

Journal
of the
JOINT ASSEMBLY
Biennial Session
2015

JOURNAL OF THE JOINT ASSEMBLY
of the
STATE OF VERMONT
BIENNIAL SESSION, 2015

IN JOINT ASSEMBLY, THURSDAY, JANUARY 8, 2015

10:00 A.M.

The Senate and the 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. 2. Joint resolution to provide for a Joint Assembly to receive the report of the committee appointed to canvass votes for state officers.

Resolved by the Senate and House of Representatives:

That the two Houses meet in Joint Assembly on Thursday, January 8, 2015, at ten o'clock in the forenoon to receive the report of the Joint Canvassing Committee appointed to canvass votes for Governor, Lieutenant Governor, State Treasurer, Secretary of State, Auditor of Accounts and Attorney General, and if it shall be declared by said Committee that there had been no election by the freemen and freewomen of any of said state officers, then to proceed forthwith to elect such officers as have not been elected by the freemen and freewomen.

Presiding Officer

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

Clerk

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

Report of the Joint Canvassing Committee

Senator White, Co-Chair, then presented the report of the Joint Canvassing Committee, which was as follows:

The Joint Canvassing Committee appointed to canvass the votes for Governor, Lieutenant Governor, State Treasurer, Secretary of State, Auditor of Accounts, and Attorney General respectfully reports:

That having been duly sworn, it has attended to the duties of its trust and finds the number of votes to have been:

For GOVERNOR.....	193,087
Necessary to have a major part of the votes	96,544
Peter Diamondstone, Liberty Union	1,673
Cris Ericson, Independent	1,089
Dan Feliciano, Libertarian	8,428
Scott Milne, Republican.....	87,075
Bernard Peters, Independent	1,434
Emily Peyton, Independent	3,157
Peter Shumlin, Democratic	89,509
Scattering (write-in votes).....	722

And agreeable to the Constitutional provisions, it hereby declares that no person has received the major part of the votes cast for Governor, and that there is no election for Governor by the voters.

For LIEUTENANT GOVERNOR	191,416
Necessary to have a major part of the votes	95,708
Marina Brown, Liberty Union.....	3,347
Dean Corren, Democratic/Progressive.....	69,005
Philip B. Scott, Republican	118,949
Scattering (write-in votes).....	115

Pursuant to the Constitution of the State of Vermont, the Committee hereby declares that

PHILIP B. SCOTT

received a major part of the votes, and therefore was elected Lieutenant Governor of the State of Vermont for the two years next ensuing.

For STATE TREASURER	167,592
Necessary to have a major part of the votes	83,796
Murray Ngoima, Liberty Union	13,456
Elizabeth A. "Beth" Pearce, Democrat	124,119
Don Schramm, Progress.....	28,990
Scattering (write-in votes).....	1,027

Pursuant to the Constitution of the State of Vermont, the Committee hereby declares that

ELIZABETH A. "BETH" PEARCE

received a major part of the votes, and therefore was elected Treasurer of the State of Vermont for the two years next ensuing.

For SECRETARY OF STATE.....	169,135
Plurality, not a major part of the vote, is required	

James C. Condos, Democratic	126,427
Ben Eastwood, Progressive.....	24,518
Mary Alice “Mal” Herbert, Liberty Union	17,460
Scattering (write-in votes).....	730

Pursuant to the Constitution of the State of Vermont, the Committee hereby declares that

JAMES C. CONDOS

received the greatest number of the votes, and therefore was elected Secretary of State of the State of Vermont for the two years next ensuing.

For AUDITOR OF ACCOUNTS	148,227
Plurality, not a major part of the vote, is required	
Douglas R. Hoffer, Democratic/Progressive.....	146,836
Scattering (write-in votes).....	1,391

Pursuant to the Constitution of the State of Vermont, the Committee hereby declares that

DOUGLAS R. HOFFER

received the greatest number of the votes, and therefore was elected Auditor of Accounts of the State of Vermont for the two years next ensuing.

For ATTORNEY GENERAL.....	186,399
Plurality, not a major part of the vote, is required	
Rosemarie Jackowski, Liberty Union	7,342
Shane McCormack, Republican.....	69,489
William H. Sorrell, Democratic	109,305
Scattering (write-in votes).....	263

Pursuant to 3 V.S.A. §151, the Committee hereby declares that

WILLIAM H. SORRELL

received the greatest number of the votes, and therefore was elected Attorney General of the State of Vermont for the two years next ensuing.

All of which is respectfully submitted.

JEANETTE K. WHITE
 Chair of the Joint Canvassing
 Committee on the part of the Senate

DEBBIE EVANS

Chair of the Joint Canvassing
Committee on the part of the House

Report of the Joint Canvassing Committee Adopted

Upon motion of Representative Evans, Co-Chair, the report of the Joint Canvassing Committee was adopted.

Statement By Presiding Officer

The report of the Joint Canvassing Committee which was just adopted by this Joint Assembly declares that no person was elected to the Office of Governor, since a majority vote was not attained as required by the Vermont Constitution.

Pursuant to the provisions of the Joint Resolution which set up this Joint Assembly (JRS-2) and the provisions of the Vermont Constitution, we will now proceed to the election of a Governor.

Under the provisions of the Constitution, chapter II, section 47, the voting for this office is to be done by joint ballot of this Assembly, from the *three* candidates for the office who received the greater numbers of votes for that particular office.

Accordingly, for the office of Governor you must choose among:

Dan Feliciano (Libertarian Party)

Scott Milne (Republican Party)

Peter E. Shumlin (Democratic Party)

Paper ballots containing these three names have been prepared by the Secretary of State for election of the Governor.

Tellers Appointed

The Chair appointed the following tellers for the distribution and counting of the ballots:

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

Senator Mark A. MacDonald, of Orange District

Senator Margaret K. Flory, of Rutland District

Representative Maureen Dakin, of Colchester

Representative Linda J. Martin, of Wolcott

Representative Robin Chesnut-Tangerman, of Middletown Springs

Representative Larry Cupoli, of Rutland City

Results of Balloting for Governor

The ballots were taken and counted, and the result of the balloting for Governor was as follows:

Total votes cast.....	179
Necessary for election.....	90
Dan Feliciano	0
Scott Milne	69
Peter E. Shumlin.....	110

Whereupon, the Chair declared that

PETER E. SHUMLIN, of Putney

having received a majority of the total votes cast was duly elected to the office of Governor for the two years next ensuing.

Dissolution

Thereupon, the President declared that the Joint Assembly was dissolved.

JOHN H. BLOOMER, JR.
 Secretary of the Senate
 Clerk of the Joint Assembly

IN JOINT ASSEMBLY, JANUARY 8, 2015

1:30 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. 3. Joint resolution to provide for a Joint Assembly to hear the inaugural message of the Governor.

Resolved by the Senate and House of Representatives:

That the two Houses meet in Joint Assembly on Thursday, January 8, 2015, at one o'clock and thirty minutes in the afternoon to receive the inaugural 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.

Recognition

The Chair recognized former Governors, their spouses and other dignitaries:

Quebec Delegate to Boston, Marie-Claude Francoeur
Governor Madeleine M. Kunin
Governor and Mrs. James H. Douglas

Supreme Court

The Supreme Court was escorted within the presence of the Joint Assembly by the Sergeant at Arms, Francis K. Brooks.

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-elect, and escort him into the Chamber to receive the Oath of Office and to present his inaugural address.

Which was agreed to.

The Chair appointed as members of such Committee:

Senator Philip E. Baruth, of Chittenden District
Senator Joseph C. Benning, of Caledonia District
Senator Jeanette K. White, of Windham District
Representative Sarah Copeland-Hanzas, of Bradford
Representative Christopher Pearson, of Burlington
Representative Donald H. Turner, Jr., of Milton

Governor-Elect Shumlin Presented

The Committee performed the duty assigned to it and appeared within the Chamber, accompanied by His Excellency, Governor-elect Peter E. Shumlin.

Song

Erik Filkorn of VTrans sang – “America The Beautiful”.

Invocation

The Reverend Paul M. Habersang, of Christ Episcopal Church of Montpelier gave the official invocation.

Oath Administered to Governor

The oath of office was then duly administered by the Honorable Paul L. Reiber, Chief Justice of the Supreme Court of the State of Vermont, to His Excellency, Governor Peter E. Shumlin.

Oath Administered to Officers

The oath of office was then duly administered by His Excellency, Peter E. Shumlin, Governor of the State of Vermont, *separately*, and in the order shown below, to the following officers:

Elizabeth A. “Beth” Pearce, Treasurer
James C. Condos, Secretary of State
Douglas R. Hoffer, Auditor of Accounts
William H. Sorrell, Attorney General

Second Invocation

The Rabbi Tobi Weisman, of the Yearning For Learning Center For Jewish Studies of Montpelier, gave a second invocation.

Song

The Kurn Hattin Choir, Lisa Bianconi Director of Music, sang:

“These Green Mountains”.

Introduction by Chair

The President of the Senate, Lieutenant Governor Philip B. Scott, then introduced the Governor of the State of Vermont, Peter E. Shumlin, for the purpose of presentation of his inaugural address.

Inaugural Address

Governor Shumlin then presented the following remarks.

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

“Thank you for the tremendous honor and opportunity to serve again as Governor. As a Vermonter who grew up, raised my daughters, and built two businesses here, it is the greatest privilege of my life to give back to the state that has given me so much. I love serving as Governor because I love Vermont.

“I have worked hard as Governor to improve life for Vermonters in these still-difficult times. I was elected four years ago on a commitment not to shy away from tough decisions. Since then, we have made real progress on the big challenges facing our state – growing jobs; bolstering early education and college affordability; raising wages for minimum wage workers; stemming our opiate epidemic; retiring Vermont Yankee and pursuing cleaner, greener energy; rebuilding our downtowns, our mental health system, our state office buildings in Waterbury and beyond, and our crumbling roads and bridges; and

balancing four consecutive budgets without raising income, sales, and rooms and meals tax rates. I am extremely proud of the work we have done together in these and many other areas to make Vermont a better place to live, work and raise a family, and I thank you for your partnership in making it happen.

“It is also clear that we have much more work left to do. At a time in America where the gap between those who have great wealth and everybody else is larger than at any time since before the Depression, too many Vermonters still struggle to get ahead, with bills piling up and the deck stacked against them. With health care costs and education spending eating up income faster than Vermonters can earn it, we owe it to them to control spiraling health care costs, address property taxes, and keep growing jobs and expanding businesses.

“I heard clearly in the election this fall that Vermonters expect more from me and from the state to help improve their lives. From jobs to the environment, I have an agenda for progress that I will partner with you to fulfill in this term and beyond. That agenda is rooted in the abundance of hope that I have for Vermont’s future and my sincere belief that our best days are ahead of us, not behind.

“Because of the enormity of the issues that Vermonters have called upon us to tackle in this biennium, my agenda for progress will be presented in two parts. Next week I will deliver my budget address. This is the hardest budget I’ve had to create, and it will take a balanced approach to bring our state spending in line with future revenue projections. I know that economic growth, affordability, and strong quality of life are the surest ways to help Vermonters prosper. I will address next week critical policy areas where we can help move the dial for struggling Vermonters and bolster our quality of life, including workforce development, education quality and spending, health care, child protection and continuing progress with drug addiction.

* * *

“Today, in Part 1 of my policy presentation to you, I will focus on initiatives also critical to working Vermonters, our economic prosperity, and our special quality of life in two related areas: energy and the environment.

“We know what makes Vermont the best place in America. Without our mountains, hills, and valleys; our farms, streams, lakes, and forests – remote, quiet, and rooted in rugged marble, slate, and granite – Vermont would be just another place to live. Our natural habitat binds Vermonters tightly to our state; it’s what inspires others to put roots down here.

“Ask Ben and Joanna Kinnaman who moved from the Baltimore area to Richmond. The Kinnamans came to Vermont and started their deep sea

robotics business, Greensea Systems. Like so many small entrepreneurs who sustain us, the Kinnamans could have built their business in any state in the nation. But Vermont's people, quality of life, and environment beckoned them, and they now employ 14 people and test their products in Lake Champlain. They believed in Vermont as the best state to live and grow a business. The Kinnamans are here today; thank you Ben and Joanna for investing in Vermont.

“There are countless other entrepreneurs like the Kinnamans who choose to stay or come here for our environment and our quality of life. And there are thousands of Vermonters whose livelihoods are tied to our green economy.

“Just as in the last century a new economic boom was created by chainsaw-toting pioneers carving ski trails in the Green Mountains, we now see a new wave of pioneering innovators and job creators in those who are now powering Vermont forward in the renewable energy industry. We can also see Vermont's future in our beloved Lake Champlain, which drives tourism and supports our economy even as it cries out for us to do more to stop dumping in pollutants that are destroying it.

“We know everything we hold precious is under threat from climate change and pollution. Time and again, since I've been Governor, we have borne witness together to the destructive power of extreme weather on our homes, businesses, farmland, roads and bridges. This extreme rain and flooding have also worsened our water pollution problems, hastening all that is undermining the beauty and health of our lakes.

* * *

“No one knows better than Vermonters how to turn a challenging adversity like climate change into opportunity. Just look at our burgeoning green energy industry. Through Vermont innovation and collaboration, partnered with creative public policy and regulation, we are pioneering the development and deployment of locally generated, low carbon energy, creating jobs and putting money in Vermonter's pockets while we do it. Yesterday's huge power plant, far away out there somewhere, connected to us by endless poles and wires, will be supplanted by tomorrow's integrated micro-grid, with community scaled renewable energy systems powering our smart, green homes and businesses.

“That tomorrow is happening today, right here in Vermont. The Borkowski family of Rutland recently became Green Mountain Power's first eHome – working with the company to complete a radical transformation of their older home, virtually eliminating their need for heating oil, all while cutting their electricity use in half. They now have a comfortable, super-insulated, and affordable home. Solar panels on their roof feed electronics in the garage,

including storage for cloudy days, all of which powers heat pumps that warm and cool their home and provide hot water. Neighborworks, Efficiency Vermont, and other partners helped on the project, supporting local jobs. The Borkowskis financed the project right on their electric bill, allowing savings to match or exceed their loan payment.

“I enjoyed visiting their home with Vermont’s congressional delegation and U.S. Secretary of Energy Moniz. Mark and Sara Borkowski are here today, and I want to recognize them for being two of Vermont’s energy pioneers.

“The Borkowskis remind us that our small rural state has all the ingredients needed to claim the mantle of the nation’s energy innovation leader, moving beyond dependence on wildly priced, dirty fossil fuels and helping our environment while spurring economic development, building jobs, saving energy dollars, and improving the lives of Vermonters.

“Innovative entrepreneurs; research and technical training at our state colleges and UVM; progressive utility leaders; and thousands of committed Vermonters volunteering in energy committees at the local level in over 100 towns and villages – together we are making Vermont the energy innovation leader nationwide. Doing even more to seize the opportunity of Vermont’s energy leadership by investing more deeply in energy R&D will pay dividends for our colleges and universities, and I call on them to help us lead these efforts.

“We are perfectly positioned to make this vision a reality. We have a solid regulatory system, willing, and forward-thinking utilities and energy companies, a statewide transmission company benefitting our ratepayers, VELCO, and the nation’s first statewide efficiency utility, Efficiency Vermont.

“With this foundation, we also have innovations by Vermont’s entrepreneurs – at companies like Dynapower of South Burlington which partnered with the U.S. Department of Energy on a first in the nation micro-grid project built at a landfill, fueled by solar and battery storage. Companies like Catamount Solar in Randolph, AllEarth Renewables in Williston, and Solaflect in Norwich, and many others are developing, manufacturing, and deploying solar systems and creating clean energy innovations all over Vermont, helping Vermonters go green and save energy dollars.

“SunCommon of Waterbury Center is making solar more accessible for homeowners from all income levels and providing good jobs for young people who want to stay here.

“Look at Dayton Brown. Born and raised here, he attended Vermont Tech for engineering and joined the Vermont Air National Guard, serving a tour in Afghanistan. He is now making a life for his family, working for

SunCommon. His co-worker Graham Fisk, a solar advisor for the company, came to Vermont to attend Middlebury College and, after leaving for a time in the big city, Vermont's promise called him back. Dayton and Graham, we're glad we have you.

"It is not just clean energy businesses that grow as a result of Vermont's energy pioneering. When AllEarth Renewables needs components for its solar trackers, it turns to businesses like one I visited last summer, NSA Industries of St. Johnsbury. NSA is a metal fabricator and machining manufacturer, and now a vibrant part of the solar supply chain. Or look at Faraday in Middlebury that was awarded \$1 million from the Department of Energy to develop smart solar map-based tools. Each of these companies is creating jobs, attracting highly trained employees, and helping position Vermont as the energy innovation leader.

"The policies you helped put in place over the last few years spurred Vermont's success. We significantly expanded net metering, supported a solar incentive which leveraged up to eight dollars of private investment for every state dollar, and we more than doubled the size of our renewable energy Standard Offer program, while simultaneously using the power of the market to cut the price for solar by approximately 60 percent.

"This has fostered a clean energy sector that has created over 15,000 jobs for Vermonters. It has enabled us to build and deploy more than five times the amount of local solar on the grid now than we had on my first day in office, making Vermont number one in the nation for solar jobs per capita and helping us sustain one of the lowest unemployment rates in the country. And, at a time when some of our neighboring states have seen breathtaking increases in electric rates, we have accomplished all of this while our largest utility *cut* rates by 2.46 percent just last year.

"We should be proud of our progress, but we can and must do more. Today I am proposing we take the next bold step together, an Energy Innovation Program that will drive our economy in the next decade and beyond. This Energy Innovation Program will replace our SPEED program, set to expire in 2017, with smart, forward-thinking renewable electricity targets for Vermont's utilities.

"Our proposal is not just a copycat Renewable Portfolio Standard that forces us to buy more costly renewable electricity without an eye toward lowering overall energy costs for Vermonters already struggling to pay their bills. Instead, our Energy Innovation Program will promote clean energy and less expensive total energy costs for Vermonters by putting a priority on improving countless more homes like the Borkowskis', and adding hundreds

of megawatts of new community-scale, locally generated clean energy to our portfolio. In addition to the eHomes project, we have many other great examples of pilots and partnerships that the Energy Innovation Program will help encourage, from Vermont Electric's community solar projects, to Stowe Electric's vehicle recharging project, to Washington Electric's solar water heater discounts, to Burlington Electric's smart meter energy savings programs.

"This new program will create over 1,000 additional jobs, put money in Vermonters' pockets with a net savings of hundreds of millions of dollars on energy bills, and cut greenhouse gas emissions by approximately 15 million metric tons through 2032, on the way to achieving nearly a quarter of the greenhouse gas emissions reductions we need in order to meet our 2050 goal.

"If we work together to enact this legislation, it will mark our single biggest step so far toward reaching our climate and renewable energy goals. Jobs, energy savings, and emissions reductions make this program a true win for our economy and our environment. I ask for your support during this legislative session.

* * *

"Innovative energy projects can also help us with another pressing problem: water quality. In St. Albans Bay, locals are deploying several new manure digesters designed to take waste from up to 10 farms in the region. They generate energy for the farm and sell the by-products, saving money while diverting many tons of farm waste that could otherwise end up polluting Lake Champlain.

"Projects like these are so important because we are rapidly losing the battle for clean water. We love our rivers and lakes, from Lake Memphremagog to the Battenkill, from the Lamoille River to Lake Bomoseen, from Otter Creek to the river I grew up on, the Connecticut. And we all revere our crown jewel, Lake Champlain, which supports hundreds of millions of dollars in economic activity every year. Protecting Lake Champlain means protecting our economy.

"Anyone who spent time on Lake Champlain this past season experienced first-hand the heartbreaking reality that it is suffering now more than ever. To see and smell the massive blue-green algae bloom on St. Albans Bay, or at nearby Lake Carmi, and to hear the pain and frustration in the voices of the homeowners and businesses who have patiently waited for cleaner and clearer water is simply devastating.

"Legislative action is critical but you cannot go it alone. Families, business owners, local officials, anglers, farmers, and community members from every

corner of our state are working to find solutions to clean our waters. We are inspired and informed by the efforts of community groups like the Friends of Northern Lake Champlain, the Lewis Creek Association, and the Franklin Watershed Committee for Lake Carmi. You also have the support of local leaders like my former seatmate David Deen of the Connecticut River Watershed, Denise Smith, and business owners like the Tylers of Tyler Place and Bob Beach of the Basin Harbor Club. Organizations like the Lake Champlain Regional Chamber of Commerce have spoken forcefully about the need for strong action and business community support to protect the lake. Farmers like Tim Magnant in Franklin and Brian Kemp in Salisbury are showing that it is possible to use innovative, practical, and cost-effective solutions to the problem of pollution on our farms.

“This collaboration is matched by the exceptional leadership of our congressional delegation. Thanks to the efforts of the Saint of Lake Champlain, Senator Leahy, Senator Sanders and Congressman Welch, the federal government is committing millions of dollars in additional funds to help achieve our clean water goals.

“I am also your partner. I have asked my Cabinet to implement the Lake Champlain restoration plan we submitted to the EPA last spring, the most comprehensive and strategic effort yet undertaken by the State of Vermont to protect and restore our waters. Reasonable people will ask: How is our plan different and better than past efforts? What we have learned is that we need to use data to target the greatest resources to the greatest sources of pollution, to get the greatest return on our money.

“Should the EPA reject our plan, we know the measures they would require will be more costly and less targeted than the plan we have laid out for ourselves. We know the biggest contributors to our water quality problem – 40 percent from farm runoff and 20 percent from roads and developed lands. We also know the largest pollution sources that we should address first and where they are located. If the EPA does not approve our plan, we would lose the flexibility to target our biggest problems first and instead have to spend hundreds of millions of dollars on the limited areas where federal law gives the EPA direct authority – upgrading our municipal wastewater plants, even though pollution from these plants only contributes about 3 percent to our Lake Champlain water quality problem. That does not meet Vermont’s common sense test.

“So let me tell you the three things we need to accomplish:

“First, with your support, we will help towns meet their obligation to properly maintain roads to prevent runoff leading to erosion, which will keep

nutrients and sediment out of our water. We will help them implement modern storm water management systems that capture and treat the polluted runoff from dirt roads, streets, and parking lots.

“Second, most of our hardworking farmers and loggers want to do the right thing, because they care about Vermont and they recognize that efficient farm and land use practices often will save them money in the long run. But they sometimes need financial help to make improvements, so we will direct significant new resources to help them reduce water pollution from their operations. We will also work harder to keep livestock out of our streams, and seek more careful management of tilling practices and manure application. With Attorney General Sorrell, we will redouble our efforts to enforce existing water quality regulations, so that the good work of the many is not undone by the few.

“Third, I will ask you to help me hold those farms that have not been doing the right thing more accountable by adding teeth to our current use program. Similar to the way we treat foresters, farmers who are not following the required practices that prevent pollution should not enjoy the property tax reduction of current use until they do the work required of them.

“It will take time and patience to make these changes, but it will also take money.

“Therefore, my capital budget will include \$6.75 million for technical assistance and direct investment in water quality projects around the state. This includes \$1.6 million in state match which will leverage \$8.2 million in federal EPA grants for a total of \$9.8 million for low-interest loans to municipalities, and increase to \$3.75 million funding for innovative storm water management projects, and \$1.4 million for the Agency of Agriculture’s cost sharing program for livestock fencing and other measures. My Transportation bill also includes \$3.2 million for projects that reduce polluted runoff from our back roads.

“I ask that you also maintain funding for the Vermont Housing and Conservation Board, even in this difficult budget year, to help support farms and forestry operations to improve water quality as we conserve working forests, farmland, and important natural areas.

“In order to ramp up our clean water effort, I am also establishing the Vermont Clean Water Fund and proposing funding sources designed to raise an additional \$5 million this year to strengthen significantly our water quality efforts, through two mechanisms:

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- First, we will propose a fee on agricultural fertilizers, because these products contribute to water pollution. This will raise approximately \$1 million a year to improve our ability to address farm practices.
 - Second, we will ask owners of commercial and industrial parcels within the Lake Champlain watershed for an impact payment. The annual payment will be modest, amounting to one hundred or two hundred dollars for a typical large commercial parcel. We are not asking for payment from hard-pressed homeowners who are already struggling to pay property taxes.

“The Vermont Clean Water Fund will be structured so that it can serve as a repository for additional federal and private funding sources. While dedicated state revenues are needed to help this effort, we cannot do it alone.

“I have begun soliciting private donations to the Vermont Clean Water Fund and am very pleased to announce that Keurig Green Mountain, a company that depends upon clean water and has made significant clean water investments worldwide, has generously agreed to donate \$5 million over the next five years for water quality stewardship projects right here in Vermont. Working with scientists at UVM and Limnotech, the Keurig funds will support projects here in the state that launched this extraordinary company. I want to thank Keurig CEO Brian Kelly, whose Chief Sustainability Officer Monique Oxender is here today, for Keurig’s vision and commitment that will pay dividends for Vermont and Lake Champlain for years to come. I hope Keurig’s generosity and focus on the importance of water quality will inspire others to aid our efforts.

* * *

“With plenty of frustration with our progress on water quality, Vermonters have also lost patience with finger pointing about who is to blame. We must all take our share of responsibility and work together across the divides that can exist among advocates, businesses, farmers, neighbors and government to get the job done. I need your support to ensure that the State of Vermont does its part, and I look forward to working with you this session to launch a new era of clean water in Vermont. This effort will be part of our legacy, and the time to act is now.

* * *

“There is not a Vermonter who does not love this great state, who does not cherish its special quality of life, who does not hope for its future.

“To strengthen and sustain Vermont’s future, we must grow our economy and ensure Vermonters live in an affordable state with access to good, well-paying jobs. It is a competitive world out there – other states are offering millions of dollars in tax breaks to lure companies – but there are things the little state of Vermont has that cannot be created elsewhere – our natural beauty, our clean air, our rural nature, and our resilient, innovative, and entrepreneurial people. These represent our competitive strengths and are treasured parts of our economic engine that we must protect, nurture and grow together. I hope you will agree that the proposals I’ve outlined today will help us do just that.

“Next week, I will continue to outline my agenda to grow our economy and protect our quality of life, in areas including education spending and quality, job training, and health care. I will also present to you a balanced budget proposal. In the long term, we all know economic growth is the key to our success. We cannot simply cut our way out of our fiscal challenge year after year – taking away services that are important to so many Vermonters. Nor can we tax our way out of the problem. Instead we must meet the challenge to match state spending to our economic growth, while working to increase that growth in the years ahead for the health of Vermont’s future. I look forward to a productive term working together with you on what is best for the Vermont we all love.”

“Thank you.”

Benediction

The Benediction was pronounced by Reverend Dr. Robert A. Potter, of the Peacham Congregational Church.

Dissolution

The Governor, having completed his inaugural message, was escorted from the Hall by the Committee.

The Supreme Court was escorted from the Hall by the Sergeant at Arms.

There being no further business, the President declared the Joint Assembly to be dissolved.

JOHN H. BLOOMER, Jr.
Secretary of the Senate
Clerk of the Joint Assembly

IN JOINT ASSEMBLY, JANUARY 15, 2015**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. 5. 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 Thursday, January 15, 2015, 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 Alice W. Nitka, of Windsor District
Representative Mitzi Johnson, of South Hero
Representative Janet Ancel, of Calais
Representative Peter J. Fagan, of Rutland City

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. President Pro Tem, Mr. Speaker, members of the General Assembly, Mr. Chief Justice, distinguished guests, and fellow Vermonters:

“As I stated here a week ago we have many challenges and opportunities ahead. Today, as I deliver the toughest budget I’ve put together, I will present to you Part 2 of my plan for how we can help secure a better future for all of us.

“When I listen to the voices of Vermonters, from every corner of our state, from every background, and of every political persuasion, their frustration and uncertainty about their future is clear. They play by the rules, work hard - sometimes at more than one job, but their bills keep piling up faster than they can bring in the money to pay them. At a time when the wealth gap between the people at the top and everyone else is more extreme than since before the Great Depression, Vermonters hear about the recovery both in Vermont and nationally; they hear about our state’s low unemployment numbers; and they wonder: Why aren’t I seeing it? Why is my family being held back?

“We know many of the drivers of this unease. Rising health care costs and rising property taxes, among others, with no corresponding rise in incomes and property values. Many hardworking Vermonters who would be proud to call themselves members of the middle class are left with a feeling that they are treading water or, worse, dipping below the surface.

“Like a family trying to adjust its budget to meet reality, it is our responsibility as state leaders to match spending with Vermonters’ ability to pay. Government must be effective, efficient, and affordable.

“Let’s not forget that the budget is just the math that shows us how we will achieve what really matters: to provide the services Vermonters need while creating opportunity for all of us to fulfill our full potential as citizens, family members, workers, and business owners.

“Though many Vermonters are struggling with affordability, all the news is not bad news. Our state economy is doing much better now than when I became governor four years ago. Unemployment is down; jobs are up; and foreclosures and bankruptcies have dropped sharply. General Fund revenues grew \$175 million from FY11 to FY14. Contrast that with 2008 and 2009, when state revenues fell by more than \$97 million and Vermonters were losing jobs left and right.

“Nevertheless, when I gave this speech last year, the official revenue forecast for FY16 was \$40 million higher than it is today. A year ago, the

consensus economic forecast was that our state revenue would go up by 5% in this budget year enabling us to grow our way back to a balanced budget. That has not happened. We now know that revenue this year will, at best, grow only by 3%, and we continue to expect a downgrade in projected growth when our economists release an update later this month. Looking ahead, the General Fund is expected to grow around 3.5% for the next five years.

“We have already made some tough decisions together and reduced the FY 15 budget by \$34 million. Many of these ongoing spending reductions are carried forward into the FY16 budget. Over the past four years we have also been weaning the State off the significant one-time federal stimulus dollars that helped pull Vermont, and many other states, through the downturn without completely eviscerating state government. We have reduced our reliance from a high of \$59 million in FY12 to the FY16 proposal which includes only \$11 million of non-recurring funds.

“Reduced growth rates in Vermont and across the country; dried up federal funds; the need to promote affordability for Vermonters – these realities lead to a single challenging conclusion: working together, we must take a different approach by curbing state spending to bring the cost of state services back in line with growth. While it will take more than one year to adjust to this new reality, my FY16 budget makes a strong start.

“To those who would call upon us to solve our \$94 million budget gap by raising it in taxes, I am here to tell you that will not work, even if we could afford it, because our economy is growing more slowly than our state spending. Simple math tells us that we would have to raise revenue year after year if we fail to match our spending rate with our growth rate.

“With all of this in mind, I am presenting a balanced budget knowing that it is the beginning of a conversation regarding how to structure state government sustainably to meet the needs of Vermonters. You can expect me to engage deeply with you on how best to do this.

“I want to share the five principles that guided our work:

“**First**, I won’t charge our budget challenges to our kids and grandkids. My budget fully funds our retirement contributions and debt obligations. I am proud that we have maintained one of the strongest bond ratings in the country. With Vermonters struggling to pay their property tax bills, I also fully fund the General Fund transfer to the Education Fund.

“**Second**, state government must address ways to be more efficient. Therefore, I propose more than \$15 million in ongoing savings driven by this principle. These include streamlining and consolidating government services and restructuring some programs. It is a necessary job of all good

organizations – public and private – to continually look at what they do and ask: Is what we are doing meeting our core principles, and are we doing it the best way we can? These choices are rarely popular or without critics. Change is always hard. All of these cuts, and others detailed in the budget, have been proposed because I believe we can offer them while still providing core state services. But let me be clear – they are real; I know each matters deeply; and they are tough:

- “In addition to personnel or labor cost savings, I am proposing consolidation of some libraries, public safety call centers, the onsite septic program, and the Community High School of Vermont.

- “I propose that we not include state LIHEAP in the base budget this year, relying instead on our past practice of stretching our \$18 million federal appropriation. While we cannot fill all the holes left by federal cuts, we will use the budget adjustment to make necessary enhancements.

“My budget counts \$125 of social security income toward Reach Up eligibility to make it consistent with some other state programs. This reduces total Reach Up spending while preserving all other aspects of the program including those we added with you last session to help fix the benefits cliff.

“My budget also presents a net reduction of funding for 11 state employee positions and requests additional savings of approximately \$9 million in personnel costs. This will require the Vermont State Employees Association to support some of the choices our budget will present – through reduced salaries and expenses and other ways – to avoid even larger problems if we fail.

“I know we will debate these and other parts of the budget throughout the session, but I ask critics of my proposals for restructuring to follow a simple rule: If you don’t like my recommendations, propose your own that achieve equal ongoing savings.

“Our **third** principle is this: wherever possible, make smart choices by not cutting programs that deliver more to Vermonters in economic opportunity and support than they cost. You will see that we retain investments in the Vermont Rental Subsidy, the Family Supportive Housing Initiative, and the Emergency Solutions grants that have a proven record of avoiding temporary motel shelters and helping the homeless move to stable housing. For programs that help sustain our most vulnerable, we have held spending wherever possible at last year’s levels.

“The **fourth** principle underlying our budget proposal is that we should not cut state programs if it will do far more harm than good down the road – as we saw in the depths of the recession with cuts that eroded our ability to

adequately protect Vermonters, including vulnerable children. My budget does not cut one dime from Child Protection services; in fact, it supports the increased staffing and other progress we made in response to the tragedies last year. While we may never entirely prevent people with empty hearts from committing horrible crimes against those they should love and protect, the state must do everything it can to help our vulnerable children.

“We will present proposals to you this year to strengthen communication, transparency, enforcement, and protection in our child safety work. We also used the position pilot you wisely authorized last year to allow DCF to better manage the workload within its existing appropriation by adding social workers, as well as other child protection staff, within its present budget authority. While this is a necessary and substantial start, more is needed. I want to thank the Department and its hard-working staff for the improvements they have already made and the further work they will do with Senators Sears and Ayer, Representatives Lippert and Pugh, and all of you to better protect our children.

“One truth we should all acknowledge: the horrible tragedies inflicted upon innocent children across our state last year were driven by addiction. In their memory we must continue our work to prevent opiate and heroin abuse. The budget I propose continues support for treatment centers, recovery centers, and our statewide criminal justice rapid intervention program, and increases by 16% overall drug treatment spending to make sure last year’s progress is more than a one-time success. Together, Vermonters are facing the ravages of heroin and opiate addiction in our families, friends and communities, and we must continue to fight.

“**Finally**, my budget relies on the principle of balance. We cannot just restructure and cut to close our \$94 million hole without inflicting significant damage upon Vermonters who need us. You have heard many times over the past four years my opposition to raising income, sales, and rooms & meals tax rates to fund state government. I remain convinced that our tax rates are already high enough, and as I travel across our state, Vermonters echo that view.

“Nevertheless, to meet a portion of our budget gap, I am proposing we close an income tax loophole that we partially fixed in 2009, by eliminating the deduction of state and local taxes paid from state tax returns. Vermont is in the minority of income tax states that still allow taxpayers who itemize to use this loophole to deduct from this year’s state taxes the taxes they paid last year. The average benefit for those who use this deduction is \$175. Eliminating it raises \$15.5 million toward our budget gap. This progressive and principled approach is sensible and timely.

“I hope we can return to these five principles as we debate this year’s tough budget together. I do not insist that I have all the answers; I do know we must work together to fund state government and deliver services affordably to Vermonters.

“Balancing our budget is only part of our responsibility this year. The key to our future is a growing, vibrant, entrepreneurial economy that supports jobs and better wages. Last week, I urged us all to seize our advantage to power Vermont forward in energy innovation to grow more jobs and lower our energy bills. I urged us to take the anger and frustration we feel when we see and smell algae blooms in our lakes to do more to protect our waters that are so vital to our economy and our way of life.

“We also know that the future of our working families and job creators depends upon improving access and affordability of health care by getting control of the unsustainable increases in health care spending. The future of our children depends upon finding solutions to the high costs of public education while improving quality and moving more of our kids beyond high school. The future of our state depends upon offering greater access to higher education and job training, and providing better support for our employers who drive economic development and job creation.

“Let me tell you my proposals in each of these areas.

HEALTH CARE

“I have pursued health care reform for nearly two decades because I know how much the ever-rising cost of health care hurts families and businesses. The U.S. health care system is unsustainable, unfair, and unaffordable for too many. I know, perhaps better than anyone else in this room, just how hard it is to change the health care system. Yet it is absolutely critical that we do so or it will destroy the rest of our economy and the ability of Vermonters to pay their bills.

“That is why, despite great challenges and recent setbacks, I remain absolutely committed to continued improvement to our health care system so that we can fulfill the vision set forth by Act 48.

“Let’s make real progress together by moving to payment for quality outcomes instead of number of procedures; by fixing the state’s chronic underpayment of Medicaid which shifts costs and artificially inflates private insurance premiums; and by increasing health care access and affordability for Vermonters. Here are the five ways I propose we accomplish these goals:

“**First**, we need to accelerate the hard work we’ve begun on cost containment and move to a more rational way to pay our providers. It does not

make sense that doctors and hospitals receive different amounts of money for the same procedures, depending upon who pays. It also does not make sense that our providers get paid for the number of procedures they perform, not results. Our current payment system does not reward healthy outcomes; it creates administrative headaches for our providers; it underpays our primary care community which threatens their survival; and isn't fair because some of us – usually our businesses that offer health insurance and those of us with private insurance – end up paying more than our share to support the costs of the whole health care system.

“That’s why we must push full-steam ahead to become the first state to move from the current fee for service system to one that pays providers for the quality outcomes they produce by pursuing our “all payer” waiver with the federal government. The Green Mountain Care Board is working closely with my health care team to submit a waiver application that will allow us to align how we pay our providers across private insurance and public programs to ensure that providers have the right incentives for improving quality while bending the cost curve. This should be achievable by January 2017 if we all work together, and I ask for your support.

“**Second**, to aid these efforts, I propose we strengthen the Green Mountain Care Board. The Board is already successfully containing costs and moving the state steadily to a new, more rational payment system. In the past two budget years, the Board has held hospital spending growth to just 3%, less than half the growth rate that was seen over the previous seven years and the lowest hospital growth rate in over 30 years.

“To make sure that the Board institutionalizes its early cost containment success, I will ask the Legislature to enhance the Board’s role as the central regulator of health care so it can treat health care like the public good that it is. The Green Mountain Care Board, which was created by you in part based upon the well-established regulatory model of our Public Service Board, should also have the ability to open investigations into pressing issues and act where needed. It needs the ability to align health care technology investments with a more unified statewide system by having budgetary and programmatic oversight of the Vermont Information Technology Leaders, VITL. The Board should also have the power to approve innovative payment and delivery models promoted by our Accountable Care Organizations, physicians, and clinics.

“Make no mistake: the Board faces a significant challenge, since national health care costs are expected to grow over 6% annually by 2019. While many of the other 49 states might sit back and continue health care business as usual,

Vermonters cannot afford to do so. In order to continue our cost containment progress, we must strengthen our Board.

“**Third**, we need additional investment in Vermont’s Blueprint for Health to build on its early success in reducing costs while improving quality. It has been central to our reform efforts; our job now is to position it for a strong future. Our Blueprint medical homes and community health teams have effectively increased social services for the sickest and most needy Vermonters on Medicaid, and have reduced the medical needs of those with private insurance while saving about \$550 per person every single year.

“Today, its future is at risk because participating providers have not seen an increase in payments since the Blueprint launched. My budget fixes this by more than doubling payments to Medicaid’s Blueprint providers with a new \$4.5 million appropriation, including increasing Medicaid’s community health team payments by \$1 million and adding \$3.5 million to Medicaid medical home payments. My budget also supports our hard working Home Health organizations with an additional \$1.25 million to help them move forward with payment reform.

“I also propose that we expand to more Vermonters the good work done by home and community providers, like the Support and Services at Home (SASH) program and Vermont Care Alliance, by supporting my request for an additional \$500,000 that will draw down \$5 million in federal match. Programs like these keep Vermonters with chronic conditions healthier by managing their needs before they get sicker. It saves money and improves quality of life and we should make this model more widely available. This investment just makes sense; I need your support.

“**Fourth**, in order to make sure Vermonters have access to the care they need, we need to do more to fix the state’s broken Medicaid reimbursement rates. Anyone in business will tell you: when you get paid as little as 40 to 60 cents on a dollar of cost, you can’t stay in business. This puts our independent rural providers with high numbers of Medicaid patients at the greatest risk. All across Vermont, providers who treat Medicaid patients have two choices to limit losses: charge patients with private insurance a higher rate; or turn away Medicaid patients who desperately need care.

“Current Medicaid reimbursements drive up private insurance costs for businesses and individuals, acting as a hidden tax or cost shift. This amounts to an astonishing \$150 million in private premium inflation every single year. Our failure to fix this by increasing state Medicaid reimbursements also means we are failing to draw down tens of millions of dollars in available matching federal funds.

“Therefore, my budget invests \$25 million starting January 1, 2016, providing a 50% increase to our primary care providers and reducing the current Medicaid cost shift by half. My budget also will commit nearly \$30 million in FY16 to cover the nearly 20,000 people who now have insurance coverage thanks to Vermont Health Connect and our Medicaid expansions.

“Every dollar of this increased payment in Medicaid reimbursements will be used to reduce the cost shift and bring down private insurance rates. My budget proposal includes language that requires the Green Mountain Care Board through its hospital budget and rate review processes to return the savings created by these increased payments, reducing premiums for businesses and individuals by up to 5% from what they would have otherwise charged.

“**Fifth**, we should better address health care access and affordability for Vermonters. We all should be very proud that, as a result of our implementation of the Affordable Care Act, we have now cut in half the number of Vermonters without health insurance. Vermont is one of two states in the country that now offers enhanced financial help, beyond what the Affordable Care Act provides, to those struggling to pay their share of health care costs. Yet we know from the recent household insurance survey that the biggest obstacle to care continues to be cost. Some of these individuals have insurance, but struggle mightily to meet their other out of pocket costs, deductibles, and co-pays when they get sick. Others refuse to sign up for insurance at all because of exactly the same concerns.

“That is why I recommend an additional \$2 million to double the state’s current funding that helps families with incomes between \$48,000 and \$72,000 to afford to go to the doctor when they are sick, and pick up their prescriptions when they need them.

“I know that some of you have other ideas to increase health care affordability, increase coverage, or provide backstop care for our few remaining uninsured, and I welcome all good ideas.

“You might be asking: How are we going to pay for this? I propose to pay for all of the investments I just outlined with a seven-tenths of a percent (0.7%) payroll tax. The money raised from this tax will go into the State Health Care Resource Fund and will be dedicated to reducing the cost shift and improving health care quality and delivery. Why, you will ask, is a small payroll tax actually a sensible choice for businesses that have to pay it? Why is it the right move for Vermont? Every dollar the state collects allows us to draw down \$1.10 of federal funds, more than doubling our money. In FY16, my proposal

would raise \$41 million in state funds matched with an additional \$45 million in federal dollars.

“This proposal makes sense for businesses that provide health insurance because we can reduce the cost shift overall by more money than the tax raises by drawing down the federal match, lowering private insurance premiums. It benefits all Vermonters because the combined state and federal dollars raised increase payments to providers and increase access for Vermonters, while making commercial insurance more affordable for individuals and businesses. It will also leverage cost shift reduction for businesses that offer insurance today by asking for a small contribution through the payroll tax from *all* businesses, including those that do not currently offer insurance.

“Many of you share my disappointment that we will not achieve, at this time, the grand vision of Green Mountain Care. I know you, like me, want to ensure Vermont continues to make great strides in health care reform. Let me assure you that if we adopt the package that I have just outlined, we will have achieved a significant and meaningful part of the goal we set out for ourselves in Act 48 – real cost containment, a more rational delivery and payment system, and a high-quality, integrated health care system with better access and affordability for all Vermonters. These are huge accomplishments, critical to our economy, to putting more dollars in Vermonter’s pockets, and improving our quality of life. I ask for your support this session.

EDUCATION/PROPERTY TAX

“There may be nothing more important to our future prosperity than providing a quality education for all our children. Yet today, Vermonters feel tapped out trying to meet that goal. There is no mystery why: While the number of students in our schools plummets, our property taxes skyrocket, and our property values and incomes stagnate. You heard it and I heard it from Vermonters all over the state these past months – they are frustrated at rising costs they struggle to control and they want action.

“Adding to their frustration is unease that we are not buying better outcomes with all the money that we spend. While our public schools receive deserved praise, the quality of education varies greatly across the state, and we are not making progress where we need it the most: engaging our kids living in poverty to excel in school and seek education beyond high school.

“Some seek precipitous changes that would fundamentally alter the way we deliver education in Vermont. To roll back the more than \$230 million in increased education spending added in the past decade all at once would require us to immediately eliminate at least 2,500 of our teachers or close dozens and dozens of our schools.

“So drastic a move obviously would harm our ability to deliver high-quality, equitable education, but let there be no doubt that Vermonters want action and real change. If you think tax rates look bad now, let me share some really bad news: if we do nothing, projections for the next five years are worse; projections for the next 10 years are even worse than that. In fact, the numbers become eye-popping. Complacency is not an option. The status quo is not an option. Never before in my life as a public servant have I seen more will, across parties and across interests, to improve quality and lower costs.

“Let’s remember the facts as we act:

- “Since 1998, Vermont has seen student enrollment decline by 24,000, a whopping 20% statewide, and some communities have lost over 50% of their students. There is no end to the decline presently in sight, as our population ages.
- “Despite this decline, we employ more teachers and paraprofessionals than ever, with a statewide student-to-staff ratio of 4.7 to 1.
- “We have the lowest class sizes in the country. Due to declining enrollment, 20% of our elementary classrooms have between two to nine children.

“The question is: Are we getting quality education for our higher price in these micro-classrooms? The answer is no. We buy those very small classes at the expense of foreign language, tech classes, the arts, sports, and other critical offerings. Our kids suffer as quality declines, and it is their future that takes the hit.

- “Some of our schools are so small, the scores can’t even be reported in a statistically significant way, meaning we have zero data to measure their progress.
- “We have one of the highest high school graduation rates in the country, but our students pursue post-secondary education at one of the lowest rates in the nation, with students living in poverty the least likely to move beyond high school.
- “Our complex and archaic governance structure has principals and superintendents voting with their feet. An astounding 30% of them leave their jobs every single year, destabilizing critical leadership.

“Property taxes rise; student counts drop; and quality does not improve appreciably despite the enormous amount of money we are spending. We have to ask ourselves: Given all of these facts, are we spending money wisely, targeting our limited dollars where they will make the biggest difference for our children?

“This is not a problem we can pretend to fix by changing the way we collect revenue. We pay for education through property tax, income tax, sales tax, vehicle purchase tax, and lottery. To those who believe that the answer to our education spending problem is to ask for more money from any of Vermonters’ pockets, you have missed the point. Vermonters understand that we have a spending problem, and we need to fix it. They expect better outcomes for our students at lower costs. That should be our goal.

“In doing so, we must not compromise our constitutional obligation to ensure that every child has access to equal educational opportunity. Let’s not return to a pre Act 60/68 system where the quality of our kid’s education depends upon the wealth of the community they happen to live in.

“Across Vermont, parents, teachers, school boards, students and voters are asking for help. I believe that when you give Vermonters the facts with good data, they will do the right thing every time. To support them, I made it a top priority to develop a partnership with schools and communities to give them the information they need to chart a better future for their children and their taxpayers.

“This past summer, I tasked my Education Secretary, Rebecca Holcombe to begin this work. Impressively, she has already met directly with members of almost every single local school board, and has shared data with every district in the state. The data is compelling, and uses facts, not emotion to demonstrate the need for partnership and change.

“We know there is a will to act at the local level. With overwhelming support, Chittenden East voters in six participating school districts approved a new merged district with a single board. Working together, they will have more power to provide superior and affordable education to their kids, and I applaud them for it. Other communities are engaging in similar conversations right now.

“Vermont’s schools are built upon a long tradition of local control, but we have to ask: What does that really mean today? For many communities where student counts have dropped precipitously, local control means board members finding themselves no longer in a position of deciding what opportunities to provide to their kids, but instead deciding what opportunities they have to take away. Do we cut foreign languages? The arts? Sports teams? Technology and computer classes? Meanwhile, even if one town makes cuts, the town next door might not – thereby driving up everyone’s costs and making local control more like local not-in-control.

“But if you really want to make a mess of our school system, ask Montpelier to come up with a one-size-fits-all solution of central control.

Every time we try to solve the big problems in education by ourselves under this Dome, we run into a reality roadblock: every school, every district, and every community and region in our state is different and faces unique challenges that require unique solutions.

“That is why I’m so convinced that partnership is the answer. The partnership of local communities with my Agency and the State Board of Education, driven by real data about quality and cost, will result in a more affordable system with better outcomes for our kids. This will make local control real control, partnered with the state.

“Montpelier has a critical role to play in this partnership. We are fortunate that so many have come forward with ideas to help, but no one is sure which may work. So this is my plea: let’s all commit ourselves to an environment where we listen to all ideas, and do not judge them too soon. Let’s investigate them, challenge each other respectfully, and be open to change.

“Here are my proposals:

- “**First**, we need to provide even more data to help people answer the questions they have about rising spending. My Agency of Education has today launched online tools right on our website to help communities understand their education spending, phantom students, tax rates, enrollment, and staffing. Encourage your communities to check it out as they review local budgets.

- “**Second**, let’s commit to a moratorium on new mandates from Montpelier that adds costs to districts.

- “**Third**, we must phase out or eliminate contradictory incentives built into the funding formula like the small schools grant and the phantom student provision.

- “**Fourth**, we will target construction aid for districts that are actively trying to right-size through a merger. My capital budget proposes \$3 million for this purpose.

- “**Fifth**, we should pass legislation prohibiting both teacher strikes and board-imposed contracts, while requiring both sides to resolve differences through third party decision-making when negotiation fails.

- “**Sixth**, we should consider giving enhanced redistricting authority to the State Board of Education or another entity when schools are orphaned and need to be part of a bigger union.

- “**Seventh**, we should make sure decisions such as principal hiring, health care contracting, and other significant spending take place at the supervisory union level, and we should empower principals to hire all staff at their schools.

“These proposals will help, but a bigger transformation is required to truly bend our costs and shore up our challenged schools. So here is our bigger idea.

“Last year, you appropriated \$3.5 million to the Agency of Education to help evaluate what we are buying with our education fund dollars. I have asked Secretary Holcombe to use this significant commitment to broaden and deepen our Education Quality Review program to help communities get a clearer picture of how effectively they are serving students and spending money.

“The Agency will go into schools with evaluation teams of colleagues and state experts. They will use data to set educational and fiscal targets, involving student performance, school climate, per pupil spending increases, and staff to student ratios, among others. They will then help schools achieve them. We will work with our most vulnerable districts first, and our goal will be to support improvement. A partnership means working together, but we must be prepared to act when necessary.

“We will give districts time to make progress, but if they do not make improvements in their fiscal or educational results, we should either adjust the funding formula to ensure that other taxpayers do not support continued bad choices or, when absolutely necessary, find ways to exercise authority to close schools. I propose we work this session to structure this enhanced review system to improve quality and cut costs.

“I know my proposals will not be welcome by everyone, but I hope you will consider them thoroughly and review them with an open mind, realizing that even more drastic solutions may be demanded by Vermonters if we fail to act. It will take time, hard work, courage and partnership – in Montpelier and in our schools and communities – to see progress, but it is critical that we start now.

HIGHER EDUCATION AND WORKFORCE TRAINING

“Let’s not forget the reasons we are striving every day to improve our education system. It is the right thing to do for our kids. It also prepares them for good jobs, drives economic development, and attracts families to our state which desperately needs young workers.

“We have had many successes. I am proud that my Administration secured two highly competitive early childhood grants, attracting \$70 million dollars in federal funds to help give our youngest Vermonters a strong start.

“We are also better preparing our students for the higher-skill, higher-wage jobs that are increasingly part of Vermont’s innovative jobs landscape. Nearly 1,300 juniors and seniors are taking college courses right now through our dual enrollment program. Last year, 142 high school seniors took advantage of our early college program at six Vermont colleges, making higher education more affordable by earning a whole first year of college for free. Meanwhile, more

than 4,200 first-generation students participated in VSAC's GEAR UP and Talent Search programs to help prepare for college.

"This progress matters. It matters to the parents of those young Vermonters who understand the importance of providing their children the opportunity to move beyond high school, but struggle to afford it. It matters to our employers, who need qualified applicants to fill many open jobs. It matters to all of us because the future success of these students means the future success of our entire state.

"Now listen to our next step. We are going to partner with businesses and Vermont Tech to create a free Associates Degree in Engineering Technology, and it can be done with no additional cost to the Education Fund.

"This is how it will work: Our Agency will recruit employers who need high-skilled workers. Vermont Tech and these participating employers will work together to find motivated high school seniors. Students who sign up for VAST early college will get their first year of college credit free while finishing high school, followed by a guaranteed summer internship at the partnering employer to gain critical job skills. When they return to Vermont Tech for their second year, the employer will pay for their first semester's tuition, about \$5000, and the Vermont Strong Scholars program will then pay back loans for their final semester if they stay and work in Vermont after graduation.

"This partnership is a four-way win. Vermont Tech increases enrollment; our students get degrees; our businesses get the trained employees they need; and our young people stay in Vermont.

"We know our businesses' success also means success for working Vermonters. In addition to our high school and higher education programs like VAST, we have expanded other targeted job training programs to ensure Vermonters starting out or looking to move up in the workplace have the training they require. This year we will increase our job training efforts, with more than \$3.3 million in Next Generation and other funds for our workforce training programs. We also will benefit from \$6.6 million in recent federal grants for workforce training and help the long-term unemployed, in partnership with UVM, our state colleges, and Vermont HITEC.

ECONOMIC DEVELOPMENT

"You may not have predicted this a decade ago, but today our advanced manufacturers are on a comeback, employing more than 11% of our workforce. We're seeing innovative companies such as Mack Molding in Arlington, and GW Plastics in Bethel successfully expand into growing markets, like medical devices. Vermont Precision Tool in Swanton has hired

some of the very capable workforce from Kennametal in Lyndonville. In Bennington, car parts fabricator NSK is adding jobs and has employed some of Plasan's former workforce. Cabot Hosiery has seen orders for its Darn Tough "Made in Vermont" socks double, as they expand their physical plant and add jobs. The list of manufacturers going strong and creating jobs is impressive.

"We expect our newest advanced manufacturing company will build on the foundation of one of our oldest. When IBM announced it would sell its chip manufacturing division to GlobalFoundries, we entered a new era of advanced manufacturing in Vermont. In GlobalFoundries, we will have a partner who will see Vermont's success as its success. The company is, in essence, a very large start-up. If the IBM sale is approved, GlobalFoundries will essentially double its U.S. workforce in one fell swoop. It will gain a foothold, through the strategic acquisition of the Vermont operations, in providing state-of-the-art chips that nearly every wireless device – from your smart phone to your tablet — relies on today.

"GlobalFoundries will also gain our highly-skilled, innovative workforce – and it has offered jobs to every single employee who is not being retained by IBM. Meanwhile, IBM will maintain a presence in Vermont with continued R&D work at the Essex campus for hundreds of current IBM employees, good news for Vermont.

"We are partnering with GlobalFoundries to ensure its Vermont success. I am grateful for the productive meetings with CEO Sanjay Jha and his team, and have asked my Commerce Secretary Pat Moulton to work closely with GlobalFoundries to support this new company's growth and investment in Vermont. We will continue to be accessible, nimble, supportive, and innovative as we build this critical relationship.

"The spirit of innovation is alive and well all around our state. Burlington was named one of the top emerging tech hubs in the country last year. In addition to Dealer.com and MyWebGrocer, there is a new wave of high tech startups like our LaunchVT pitch contest winner IrisVR; online game designer GameTheory; Designbook; a new crowdsourcing and start-up platform; and the new ad-free social media site Ello – which had as many as 40,000 users sign up per hour this past September.

"That growth is not just in Burlington: Pwnie Express in Barre has been recognized by Wired magazine for its cyber security devices; Global Z in Bennington has quietly become a global leader in data management; Yonder, the app that Backpacker Magazine described as "what happens when Instagram and Foursquare meet at REI and have a baby together," is growing in Woodstock.

“Our economic development programs – including the Vermont Employment Growth Incentive (VEGI), the Entrepreneurial Lending Fund, the Vermont Small Business Offering Exemption, and others – are nurturing businesses at all stages and helping to foster this job growth.

“In its most recent round of awards, the Vermont Economic Progress Council used VEGI to leverage \$21.4 million in new full-time payroll and over \$37 million in qualifying capital investments in the recipient companies over the next five years. The investment is spread throughout the state, from National Hanger Company in North Bennington to Vermont Packinghouse in Springfield and Blodgett Ovens in Essex. With their awards, these companies will create more than 550 new jobs, with an average yearly salary of more than \$50,000 each.

“VEGI has been an important and successful economic development tool, and it is one we must continue to sharpen to help improve our economy. Therefore I will ask you make the following 3 improvements in the program:

- “**First**, we will present a proposal to remove the \$1 million cap for special projects outside of Chittenden County.
- “**Second**, we will work with you to change the qualifying wage rate to recognize regional economic differences, increasing the number of companies around the state that qualify for job creation support.
- “**Third**, we will also enable companies to use VEGI dollars earlier for training new hires.

“Another of our important economic drivers continues to be tourism. We are within a day’s drive of more than 80 million people starving for what Vermont offers: our quality of life, our ski slopes and trails, our beautiful downtowns, our beer, our award-winning cheese, our local food, and so much more. They come to experience all the things that we love about Vermont.

“Growing tourism grows our economy, and directly supports more than 30,000 jobs. That is why I will partner with the Vermont Chamber of Commerce on a plan to use increased revenue from the rooms and meals tax to boost our tourism and marketing efforts. In 2014, visitors to Vermont spent more than \$2.5 billion. I propose we take 15% of future growth of our rooms and meals tax receipt above budgeted projections and invest it in tourism and marketing support and promotion, capping it at \$750,000. This budget-neutral proposal will grow jobs and promote Vermont.

“We also need to shout from the rooftops what a great place Vermont is for technology businesses, manufacturing and start-ups. We need do a better job of telling the story of our remarkable entrepreneurs because they show that Vermont is a great place to work and do business. We launched our Great Jobs

in Vermont campaign because we know that when folks visit Vermont they fall in love and want to come back to work or start a business as so many of our successful entrepreneurs have already done. We want others to learn what we already know: Vermont is the best place to live, work, and raise a family.

CONCLUSION

“It is an extraordinary privilege to govern a state where we all know each other, where a citizen legislature shows the country how to take on the biggest challenges we face, and where we really do put aside partisan differences that can paralyze democracy. Each of us comes to elected office filled with the intention to do good for our communities and our state. Every election is an opportunity to remind ourselves of our purpose, and renew our commitment to help Vermonters through our service. Vermonters expect nothing less from us, and I believe they deserve even more. I hope the proposals presented today and last week will help tackle the big problems we currently face and leave Vermonters with a feeling that state government can make their lives and our state better. I look forward to the opportunity to debate, shape, and implement these proposals with you this session and beyond, to make lasting progress for jobs, affordability, our kids, our quality of life, and our environment.”

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

IN JOINT ASSEMBLY, FEBRUARY 19, 2015

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. 12. 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 19, 2015, 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 a Sergeant at Arms, an Adjutant and Inspector General 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.

Number and Length of Nominating and Seconding Speeches

For purposes 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.

Statement of Presiding Officer

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 election for the Adjutant and Inspector General is not contested and the provisions of Joint Rule 10(a) will apply.

This means this election may be by voice vote if there is no objection.

For the election of the Sergeant at Arms and the three UVM Trustees, as these elections are contested, they shall be by ballot.

Tellers Appointed

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

Senator Mark A. MacDonald, of Orange District, as Chief Teller

Senator Claire D. Ayer, of Addison District

Senator Brian P. Collamore, of Rutland District

Representative Robin Chestnut- Tangerman, of Middletown Springs

Representative Emily J. Long, of Newfane

Representative Patricia A. McCoy, of Poultney

Representative Laura Sabilia, of Dover

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, Senator Ann E. Cummings of Washington District nominated *Francis K. Brooks*, of Montpelier.

The nomination was seconded by Representative Carolyn Whitney Branagan of Georgia.

For the office of Sergeant at Arms, Representative Alice M. Emmons of Springfield nominated *Janet Miller*, 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.

Accordingly, those names placed in nomination and on the ballot for the office of Sergeant-at-Arms were as follows:

Francis K. Brooks, of Montpelier
Janet Miller, of Montpelier

Results of Balloting for Sergeant-at-Arms

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

Total votes cast	175
Necessary for a choice	88
Brooks	47
Miller	128

Whereupon, the Chair declared that

JANET MILLER, of Montpelier

having received a majority of the total votes cast was duly elected to the office of Sergeant-at-Arms for a term of two years, from and including the first day of March, 2015, and until her 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 Helen Head of South Burlington nominated *Steven Cray*, of Essex Junction.

The nomination was seconded by Representative Timothy Jerman of Essex.

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

STEVEN CRAY, of Essex Junction

was unanimously elected to the office of Adjutant and Inspector General for a term of two years, from and including the first day of March, 2015, 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, 2015.

The Chair reminded the Joint Assembly that nominations for the office of three UVM Trustees would 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.

Statement by the Presiding Officer

As stated previously, for the election of UVM trustees, we will be operating under temporary rules set forth in J.R.S. 13.

The adoption of J.R.S. 13 permits the Joint Assembly to elect the three Trustees of the University of Vermont and State Agriculture College by means of 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 will be instructed to vote for not more than three candidates at the same time, on the same ballot.

Nominations for UVM Trustees

Representative David Potter of Clarendon nominated *Senator Christopher A. Bray* of Addison District. The nomination was seconded by Carolyn Whitney Branagan of Georgia.

Senator Brian A. Champion of Bennington District then nominated *Representative Bernard C. Juskiewicz* of Cambridge. The nomination was seconded by Representative David Sharpe of Bristol.

Representative Sarah E. Buxton of Tunbridge then nominated *Representative Curt McCormack* of Burlington. The nomination was seconded by Senator William T. Doyle of Washington District.

Representative Mitzi Johnson of South Hero then nominated *Senator Michael D. Sirotkin* of Chittenden District. The nomination was seconded by Representative Johannah Leddy Donovan of Burlington.

Senator Jeanette K. White of Windham then nominated *Representative Tristan Toleno* of Brattleboro. The nomination was seconded by Representative Chip Conquest of Newbury.

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

Summary of Names Placed in Nomination

The five members placed in nomination and on the ballot for the office of Trustee of the University of Vermont and State Agricultural College are as follows:

Christopher A. Bray, of Addison District
Bernard C. Juskiewicz, of Cambridge
Curt McCormack, of Burlington
Michael D. Sirotkin, of Chittenden District
Tristan Toleno, of Brattleboro

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. 13, as follows:

(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 three.

(2) The three candidates receiving the greatest number of votes shall be declared elected to fill the three vacancies.

(3) In the event that the first balloting for the trustee vacancies results in a tie vote for one or more of the three vacant positions, then voting shall continue on successive ballots until the vacancies have been filled, again by election declared of those candidates receiving the greatest number of votes.

Results of Balloting for UVM Trustees

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

Total ballots.....	174
Necessary for election	three greatest numbers of votes
Bray.....	54
Juskiewicz.....	95
McCormack	89
Sirotkin	62
Toleno	73

Whereupon the Chair declared that

BERNARD C. JUSKIEWICZ, of Cambridge

having received the most votes cast was duly elected a Trustee of the University of Vermont and State Agricultural College for a term of six years, commencing March 1, 2015.

The Chair further declared that

CURT MCCORMACK, of Burlington

having received the second most number of votes cast was duly elected a Trustee of the University of Vermont and State Agricultural College for a term of six years, commencing March 1, 2015.

The Chair further declared that

TRISTAN TOLENO, of Brattleboro

having received the third most number of votes cast was duly elected a Trustee of the University of Vermont and State Agricultural College for a term of six years, commencing March 1, 2015.

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

IN JOINT ASSEMBLY, MARCH 19, 2015

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. 18. Joint resolution providing for a Joint Assembly to vote on the retention of four Superior Judges and two magistrates.

Resolved by the Senate and House of Representatives:

That the two Houses meet in Joint Assembly on Thursday, March 19, 2015, at ten o'clock and thirty minutes in the forenoon to vote on the retention of four Superior Judges and two magistrates. 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

Senator 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 four Superior Judges, and two Magistrate.

This year we are again 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 and Magistrates. Amendments made in 2010 require the retention of magistrates. The date for holding joint assemblies for retention is set by statute to be the eleventh Thursday of the session, which date may be deferred pursuant to 4 V.S.A. § 608(g).

The procedure to be followed requires the vote be by written ballot. There will be two separate written ballots: one containing the names of all of the candidates for retention as superior judges; and one containing the names of the candidates for retention as magistrates.

Retention of Superior Judges

We shall now proceed to the matter of retention of the incumbent 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 or if a Superior Judge is appointed after September 1 of the year preceding the expiration of the term of office

shall automatically be a candidate for retention without filing notice. 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 is:

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

The statute provides the vote on the question shall be by one written ballot containing the names of all of the Superior Judges.

Tellers Appointed

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

Senator Jeanette K. White, of Windham District, as Chief Teller
 Senator Mark A. MacDonald, of Orange District
 Senator Brian P. Collamore, of Rutland District
 Representative Robert L. Bancroft, of Westford
 Representative Alyson L. Eastman, of Orwell
 Representative Diana Gonzalez, of Winooski
 Representative Chip Troiano, of Stannard

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:

Brian J. Grearson
 Mary M. Teachout
 Howard E. VanBenthuisen
 Nancy Waples

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

"Shall Superior Judge Brian J. Grearson be retained in office?"

Yes _____ No _____.

"Shall Superior Judge Mary M. Teachout be retained in office?"

Yes _____ No _____.

"Shall Superior Judge Howard E. VanBenthuisen be retained in office?"

Yes _____ No _____.

"Shall Superior Judge Nancy Waples 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, 2015, 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 four Judges will be received separately. At the end of the debates for the four 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 Senator from Windsor, Alice W. Nitka, for the purpose of receiving her report.

Senator Alice W. Nitka, 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 the member from Newport, Gary Viens, who delivered the report of the Joint Committee on Judicial Retention with respect to the candidacy of Superior Judge Brian J. Grearson.

The Chair then recognized Senator Margaret K. Flory, of Rutland District, who delivered the report of the Joint Committee on Judicial Retention with respect to the candidacy of Superior Judge Mary M. Teachout.

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 Howard E. VanBenthuisen.

The Chair then recognized Senator Michael D. Sirotkin, of Chittenden District, who delivered the report of the Joint Committee on Judicial Retention with respect to the candidacy of Superior Judge Nancy Waples.

Results of Balloting

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

For Superior Judge Brian J. Grearson

Total votes cast	157
Necessary for a majority	79
For retention	154
Against retention	3

Whereupon the Chair declared that

BRIAN J. GREARSON, of Berlin

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, 2015, and until his successor is elected and has qualified.

For Superior Judge Mary M. Teachout

Total votes cast	156
Necessary for a majority	79
For retention	148
Against retention	8

Whereupon the Chair declared that

MARY M. TEACHOUT, of Norwich

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, 2015, and until her successor is elected and has qualified.

For Superior Judge Howard E. VanBenthuyesen

Total votes cast	164
Necessary for a majority	83
For retention	160
Against retention	4

Whereupon the Chair declared that

HOWARD E. VANBENTHUYSEN, of Fairfax

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, 2015, and until his successor is elected and has qualified.

For Superior Judge Nancy Waples

Total votes cast	157
Necessary for a majority	79
For retention	152
Against retention	5

Whereupon the Chair declared that

NANCY WAPLES, of Hinesburg

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, 2015, and until her successor is elected and has qualified.

Retention of Magistrate

Statement of Presiding Officer

We shall now proceed to the matter of retention of the two Magistrates. For this position we have received a declaration of intention to seek retention to the office of Magistrate from the following:

Mary G. Harlow
Christine A. (Donremus) Hoyt

The name of each magistrate seeking retention is automatically voted on, and the question to be decided is:

"Shall District Magistrate Mary G. Harlow be retained in office?"

Yes _____ No _____.

"Shall District Magistrate Christine A. (Donremus) Hoyt be retained in office?"

Yes _____ No _____.

The vote on this question shall again be by one single written ballot. The term of this Magistrate is for six years, from and including the first day of April, 2015, and until their successors are elected and qualified.

Committee Report

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 Magistrate Mary G. Harlow.

The Chair then recognized, Representative Barbara Rachelson of Burlington, who delivered the report of the Joint Committee on Judicial Retention with respect to the candidacy of Magistrate Christine A. (Donremus) Hoyt.

Results of Balloting

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

For Magistrate Mary G. Harlow

Total votes cast	141
Necessary for a majority	71
For retention	140
Against retention	1

Whereupon the Chair declared that

MARY G. HARLOW, of Clarendon

having received a majority of the total votes cast was duly elected to the office of Magistrate for a term of six years, from and including the first day of April, 2015, and until her successor is elected and has qualified.

For Magistrate Christine A. (Donremus) Hoyt

Total votes cast	142
Necessary for a majority	72
For retention	141
Against retention	1

Whereupon the Chair declared that

CHRISTINE A. (DONREMUS) HOYT, of Tunbridge

having received a majority of the total votes cast was duly elected to the office of Magistrate for a term of six years, from and including the first day of April, 2015, 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