creating tougher sentences when anyone transports illegal drugs into Vermont will help send a clear message to drug dealers that our state will not tolerate their trade. Enhancing penalties for people who carry weapons into our homes to feed their habits by violating our security and stealing our property is good Vermont common sense.

“**Finally**, we know that the best way to fix this problem is to prevent addiction in the first place. This is the toughest challenge we face; the one without a clear national model or consensus on what works best. We need Vermont ingenuity; we need all of us thinking big together. Later this year, I will be facilitating a statewide community forum here at the State House to help us share creative ideas about how we can do prevention better.

“I am also providing a grant from my office to enable Bess O’Brien and those whose stories are featured in “The Hungry Heart” to visit every high school in Vermont to talk to our students directly about their difficult journeys.

“It is critical that we continue to engage our health care providers in this challenge. In August, Vermont received a \$10 million federal grant over 5 years to help medical providers intervene earlier with patients who are beginning to see the consequence of substance abuse. Just like we taught people to heed the warnings of heart disease or diabetes, we need our medical community to educate their patients on how to better avoid addiction.

“We also need more providers trained to offer emotional support and help to those who become addicted; not just dole out maintenance drugs that sometimes find their way back into the drug market. The Affordable Care Act will help us do this because for the first time it requires coverage for substance abuse disorders and treatment, and the federal support to pay for it.

“Our schools also have a greater role to play. We know that risky behavior develops early in life and too often accompanies family difficulties and dysfunction. When parents struggle, children suffer, and we all pay the price for years to come. This is why we must continue our focus on the earliest years. Our recent success in securing the \$37 million Early Childhood Education Race to the Top grant will be a huge help in making Vermont a leader in these efforts. And if you send me the bill that passed the House last spring, we can make sure all Vermont children have access to quality universal pre-kindergarten to help set them on the right path.

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“If you listen to the voices of addiction, you hear the underlying cause of this disease for too many: a lack of hope and opportunity. So while we should celebrate that our unemployment rate is low, and that our economic outlook is bright, none of us should be content until all Vermonters, including those who are born into poverty, have the same opportunities to succeed and flourish as the most fortunate. Our best prevention against drug addiction is to create jobs and opportunity for all Vermonters. By providing the best early childhood education in America. By continuing our good work on early college, dual enrollment, and flexible pathways, and passing my STEM scholarship proposal

so that more of our kids can afford higher education and are able to move beyond high school. By building the training and resources for continued job growth. By creating a sensible, affordable, publicly-financed, universal health care system for all Vermonters. By ensuring that every Vermonter, regardless of income, has the chance at success – living, working, and raising their family right here in Vermont.

“All of the proposals I have discussed today are designed to reframe the way we solve drug addiction and drug crime in Vermont, attacking it first as the health crisis that it is, while simultaneously retooling our criminal justice system and strengthening law enforcement. This will not happen overnight. But these actions represent basic, good government responses to an emergency. Just as you expected us to work across agencies and across state and local government to help us all recover from the devastation of a tropical storm, so too should you expect us to approach this crisis of drug addiction with coordination and effective action. All of us, together, will drive toward our goal of recovery by working with one another creatively, relentlessly, and without division. We can do this. I have tremendous hope for Vermont, and for our efforts to overcome this challenge and keep the Vermont that we cherish for generations to come.

“Thank you.”

### **Dissolution**

The Governor, having completed the delivery of his message, was escorted from the Hall by the Committee appointed by the Chair.

The purpose 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

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**IN JOINT ASSEMBLY, WEDNESDAY, JANUARY 15, 2014**

**2:00 P.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. 34.** Joint resolution to provide for a Joint Assembly to hear the budget message of the Governor.

***Resolved by the Senate and House of Representatives:***

That the two Houses meet in Joint Assembly on Wednesday, January 15, 2014, at two o'clock in the afternoon to receive the budget message of the Governor.

**Presiding Officer**

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

**Clerk**

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

**Committee Appointed**

Senator John F. Campbell of Windsor District moved that a Committee of three Senators and three Representatives be appointed by the Chair to wait upon His Excellency, the Governor of the State of Vermont, to inform him that the Joint Assembly is now convened and to escort the Governor to the Chamber to deliver his budget message.

Which was agreed to.

The Chair appointed as members of the Committee:

Senator M. Jane Kitchel, of Caledonia District  
Senator Timothy R. Ashe, of Chittenden District  
Senator Kevin J. Mullin, of Rutland District  
Representative Susan H. Davis, of Washington  
Representative Brian K. Savage, of Swanton  
Representative Tess Taylor, of Barre

The Committee performed the duty assigned to it and appeared within the Joint Assembly accompanied by His Excellency, Governor Peter E. Shumlin, who delivered the following message.

**Governor's Budget Message**

“Mr. President, Mr. Speaker, members of the General Assembly, distinguished guests, and fellow Vermonters:

“Good things are happening all across our great state. Vermont's unemployment rate is the fifth lowest in America, and the lowest this side of the Mississippi. Jobs have rebounded from the depths of the recession, with over 11,000 new jobs created since I first spoke to you three years ago. In the last year alone, we have seen 2,000 jobs created in our manufacturing and professional services sectors, with our wages rising faster than inflation.

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“This broad-based growth has kept Vermont’s economy diverse, as we draw world-wide attention for our award-winning products: cheeses, artisan furniture, craft beers and spirits, and many others born from the creativity of our hands and the abundance of our lands. Our downtowns are on the comeback as vibrant centers for jobs, retail, and residential life, from Brattleboro to Barre, Newport to St. Albans and Rutland. Visitors from around the globe continue to come to Vermont to ski and hike our mountains, stay at our inns and resorts, and enjoy our state’s beautiful outdoors.

“Today, I am honored to present my fourth budget, one that is balanced and fiscally restrained. It invests in areas critical to our most vulnerable and to our future job growth, while rejecting broad-based tax increases on hardworking Vermonters. It keeps our reserves full, and our pension contributions funded at the recommended levels. It matches Montpelier’s appetite for spending with Vermonters’ ability to pay.

“Once again it will require discipline to meet the \$71 million gap between our projected revenues and spending. The President and Congress, and our great federal delegation, helped all states through one of the worst downturns in American history by sending hundreds of billions of dollars in stimulus. That funding is now over. Instead Washington is now cutting back on key programs that help our most vulnerable. But the good news is that as we have been creating jobs, our General Fund revenues have been recovering, up \$178 million in the past three years and projected to be more than \$250 million after this next fiscal year.

“So our challenge in balancing the budget is not to eviscerate worthwhile programs serving Vermonters, but instead to curb the rate of growth and bring our programs back in line with our revenue. Over the past five budgets, we have relied on between \$44 and \$55 million in one-time funds to balance our books, a trend we know we must reduce. Today, I present you with a budget that closes our gap by relying on only \$30 million in one-time funds, about half as much as last year. Accounting for replacement of one-time funds in this year’s budget, my spending proposal for Fiscal Year 15 will rise by 3.56%.

“Every spending proposal I have pursued as Governor has been designed to promote economic development and prosperity for all Vermonters. This budget is no different. It keeps our promise to invest in our infrastructure and in our people, and it relies on a unified, coordinated strategy, targeting every sector of our economy and every one of our communities.

“To accomplish our vision, we are continuing to focus on the big things that will make the difference:

- Help families raise healthy children;
- Create the best education system in America, to assure that more of our kids move beyond high school into good paying, high-skilled jobs;
- Support our businesses, our downtowns, and our job growth;
- Provide access to quality, affordable health care; and
- Protect our environment and quality of life that is, I believe, unrivaled in America.

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“Education delivers economic opportunity.

“I’m very proud to have Rebecca Holcombe, an extraordinary educator and policy leader, as our new Secretary of Education. Welcome Rebecca!

“Vermont continues to lead the country in our educational enterprise. More than 90% of our kids are graduating from high school, the highest rate in the nation. Thanks to your help last year, we now can finally move more of our low income kids beyond high school through flexible, individualized education, and opportunities for dual enrollment and early college. Better education and training beyond high school means more of our kids will grow up ready for the high-skilled, well-paying jobs that our companies are creating. We will make even greater progress if you pass the Vermont Strong Scholars proposal I brought you last year, giving a full year of free tuition to those who choose to enter STEM jobs in Vermont after attending one of the Vermont State Colleges or UVM.

“Even in these tough budget times, I propose to continue our investment in higher education by including an additional 2% increase beginning in January 2015 for our state colleges and university, the second consecutive annual increase after five years of level funding.

“Better educating our youngest will give us the greatest return on our investment. We know that kids with great family support and high-quality early education do better in school, earn higher wages as adults, and are less likely to go on welfare or go to jail.

“Thanks to our success in obtaining the \$37 million Race to the Top grant, we now have a tremendous opportunity to build the foundation for this healthy start, especially for children born into poverty. As I said last week, if you send me the universal pre-kindergarten bill that passed the House last spring, we will help give all of our kids a strong start.

“While I am incredibly proud of the progress we have made together on education, I am not at all happy that Vermonters will once again bear an increase of five to seven cents in the statewide property tax rate next year based upon projections for local school spending.

“There have been reports of significant school budget increases proposed in communities large and small across our state. We all understand the tremendous value we receive from investing in our kids. None of us, however, can afford higher spending and higher property taxes year after year, while our overall student population continues to decline. I urge Vermonters at town meetings across our state this year to carefully scrutinize school budgets that increase per pupil spending and grow faster than our incomes. Look hard to see if you can achieve savings for better outcomes at a lower cost. Remember, you have the power to determine your school budgets, but you can’t make a difference if you don’t participate.

“To do our part here in Montpelier, this past year we increased the portion of the Sales and Use Tax going to the Education Fund, adding \$9.5 million to help keep property taxes lower. My budget proposal fully funds the required transfer to the Education Fund in Fiscal Year 2015.

“I also thank you for hosting with me yesterday a forum of national and local experts to address rising property taxes. We all know that there are no easy answers, and that the state funding system can burden local districts that are trying to do the right thing. I pledge to work with you this year to look at the facts and explore any options that would improve our school funding system.

“This year we must also address one of our most difficult long-term fiscal problems by fixing how we pay for health insurance for retired teachers. The problem is that, right now, we really are not paying for it, because the state never established an explicit funding source for this obligation. For decades, the annual costs of retired teacher health insurance premiums have been taken right out of the state teacher pension fund itself. Treasurer Pearce, Speaker Smith, Pro Tem Campbell, our teachers, and many others have been working together with us on a phased in, permanent solution. I have proposed \$2.5 million in this budget to help get this done, working in partnership to find a responsible fix this session.

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“A few weeks ago, I announced my support for increased funding for initiatives designed to help move Vermonters out of poverty. In these challenging times, as the federal government continues to make shortsighted

cuts that hurt our most vulnerable, our state must do what we can to blunt the damage by allocating our limited resources wisely.

“That is why my budget includes the following additional funds to support Vermonters in need:

- A doubling of the Vermont Rental Subsidy to \$1,000,000 with \$200,000 in additional funds for Family Supportive Housing, so we can help prevent homelessness in the first place;
- An increase of \$300,000 for the Emergency Solutions Grant to help support homeless shelters, so that no one freezes in the streets;
- Increased support for children, including an \$800,000 boost to childcare centers that provide the highest quality care and an additional \$740,000 for families in need, so that more low income children can get a strong start; and
- An increase of \$650,000 in funds for substance abuse and mental health treatment services for Reach Up recipients, to help remove barriers to work and economic independence.

“We have paid for these increases from growth in the Property Transfer Tax and our base general fund without program cuts, and I ask for your support.

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“I have also included in this budget new funding to support the ambitious drug abuse prevention and treatment agenda I laid out for you last week. This new funding will mean a 14% increase in prevention services and a nearly 40% increase in treatment services for those who are suffering from addiction.

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“We are also on track to create the best community-based mental health care system in the country. We are building state-of-the-art bricks and mortar and expanding community-based care: securing 14 acute care beds in Brattleboro and 6 in Rutland; opening a 7-bed Secure Therapeutic Center in Middlesex; and expanding the number of our statewide intensive residential and crisis beds. Our new, therapeutic 25-bed hospital in Berlin will open this summer.

“None of us can expect success in delivering on our promise of a top-quality, healing mental health care system if we deny timely treatment to our most critically ill patients when they most need it. We are an outlier among the states, because it takes so long for treatment decisions to wind their way through our court system. While it is critical that we continue to protect patient rights, so too is it critical that we support those patients by ending the



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practice of leaving them for weeks and weeks without judicial resolution, delaying their recovery, placing caregivers and others at risk, and preventing us from serving other patients in need. I ask for your thoughtful guidance and help to fix this problem this session.

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“We will also continue to push for the best health care system in the nation. My budget proposes a 2% increase in Medicaid reimbursement rates starting in 2015 for our hardworking providers, to help reduce the cost-shift for those of us who pay private insurance.

“There has been a lot of focus on the troubled rollout of the federally-mandated exchange. I am very disappointed, and I take responsibility for it. But the difficult rollout of the exchanges here and across America should remind us once again that we need – we deserve – and we can have – simple, universal, affordable, comprehensive health care for all, where costs are sustainable and access to quality care is guaranteed because you are a Vermonter.

“Al Gobeille and the Green Mountain Health Care Board are working with our hospitals, doctors and providers, consumers and our business community to control costs and reform our payment system. This is a partnership that is, I believe, without precedent in any other state. They are moving us to a more rational system that reimburses for quality of care, not quantity. I believe that their success, combined with a fair way to pay for it, will be a recipe for job growth unrivalled in the country.

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“Coming out of one of the worst downturns in American history, Vermont’s economy continues to make great strides.

“Last year, we retired our Unemployment Insurance Trust Fund loan more than 15 months earlier than projected, saving taxpayers \$700,000 in interest and employers nearly \$12 million in federal payments, while providing relief to businesses that suffered layoffs due to Tropical Storm Irene.

“My proposed budget maintains our commitment to job growth by:

- Providing \$3.3 million of support through the Next Generation Fund;
- Expanding the Registered Apprenticeship program and the On-the-Job-Training program to engage more Vermonters who are looking to “earn while you learn”; and

- Increasing funding by 9% to our hardworking Regional Development Corporations, the Vermont Employee Ownership Center, and the Small Business Development Center.

“In 2013, Vermont signed up its 1,000th captive insurance company, as we remain the leader in this global industry. Every year, the Vermont captive industry brings in more than \$20 million to the state, supporting more than 1,400 well-paying jobs.

“This year, we have a chance to get a jump start on a new opportunity. The Legacy Insurance Management Act – called LIMA – creates specialized Vermont-based insurance companies that help other companies consolidate policies and redeploy capital. This could be the next success in our efforts to serve as a specialized global financial services destination. Patterned after Vermont’s captives sector, LIMA would add tax revenue and skilled, well-paying financial jobs. The House passed enabling legislation for this last year, and I hope to see it on my desk this session.

“My administration is also doing more to keep capital circulating in the state for the benefit of our local companies. By revising our state securities rules to allow far greater participation in local investment through the Vermont Small Business Offering Exemption, we can help Vermont companies raise the capital they need right here in Vermont. To accomplish this, my Department of Financial Regulation will implement new rules doubling to \$1 million the cap on these investments.

“Burlington was just named one of the top-ten emerging tech cities in the United States. Ever since IBM CEO Tom Watson had the wisdom to build a plant here in Vermont to stimulate our economy, Vermont has been a leader in technology. Back then, our jobless rate was 12% and there was no tech industry. Now, our tech industry is a significant multiplier in our economy. It has spawned a culture of innovation that has resulted in many booming businesses, millions of dollars of development and other capital investment, and a cascading effect of jobs within our communities.

“High tech jobs and high skilled engineering are helping Vermont companies become national and global leaders. Think: Dealer.com; My Web Grocer; Dynapower; BioTek; Chroma; Global Z; Logic Supply; GW Plastics; and Green Mountain Digital, to name just a few. What they make is vastly different, but what makes each company successful is the innovative thinking and skilled R&D that goes into their products. Jobs are the result: one engineering or development job can generate 20 more jobs in production and manufacturing.

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“But Vermont must compete to recruit and retain these companies, and the stakes are higher than ever. That is why I have asked my team to work together with you this session on further ways to encourage and grow technology development leading to even more manufacturing and job growth right here in Vermont.

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“We can’t grow jobs and enhance our quality of life in Vermont without maintaining a great transportation system.

“Early in my Administration, we made the tough call to end the state’s decades-long, \$100 million Circ Highway saga. We launched a collaborative community process to examine and identify practical, achievable 21<sup>st</sup> century solutions to Chittenden County’s traffic congestion. We are now moving forward with wide consensus on new, common-sense projects to meet these needs.

“We have also paved more than 800 miles of road—25% of our system – and moved the portion of state roads in “very poor condition” from 34% in 2009 to just under 22% today; and have made similar progress rehabilitating more than 100 bridges.

“To continue this great progress, my budget proposal includes \$686 million for transportation – an increase of \$33 million over last year. This is the biggest investment in our transportation system in our state’s history, and I ask for your support.

“This funding will allow us to:

- Repair or replace over 100 more bridges, and perform preventive maintenance on dozens more structures;
- Lay 300 more miles of pavement statewide;
- Expand car and vanpooling, and our bus network, which saw increased ridership again last year; and
- Support the establishment of a “Green Highway” with electric vehicle charging stations connecting Montreal to Montpelier, and beyond in New England.

“On rail, we took a giant leap forward when we secured another federal grant of \$9 million to fund the rebirth of the western corridor. Our rail team is moving projects faster than ever to connect downtown Burlington to Rutland to Bennington to Albany, and on to New York City. My budget proposes \$19 million to extend these improvements, bringing us closer to our goal of

growing jobs and economic opportunity by delivering better freight and passenger rail service up and down the western side of Vermont.

“We build commerce and a healthier, greener Vermont when we invest in our roads, bridges, rail, buses, airports, sidewalks and bike paths. We also help put Vermonters to work. Every \$1 million of transportation spending creates and sustains about 48 jobs. Our \$686 million dollar investment in transportation will represent thousands of jobs for Vermonters.

“Especially in a winter like this one, with our dedicated VTrans crews out there clearing the way to keep us safe, we appreciate how critical it is to support this effort. We must continue rebuilding our aging transportation network to make up for the maintenance and repair neglected for years so that we provide Vermonters with good roads and strong bridges once again.

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“Our downtowns and village centers define the Vermont way of life. In these past three years, we have supported our downtowns to grow jobs, increase housing, and help our environment.

- We prioritized the redevelopment of the State Office Complex to help Waterbury recover from Irene;
- We are anchoring a state-of-the-art office building in Barre, bringing hundreds of jobs close to the restaurants and shops in the beautifully restored downtown;
- We provided funds for Vermont Technical College and Community College of Vermont to expand and locate campuses in the renovated Brooks Building, healing the burned-out heart of downtown Brattleboro; and
- We are working with leaders in St. Albans to allow Mylan, one of the area’s largest employers, to expand while sparking a redevelopment effort throughout the entire downtown.

“The results mean jobs, community pride, and economic growth, all across Vermont. We have seen the benefit all over the state – in Hardwick, Newport, St. Johnsbury, Winooski, Vergennes and elsewhere. One reason this is happening is because of downtown tax credits. Every public dollar in this program brings about \$15 of additional investment, and creates a chain-reaction of other economic improvements.

“That is why I ask you to support my budget request of an additional \$500,000 in downtown tax credits, leveraging \$7.5 million more in downtown improvements statewide.

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“My budget also continues our strong commitment to affordable housing and conservation of our working lands by including a 9% increase for the Vermont Housing and Conservation Board. We continue our support for Farm to Plate and the Vermont Ag Development Program, which have helped fuel the increase of more than 1000 jobs in the local food economy since I took office. We also recognize the tremendous scenic, cultural, environmental, recreational, and economic impact of our Working Lands initiative by for the first time including its funding in the base budget, with a 5% increase.

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“Our greenhouse gas emissions are now back to a level not seen since 1990, even though our economy has grown significantly since that time. Our renewable energy, conservation, and efficiency policies have helped get us there. Vermont’s participation in the Regional Greenhouse Gas Initiative, a model for our country, has generated more than \$3 million for conservation and efficiency this year alone.

“This is great progress, but we must do more for our environment. Despite significant investments and well-intentioned initiatives over the years, we are now facing up to the long-standing reality that our lakes and streams have not improved. Under the leadership of Commissioner David Mears, we are working with the EPA and our communities to have a conversation about common-sense solutions to the water quality problems that have for too long plagued our state and fouled our lakes. My recommended capital budget adjustment includes an additional \$1.1 million to support improving Vermont’s water quality.

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“We are aggressively moving to green, clean, local renewable energy, and the job growth that comes with it.

“Vermont’s difficult debate about the continued operation of Vermont Yankee is coming to a close. We now can focus on our need to embrace a decommissioning process that best serves Vermonters, and to help those affected by the loss of jobs where I was born, grew up, ran a business, and raised my daughters, in Windham County. They now need our help. We pressed Entergy for timely decommissioning and significant support for jobs and economic transition that will bring more than \$20 million for Windham County, clean energy development, and the state. It is now time to move past years of disputes with Entergy and strive to find common agreement wherever possible going forward, to get this right for Vermont.

“Some people have suggested that our investments in renewable energy are costly, and claim that we should stop our progress. These voices are misinformed. Building renewables isn’t just good for our planet and for jobs; it is also good for our wallets:

- Our strategy of building local, renewable energy projects while maximizing our energy efficiency is working, already helping us defer nearly \$400 million of transmission costs which our region’s ratepayers would otherwise have to pay;
- Our local renewable energy companies are doing their part to lower prices, bringing Standard Offer projects in at half the cost previously projected thanks to last year’s move to a new market-based program;
- We expanded renewable energy and efficiency investments by expanding VEDA’s Vermont Sustainable Energy Loan Fund; and
- We are saving taxpayers’ money by installing solar on many of our state buildings.

“The amount of solar in Vermont has more than tripled since I became Governor, and more projects are coming online every month. When we see solar panels on rooftops in our neighborhoods or on our fields, we are often looking at projects made possible by our net metering program. I am committed to continuing and expanding net metering this session, by substantially raising the percentage of peak load that can be supplied by these projects, while ensuring that they remain affordable. With the leadership of people like Chairman Tony Klein and a wide array of our utilities and businesses, I know we can get this right.

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“To secure our economic success and our children’s future in the Green Mountain state we are compelled to keep climbing with every initiative we pursue, never satisfied that our work is done. I know we will continue our progress this session, with the help of your guidance and good judgment. While we will have our differences at times about policy choices, we share – along with the citizens we all represent – a common set of values: community, hard work, and fairness. These common values guide us and they will continue to ensure our success. I look forward to a productive session serving the Vermont we all love.

“Thank you.”

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**Dissolution**

The Governor, having completed the delivery of his message, was escorted from the Hall by the committee appointed by the Chair.

The purpose 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

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**IN JOINT ASSEMBLY, FEBRUARY 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. 40.** 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 20, 2014, 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, 2014, and expiring on March 1, 2018. 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 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 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, 2014, and expiring on March 1, 2018. 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. 41 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. 41 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 Maida F. Townsend, of South Burlington

Representative Bernard C. Juskiewicz, of Cambridge

Representative Marjorie Q. Ryerson, of Randolph

Representative Cynthia A. Weed, of Enosburg Falls

### **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, 2014.



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**Nominations for Both Vacancies**

Representative Martha A. Feltus of Lyndonville nominated *Representative Timothy Jerman* of Essex Junction.

Representative Carolyn, W. Branagan, of Georgia then nominated *Representative James W. Masland* of Thetford.

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

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 Timothy Jerman of Essex Junction  
Representative James W. Masland of Thetford

**Suspension of the Rules**

The Chair then recognized the Senator from Windsor District, Senator Campbell, who made the following motion for suspension of the rules.

“Mr. President:

“Since we are now left solely with just two (2) candidates to fill a total of only two (2) vacancies for the office of Trustee of the Vermont State Colleges Corporation, it is my intention now to suspend our Joint Rules in order to save this body the time of taking ballots for these offices and then proceeding to count these ballots.

“Accordingly, Mr. President, I now move to suspend Joint Rule No. 10, so that:

(a) We (this Joint Assembly) can vote on these two (2) offices jointly, rather than singly, and, further, so that

(b) We can direct the Clerk of this Joint Assembly to cast one ballot for these two (2) candidates, namely:

*Timothy Jerman*  
*James W. Masland*

to be elected to the office of Trustee of the Vermont State Colleges Corporation, each to fill a separate vacancy, for a term of four (4) years, commencing March 1, 2014.”

Which was agreed to.

**Vermont State Colleges Corporation Trustees Declared Elected**

The Chair then took judicial/parliamentary notice of the fact that: “This Joint Assembly has now suspended the rules and has directed the Clerk to cast one ballot for the two (2) named candidates.”

Whereupon, the Chair declared that

**Timothy Jerman, of *Essex Junction***

having received a majority 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, 2014.

Whereupon, the Chair declared that

**James W. Masland, of *Thetford***

having received a majority 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, 2014.

**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

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**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.

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**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 cast .....	153
Necessary for a majority .....	77
For retention .....	151
Against retention .....	2

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 cast .....	156
Necessary for a majority .....	79
For retention .....	150
Against retention .....	6

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 cast .....	154
Necessary for a majority .....	78
For retention .....	144
Against retention .....	10

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 cast .....	158
Necessary for a majority .....	80
For retention .....	156
Against retention .....	2

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

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**IN JOINT ASSEMBLY, APRIL 10, 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. 51.** Joint resolution providing for a Joint Assembly for the election of a successor legislative Trustee of the University of Vermont and State Agricultural College to fill the vacancy created by the resignation of Representative Sarah E. Buxton of Tunbridge.

Whereas, the recent resignation of Representative Sarah E. Buxton of Tunbridge has created a vacancy on the Trustees of the University of Vermont and State Agricultural College, and

Whereas, the term of office for this vacant position commenced on February 20, 2014 and will expire on February 28, 2019, and

Whereas, this General Assembly has an obligation to fill this vacant position as prescribed by statute, now therefore be it

**RESOLVED BY THE SENATE AND HOUSE OF REPRESENTATIVES:**

That the two Houses meet in Joint Assembly on Thursday, April 10, 2014, at ten o'clock and thirty minutes in the forenoon to elect a successor legislative Trustee of the University of Vermont and State Agricultural College to fill the unexpired term of Representative Sarah E. Buxton, which term commenced on March 1, 2013 and will expire on February 28, 2019, such vacancy having resulted from the resignation of Representative Sarah E. Buxton. In case election of this successor Trustee 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 this successor Trustee is 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 successor trustee for the University of



Vermont and State Agricultural College to fill the vacancy created by the resignation of Representative Sarah E. Buxton.

“The procedure for this election will be similar to the procedure which we have followed in the past. The candidates will be nominated from the floor as in the past, elected by voice vote where there is no contest (**if** there is no objection under Joint Rule 10) and by written ballot if there is a contest.

“With respect to the election of this single legislative trustee, the Chair now calls to the attention of the Joint Assembly pertinent text of Joint Rule 10 which applies to elections held by this 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.

“(c) Election to any office is by a majority of the votes cast, exclusive of spoiled and blank ballots.

“As will be explained, if a written ballot is necessary pursuant to the adoption of J.R.S. 52 the election will be by plurality.”

#### **Nominations for UVM Trustees**

The Joint Assembly then proceeded to the election to fill the successor vacancy for trustee of the University of Vermont and State Agricultural College.

Representative Joan G. Lenex of Shelburne nominated *Representative Donna G. Sweaney* of Windsor.

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

#### **DONNA G. SWEANEY, of Windsor**

was unanimously elected a Trustee of the University of Vermont and State Agricultural College, for the remainder of the term created by the resignation of Representative Sarah E. Buxton commencing April 10, 2014 until February 28, 2019, and until her 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