

**JOURNAL OF THE JOINT ASSEMBLY
OF THE
STATE OF VERMONT
ADJOURNED SESSION, 2018**

IN JOINT ASSEMBLY, JANUARY 4, 2018

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:

By Senator Ashe,

J.R.S. 36. Joint resolution to provide for a Joint Assembly to receive the State-of-the-State message from the Governor.

Resolved by the Senate and House of Representatives:

That the two Houses meet in Joint Assembly on Thursday, January 4, 2018, at two o'clock in the afternoon to receive the State-of-the-State message from the Governor.

Presiding Officer

Honorable David E. Zuckerman, President of the Senate, in the Chair.

Clerk

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

Committee Appointed

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

Which was agreed to.

The Chair appointed as members of such Committee:

Senator Rebecca A. Balint of Windham District
Senator Alice W. Nitka of Windsor District
Senator Margaret K. Flory of Rutland District
Representative David Potter of Clarendon
Representative Mark Higley of Lowell
Representative Diana Gonzalez of Winooski

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

Governor's State-of-the-State Message

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

“Since 1778, Vermonters, elected by their neighbors and bound by a common oath, have gathered to open the legislative session. They left farms, families and businesses, traveled over rugged mountain gaps and winding valley roads, from every corner of our state to come together to solve problems and shape the future.

“The work of those who came before us, carved out Vermont’s place in the world with a greater share and influence than our small size or population would prescribe.

“Through our courage and conviction, Vermont has pushed forward with progress when progress seemed unachievable. We’ve been the example, set the tone and helped usher positive change into our nation, when the need for change was essential.

“My friends, we’ve reached that time again.

“History has placed us together in a difficult moment for our state and our country.

“Here at home, we must address economic and population trends that have diminished our ability to sustain what we have, and invest more in our priorities.

“Nationally, we face political divisions and polarization so deep and broad they seem to shake the very foundation of our republic.

“The challenges we face are great, but none greater than proceeding with the work ahead of us in a manner that Vermonters can be proud of, and our fellow Americans can look to as an example of what it means to truly serve the people.

“These are not small issues. The path forward requires each one of us to work together, pulling in the same direction, toward our shared goals.

“And when we do, our people, our communities, and our values will carry us forward because the state of our state is strong.

“But make no mistake, Vermonters need and expect us to follow through on our promises.

“Their call for balance, moderation and fiscal responsibility has been loud and clear and we cannot let them down.

“A year ago, I stood at this podium and laid out my vision for Vermont. One that sets clear, achievable goals, that was honest about the scope of our challenges and the need for courage to confront them head on.

“I vowed to always put Vermonters first, to put myself in their shoes – and their boots – to better understand what they’re going through.

“I pledged to work with the Legislature to create better opportunities and outcomes for our children and families, to reform state government by listening to frontline employees – using their ideas to more efficiently meet the needs of those we serve.

“And to do it all while allowing working Vermonters, and our retirees, to keep more of what they earn.

“Together, we were elected to chart a course that restores the economic and fiscal fundamentals required to invest in our future.

“Imagine a future with classrooms that are actually full of kids, where more students go to college, or are trained in a trade, and have an opportunity to live and work right here in Vermont.

“A future with vibrant communities, a thriving economy in every village, town and city, and where Vermonters can retire right here, after a lifetime of labor.

“A future where the economy is growing faster than the cost of living, and our state is more affordable each year for families and businesses.

“Where we have a cleaner environment and safer neighborhoods with fewer suffering from addiction, and where we never struggle to meet our obligation to protect the most vulnerable.

“That’s my vision for Vermont. And even if we don’t agree on which policies will get us there, I know we share these goals for our state.

“But here is the blunt reality.

“We must first restore our economic and fiscal foundation to ensure we have the funding needed to achieve our aspirations for Vermont.

“Early in my career working construction, I learned that when you find yourself in a hole and have a problem, the first thing you do is stop digging.

“Well, I’m proud to report that last year we stopped digging.

“We passed a budget that invested in our people and economy, without raising a single tax or fee.

“We closed a budget gap of more than \$60 million, and limited budget growth to just over 1%, while wages grew at about 2%.

“This means – for the first time in recent history – that state government actually *helped* people keep more of what they earned.

“But, this is not the time to return to the spending polices of the past. In three weeks, I’ll present a budget that continues our transition to a strategic and results-based approach – one first championed in this very chamber.

“It will once again be tied to a growth rate calculation based on real data, reflecting growth in wages and the economy – not predictions that have fallen short far too often.

“I’ll call for continued fiscal discipline because Vermonters *still* cannot afford higher taxes or fees.

“And I, along with my administration and members of the legislature, stand ready to prevent taxes and fees from increasing again this year.

“And, just so I’m clear, that includes statewide property tax rates.

“Having fiscal discipline means facing facts.

“We know our school population is shrinking. We’ve lost nearly 30,000 students in the last 20 years. Yet staffing levels and costs continue to rise, and property taxes continue to overburden families and businesses.

“Today, we spend \$1.6 billion to educate 76,000 students. These children are our future engineers, educators, and technicians; our future leaders, parents, and citizens.

“Think about it: If I came to you with a check every year for \$1.6 billion and asked you to educate the same number of students, I’d dare say that our system would look much different – and be much stronger, more nimble and more responsive to every child – than it is today. It would be the envy of our nation, and one of the best economic development tools we could ever have.

“If we work together to transform our K through 12 system, based on the needs of our kids and not nostalgia, we can invest much more in early care and learning, technical education, workforce readiness training, and higher education without raising the price tag on Vermonters.

“We made some progress towards this Cradle-to-Career vision last year, increasing investments in our Child Care Financial Assistance Program by \$2.5 million and in the Vermont State College System by \$3 million.

“And in our work to lower costs while protecting programs for our kids, we reached an agreement to return \$13 million to taxpayers through healthcare premium savings.

“This year, we have an even more urgent need to act and I look forward to working with you to find solutions. Because if we don’t, we face a significant statewide property tax increase.

“We cannot let this happen. Vermonters can’t afford it, the state cannot sustain it, and I will not accept it.

“Vermont has so much to offer, from innovative entrepreneurs and the hardest working people in America to a quality of life that’s unrivaled.

“We frequently rank as the safest, happiest and healthiest. We offer the best local food, beer, cheese and maple syrup in the world, and we are known for our commitment to social justice, equal rights and unity.

“As younger generations place more value on social responsibility, health and community, these ideals should make us a top choice for young families. But unfortunately, that alone hasn’t been enough.

“This is exactly why a focus on affordability is so critical to our work.

“Last year’s budget milestone was an important step, but our costs of living – from utilities to housing to taxes – remain among the highest in the nation.

“So, despite our many benefits, these costs deter young people from moving or staying here, and encourage older Vermonters to leave for a more affordable retirement elsewhere.

“In fact, from 2013 to 2016, 2,000 more tax filers moved out of state than moved in, according to IRS data. This alone represents \$150 million in adjusted gross income leaving our state.

“I know many of us have seen this in our own families. We have children, grandchildren, siblings or close friends who grew up here, moved out of state, and may even want to return home, but they’ve settled for a more affordable life elsewhere.

“We’re also seeing workers age out of the labor force faster than we can replace them.

“Here are a few facts to consider:

- We have 23,000 fewer people under the age of 20 than we did in the year 2000;
- We now have nearly 30,000 more over the age of 65 than we did in that same year;
- There are 30,000 fewer people between the ages of 25 and 45 than we had 10 years ago;
- Ours is the second oldest population in the country. If we do nothing, we’ll soon be number one.
- And, think about this: outside of Chittenden County, we are just three to four years from having just one worker for every retiree, child or dependent of the state.

“This has got to stop. It’s simply unsustainable.

“Reversing these trends should be the top priority of every elected official, regardless of party or political beliefs.

“These aren’t just numbers; the human and economic impact is real.

“This fall, I visited Mack Molding, a manufacturing company in Arlington – a great business with a strong workforce – but in order to compete on a global scale, it needs to hire about 50 people to keep up with demand.

“And they’re not alone. We hear from businesses around the state: LED dynamics in Randolph wants to hire 40. Chroma Technology in Bellows Falls is looking for 20 over the next two years. GE Aviation in Rutland has 50 new openings. NSA Industries in St. Johnsbury would put on 50 tomorrow, if they could, and Global Foundries in Essex Junction is hiring nearly 100.

“This is great news, and these are great jobs, but we need the people to fill them.

“Whether employees are needed for a business to grow or just to keep its doors open, there’s a common theme here: We need more workers. We cannot afford to ignore this any longer.

“These trends also shift the tax burden onto fewer and fewer people, seemingly leaving us with only two choices: Cut programs we value, or raise taxes.

“But, there is a third option.

“We can come together, and focus our efforts on growing our working-age population. If we do this, we can expand our tax base. We can put kids back in our schools, help our businesses innovate and grow, and we can protect – and make more of the public investments in the areas we value.

“There’s nothing wrong with wanting government to invest in programs that enhance the lives of Vermonters.

“But the fact is, until we’re able to increase the size of our workforce and grow the economy, we will not have the revenue to meet current or future needs.

“My administration is developing a workforce expansion plan that looks at how we educate and place our students, train and retrain to create more opportunities, and how we recruit more families and graduating students to live and work here.

“A good place to start is in recruiting from a pool of talented, committed workers already here in our state: our National Guard and retired, full-time service members.

“The Vermont National Guard has nearly 3,500 members here in the state – a third of whom aren’t Vermonters. So, when they leave the Guard, they leave Vermont.

“Additionally, young people in our region signing up for service often do so in other states because they offer more and better benefits.

“These are the men and women who bravely serve our country and communities. They have valuable skills that benefit our employers and economy. They can help us grow our workforce, and put kids back in our schools.

“That’s why I’m proposing a package to level the playing field by offering tuition-free college in Vermont, for those who commit to serve in our National Guard.

“In addition, when a Veteran is looking to transition from full-time service to the workforce, we’re going to make sure they receive credit for the skills they learned while in uniform by working with the Secretary of State to expedite professional licensing.

“And, if we want to compete with other states, we must make Vermont more affordable for retired Veterans, which is why I’ll propose to remove the income tax on military pensions.

“Access to post-secondary training and retraining is important for all Vermonters, and my budget address will outline a plan to expand Adult Technical Education and other proposals to better serve the current needs of workers and our businesses.

“But we also must do more to reach workers – specifically younger workers and entrepreneurs – who currently live elsewhere, but would like to live and raise their family in the safest and healthiest state in the country.

“That’s why in my budget address I’ll also propose a bold, sophisticated campaign to identify and persuade working age individuals, families and entrepreneurs to relocate to Vermont.

“This program will use state-of-the-art targeting, plus direct outreach to individuals and businesses to increase the number of workers. And, with a self-sustaining funding model with measurable results, the return on investment will be tracked and reported to me and to the Legislature.

“Building on our workforce development initiatives, we must also continue to invest in a strong economy.

“Last year we made the single largest investment in housing in our history with a \$35 million housing bond, which leveraged another \$65 million in private investment, to increase the availability of decent, affordable homes for our workforce.

“This will result in over 600 additional units, with more than 100 under construction this year. It will employ 1,000 Vermonters, attract new workers to the state, and generate \$10 million in new wages.

“We invested in our communities, supporting 22 projects in our downtowns and village centers.

“My budget will propose continued investment in both of these areas.

“We also expanded the number of Tax Increment Financing – or TIF – districts by six. With this economic tool, communities like Bennington, Springfield and Newport can now drive much-needed development in parts of the state that need it most.

“Looking ahead we must continue to help startups grow and businesses thrive, so they can increase wages, create new jobs and help generate revenue organically.

“That’s why, in my budget I will propose flexible ways to support small businesses and other pro-growth initiatives and investments.

“But we must ensure the impacts are felt in all corners of our state. For far too long success has been counted in broad terms, in statistics that fail to consider geography.

“Across our state, proud communities – and the people who call them home – have yet to benefit from economic recovery.

“I grew up in Barre. I'm proud of my hometown, and wouldn't be standing here today if it weren't for the positive influence of the people, and our sense of community.

“Unfortunately, it's harder and harder for some communities to maintain their unique identity, as economic opportunity becomes more difficult to find outside of Burlington.

“From the Northeast Kingdom, to the Marble Valley, from the Canadian Border to the shores of the Connecticut River, from Richford to Readsboro, Rochester to Ryegate, the small towns and regional economic centers that helped build our state are stuck in an economic cycle they did not create. And as a result, far too many of our neighbors find themselves in a place they can no longer afford.

“The time has come to make this session, their session.

“We must consider the effects our actions have in every county, city and town. Imagine how it must seem to a family who's struggling to get by, who can't afford to pay their property tax bill, to turn on the news and hear that the marijuana debate was ranked Vermont's number one news story of 2017.

“I talk to people every day about the biggest issues they face in their daily lives, and their hopes for the future. They need us to understand their struggles and consider them as we prioritize the limited time we have here in Montpelier to make a difference.

“I can tell you this: Vermonters know our challenges, because they live them. And they also know that with a steady approach, and a willingness to change course, that solutions will come. But they're eager for us to do more, and faster.

“I look forward to working with you on economic development proposals, aimed at expanding growth to all 14 counties, so all families, all kids feel the hope of a bright future in Vermont, whether they're from Burlington, or Brunswick, whether they want to be an engineer, or run the family farm. Montpelier must do more to help every person, every community and every county, succeed and thrive.

“Our commitment to improving the future extends far beyond work in this building. It’s also about providing good service and good government.

“Over the last year we listened to our frontline State Employees, and their ideas are working to make government more efficient and effective.

“Through our PIVOT program, state employees are working closely with our Chief Performance Officer to identify and eliminate inefficiencies.

“This program was modeled after Toyota’s successful Lean techniques, a process designed to increase productivity by empowering employees to systematically reduce waste.

“For example, a team from the Division of Fire Safety streamlined construction permit applications, improving average turnaround time by 30%.

“In fact, we even ”Leaned” the Lean training, improving the capacity so we can have roughly 3,000 state workers trained by the end of 2020, at no additional cost to taxpayers.

“There are currently 44 PIVOT projects underway, developed by state employees to do things better and faster.

“Now, I realize this isn’t flashy or glamorous. But this type of modernization helps get more value from each tax dollar, cut through red tape, and improve customer service.

“This is important work, and for Vermonters this means a state government geared towards continuous improvement, better service, done more efficiently, and producing more value.

“As we work to improve state government, rebuild our workforce and grow our economy, we will not lose sight of the values that make Vermont a leader in so many ways.

“Last year we showed when we invest our existing resources strategically, when we focus on outcomes, not just spending, we not only protect our most vulnerable and the things we value, but we can do it in a way that’s more affordable and supports economic growth.

“That includes our ongoing work to protect impaired waterways, and address the impacts of climate change.

“Last year, we committed \$51 million to clean water projects, increasing state funding by 70%. Our Agencies of Natural Resources, Agriculture and Transportation have already put more than \$17 million to work for cleaner water.

“And I know we must find a long-term solution. I look forward to working together to ensure we invest the money wisely in projects that will produce measurable water quality results.

“Climate change continues to have a negative impact, disrupting our way of life. But our fate is not predetermined.

“Already, so much good work is being done by businesses, utilities, individuals and at the state level with our commitment to clean energy and carbon reduction goals, and our participation in the U.S. Climate Alliance.

“That’s why I created the Climate Action Commission and will work to move key initiatives forward with these goals in mind. And my administration will work with our partners to make electric vehicles more accessible to all.

“We need to continue this work in a practical way that ensures all Vermonters benefit: enhancing opportunities, advancing affordability, and protecting the most vulnerable. Because together, we can make a difference.

“We’ve also been a leader in access to healthcare. Let’s build on that, with a focus on prevention to keep us healthy while moderating costs.

“We will continue to test a voluntary pilot program that pays based on quality of care rather than quantity of service. More than 5,000 providers, including the majority of Vermont’s hospitals, have chosen to partner with us in 2018.

“As we continue to evaluate whether this pilot meets our goals of better health, quality, and sustainable costs, I’ll propose additional prevention focused approaches that work to meet these same objectives.

“We must also continue to combat the opioid crisis. Last year we funded a new treatment Hub in St. Albans. This helped us eliminate the waitlist in Chittenden County, which once included more than 700.

“This milestone means we can now provide quicker access to life-saving treatment across the entire state.

“I also created an Opioid Coordination Council to strengthen our approach, and they’ve spent the last year working to do just that, identifying strategies to address the four legs of the stool: prevention, treatment, recovery and enforcement.

“We’ll expand upon a number of their proposals this session, including helping those in recovery transition to the workforce, and continued work with

the Office of Professional Regulation to increase the number of treatment professionals.

“We know this issue touches nearly every Vermonter. We should be proud of the fact that efforts born from this very chamber are being implemented across the nation. But we will not slow our progress or our search for answers.

“For nearly a decade, we've watched the incredible toll this crisis has taken on our families and communities. Our success will be counted, one life at a time.

“A young man in recovery going back to work, a mother seeing the light in the eyes of a child once thought lost forever, a community free from fear of crime and violence, and one less child brought into this world, affected by addiction.

“I know the work I described today won't be easy, and there will be times during this session that frustrate all of us. There will be a political jab, or an elbow thrown every now and then.

“But I ask each and every one of you to remember that if we fail to focus on putting our economic house in order, then we'll be back next year, and the year after, and the year after that, seeking short-term, stop-gap solutions to solve long-term problems.

“But, if we demonstrate the fiscal discipline to hold the line on taxes and fees, and keep budgets in line with economic growth, we will put our state on solid footing so we can invest in programs we value and leave Vermont better prepared for the next time the national or global economy takes a turn for the worse.

“The time we have, as leaders, is always fleeting... but the impact we have on the future can last forever. When those who come after us look back on this time in our history, what will they see?

“Will we have done what we could to preserve civility? To be good role models for our children? Will we uphold the legacies of leaders like George Aiken, Warren Austin, Edna Beard and Consuelo Bailey? Giants in their time, who served our state and nation with dignity and humility, and treated others with respect.

“Or, will we be swept up by the rising tide of bitterness and partisanship above all else?

“The solutions we were elected to find are achievable, but we must not let our work be clouded by politics. We must resist the instinct to retreat to ideological corners.

“Progress requires a willingness to compromise, to listen, to find consensus and to be honest and respectful brokers on behalf of all Vermonters.

“As dawn broke on July 1st, 1863, the 2nd Vermont Brigade was in Maryland under command of General John Sedgwick. That day, orders came down that reinforcements were needed North, in the small town of Gettysburg, just over the Pennsylvania border.

“With action escalating quickly, the General knew his troops would have to march nearly 40 miles before reaching the battlefield and by then, all might be lost.

“Then and there General Sedgwick famously ordered, “put the Vermonters ahead, and keep the column tight.”

“He knew that with Vermont’s commitment to the cause of freedom, and urgency of duty setting the pace, the Vermonters would pull the rest of the troops along. Arriving sooner and helping to turn the tide at Gettysburg, and eventually save the Union.

“Friends, this is our time to move ahead and keep the column tight.

“It’s time for us to lead again.

“Now, I don’t know when this period of hyper-partisanship and anger will end. But I do know we can’t fight hate with hate, or anger with anger. We must do everything we can to pull our nation out of darkness and restore civility and respect to our public process. And that includes the viciousness we see on social media.

“We have an opportunity to set an example with our actions. We can commit to meaningful dialogue and be guided by our shared principles. We can work together towards consensus whenever possible, and compromise when its required.

“If we do these things, we will make a difference in the lives of Vermonters, we will live up to the promise of our history, and in the decades to come the record will show in our nation's hour of need, Vermonters, once again, led the way.”

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, JANUARY 23, 2018**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. 39. 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 Tuesday, January 23, 2018, at one o'clock in the afternoon to receive the budget message of the Governor.

Presiding Officer

Honorable David E. Zuckerman, President of the Senate, in the Chair.

Clerk

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

Committee Appointed

Senator Timothy R. Ashe of Chittenden 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 Anne E. Cummings, of Washington District
Senator Robert A. Starr, of Essex-Orleans District
Representative Peter J. Fagan, of Rutland City
Representative Janet Ancel, of Calais
Representative Catherine Toll, of Danville

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

Governor's Budget Message

“Madam Speaker, Mr. President, Mr. Chief Justice, Members of the General Assembly and fellow Vermonters.

“Three weeks ago, I shared with you my agenda for the session ahead, and my vision for the future of our state. A future filled with endless potential, a growing workforce, a stronger economy, and where no Vermonter must look elsewhere for prosperity.

“I’m confident, together, we can make this future a reality.

“But that success is dependent upon restoring our fiscal foundation, having the courage to confront the challenges we face and spending only what Vermonters can afford.

“Today I present to you a balanced budget that makes strategic investments to grow the economy, make Vermont more affordable and protect the most vulnerable.

“And for the second consecutive year, it does not raise taxes or fees.

“In the past, we’ve set spending levels based only on revenue projections, without considering wage growth or whether spending is growing faster than taxpayers can actually afford.

“So last year, I asked my administration to develop a Growth Rate Calculation – a six-year rolling average of wage growth to ensure the state budget does not grow faster than wages. This year, that growth rate is 2.36 percent.

“Let’s get right to the bottom line:

“\$3,785,000,000 is what we agreed to spend in state dollars this fiscal year.

“Total spending proposed in my budget for next year is \$3,867,000,000.

“This is an increase of \$82 million – reached without exceeding the growth rate calculation or raising any taxes or fees.

“Too many hardworking Vermonters face the same problem the state budget faces: Expenses and costs growing faster than income. Except unlike us, they can’t tax anyone to make up the difference.

“And we know it’s not just taxes. It’s utility bills, healthcare costs and other necessities that also make it harder for many Vermonters to get ahead – and too many aren’t even getting by. As a matter of principle, I don’t believe any of these costs should be growing faster than wages. Especially the costs we in this Chamber can influence.

“But if we work together, we can provide relief and greater opportunity to those we serve.

“That’s what this budget does.

“It’s driven by performance indicators, which we’ll use to measure our progress, and report to Vermonters, so they can hold us accountable for our work.

“We’ll be able to measure our impact on the economy by the size of our workforce, growth in the number of workers and size of employers, and regional wage growth.

“We’ll track our progress in making Vermont more affordable based on the percent of income spent on housing (including utilities), health care, taxes and fees.

“And to determine the impact in protecting the most vulnerable and moving folks out of poverty, we’ll report the percent of households who live below 200 percent of the federal poverty level, the rate of homelessness, the number of children ready for kindergarten, and access to affordable healthcare.

“These are breakthrough indicators that will tell us if families, children and communities are doing better. And when they are, we will all be better off, with greater resources.

“This is the benefit of having a clearly defined strategic plan and a budget that supports this approach.

“That’s why this budget prioritizes investments that will get more Vermonters into the workforce, recruit families to our state, create jobs, expand small businesses and grow wages.

“It’s why it modernizes our employment growth incentive, provides tax relief for retirees with low incomes, includes new incentives to revitalize homes in our downtowns, and calls on us to work together to transform our education system and how we pay for it.

“It’s why it expands our mental health capacity, invests in the prevention of illnesses, builds healthier communities, and addresses the health of mothers and babies dealing with addiction.

“And it’s why it continues our commitment to cleaner energy, cleaner transportation and cleaner water.

“The truth is, for decades, the cost of state government has been designed to grow about 5 percent each year. So, balancing this budget without raising taxes was not easy. It took careful, diligent and difficult work.

“So, I want to thank my entire Administration – every secretary, commissioner, director and every hardworking state employee – for their willingness to think differently, to innovate, modernize and make difficult decisions that put the state in a better fiscal position for the future.

“This includes taking a look at one of the most under-reported fiscal issues we face: Vermont’s long-term debt.

“Through the collaborative effort of the Administration, Treasurer and many others, we have one of the best credit ratings in the country – a Triple-A Bond rating. This is good news that saves Vermonters money.

“But maintaining this rating is becoming increasingly difficult, so we must face these facts:

“First, we’re the only Triple-A state with a shrinking workforce.

“Because of this, our per capita debt assigned to every Vermonter has increased since 2013 while its declined in all other Triple-A states.

“Additionally, Vermont’s pension liabilities – the money owed retired public employees, including teachers – is the second highest among these same states.

“Put simply, the difference between the money we set aside to pay benefits is hundreds of millions of dollars less than it should be. And if we do nothing, these unfunded liabilities will be more than we raise in annual revenue.

“It’s time to deal with this issue, head on.

“Working with the Treasurer, our retirees and unions, we must prevent future obligations from forcing deep cuts in vital programs and services – jeopardizing the retirement of thousands or impairing our ability to make investments in essential infrastructure.

“That’s why my budget devotes \$20 million more than required, to pay down these liabilities.

“We must also do more to ensure the secure retirement of all Vermonters.

“With the second oldest population in the nation, 45 percent of Vermonters are either retired or about to retire. And we know many of them do so elsewhere.

“There’s a reason approximately 26,000 native born Vermonters live in Florida, and it’s not just the weather because 27,000 native-born Vermonters now live in New Hampshire.

“Many folks on fixed incomes want to stay here in Vermont and can’t afford that second home elsewhere. They deserve, as much as anyone, to live with the dignity in retirement they earned through a lifetime of work.

“Only five states fully tax social security retirement benefits. Today, I ask you to join me in bringing that number to four, by phasing in the elimination of this tax on seniors living on low and moderate incomes.

“An important step to a secure retirement is homeownership. I still remember how it felt when we bought our first home.

“We couldn’t get a traditional loan, so I worked out a deal with the owner to finance the sale. It was a two-story house in Morrisville, and I worked nights and weekends that summer to convert the second floor to an apartment that we rented to help pay the mortgage.

“Perhaps I remember those years more fondly now than I did when I was bringing home fuel oil five gallons at a time because I couldn’t afford to fill the tank. Or waking up at 1:30 a.m. to fill the wood stove to get through the night. Or coming home after a long day’s work to frozen pipes in the crawl space.

“I understand the struggles of fixing up an older house because, like many of you, I’ve done it. We worked hard for that first house. It wasn’t perfect, but it was ours and I was proud of it.

“Today, many have even greater obstacles as they search to find a home they can afford.

“Last year, we came together to bring more new housing to the market, which was a good start.

“This year’s budget funds a \$1 million housing package to build on that progress.

“To help working families achieve the dream of homeownership, it doubles our funding in the Down Payment Assistance Program.

“And for the second consecutive year, it increases our investment in downtown and village center tax credits.

“But many of the neighborhoods surrounding our downtowns aren’t living up to potential, because the cost to fix up existing housing exceeds the value of the home.

“That’s why I propose \$625,000 in incentives to help renovate and upgrade existing housing stock. Helping to attract young, working families to communities across the state.

“As I’ve said, training and attracting people to fill our jobs and our schools, support our businesses and broaden our tax base should be the top priority of every elected official.

“In addition to our housing package, there is a lot we can do to grow our workforce.

“In my State of the State, I highlighted more than 300 good jobs that businesses need to fill, today. At the same time, nearly 50 percent of Vermonters who graduate from high school don’t go on to college or post-secondary training.

“It’s my hope that every Vermonter, regardless of background or interest, has a path to meaningful employment. Whether studying for a PHD, LNA or CDL – all Vermonters deserve the chance to get ahead. So, let’s work together to bridge this gap.

“To increase availability of technical and trades education, while working with businesses to fill positions in targeted sectors, I’ll ask you to commit \$500,000 to purchase training equipment, fit up new space, and expand adult career and technical education, across the state.

“There’s also a lot we can do by redeploying existing resources.

“This includes how we support retirement-age Vermonters who want to remain in the workforce. These folks have so much to offer from mentoring young employees to institutional knowledge in virtually every field. With our workforce challenges, helping those looking to stay engaged and employed is a must.

“So, we’ll expand the Senior Community Service Employment Program, and dedicate nearly a third of the Vermont Strong Internship fund to provide training for those seniors who want to return to work.

“And as we make strides in the battle against opiates, we’ll do more to help Vermonters in recovery find and hold a job – where, through an honest day’s work, they can earn back the trust and self-esteem that addiction took from them.

“I’ve directed the Department of Labor to provide employment services directly to those in recovery, through regular hours at Vermont’s Recovery Centers.

“This work has already begun. Employment counselors will serve three recovery centers by the end of this Spring, and all of them by the end of the year – at no additional cost to Vermonters.

“In addition to strengthening our current workforce, we must also expand it.

“As you know, we face population trends that – left unaddressed – will continue to result in fewer workers, fewer taxpayers and fewer students in our schools.

“That’s why I’ve proposed a \$3.2 million investment in a campaign to reverse these trends.

“My administration has already begun discussions to gain your support for this funding, so we can set Vermont apart as a state that’s serious about identifying, connecting with and persuading more people to become Vermonters.

“Here’s what makes this approach different:

“First, we’ll focus on those most likely to move to Vermont: People who lived here but left, who came here for college, who vacation or do business here, and maybe even those who haven’t been here before, but share our values and want to raise their family in the safest and healthiest state in the country.

“Second, we recognize that traditional marketing isn’t enough. So, we’ll speak directly with them in a personalized way.

“Finally, we must provide the right information to those looking to move to Vermont. We can do this by creating a gateway portal of information on jobs, schools, housing and recreation. Imagine how likely you might be to move, if right when you started to consider it you received all the information you needed to make it a reality.

“Our plan will train Department of Labor employees to provide all the knowledge someone needs from the moment they first “Think Vermont.”

“In contrast, past efforts have relied on traditional marketing strategies, which cast a wide net hoping as many people as possible will see the content.

“These efforts aren’t working in today’s competitive world. In 2018, the technology exists to identify people who want to hear our story. So, let’s use these tools coupled with direct contact to close the deal.

“Companies use these strategies around the globe because the technology exists to better identify potential customers and deliver them the right message, on the right platform, at the right time.

“These techniques will help us identify “could be Vermonters” and specifically target the most realistic prospects – using tax dollars more efficiently and with a higher, and more measurable, success rate.

“There’s no question, this approach is different. But I urge you to listen to the science and success stories, and commit the investment needed to make this strategy work.

“Many of our larger businesses have the resources to recruit and relocate the workforce they need, but smaller businesses simply do not.

“We can help, first, by becoming a conduit between our schools and our employers to help locate the workers they need to stay competitive, helping keep more of our college graduates here in Vermont.

“Additionally, we can invest in a public-private partnership that uses a recruiter to place out-of-state workers with our small businesses.

“This budget directs \$100,000 to help the Department of Labor begin this work.

“With new investments, innovation and redeploying existing resources, we can strengthen our economy.

“Vermont ranks as one of the top states for the number of start-ups, but we rank last among the 25 smallest states in helping those businesses scale up, succeed, and grow.

“That’s in part because our current tools cannot keep pace with the marketplace.

“Here’s an example:

“Recently, the Agency of Commerce was approached by an entrepreneur needing \$100,000 in quick capital to buy a local business being forced to close.

“The need was immediate to prevent foreclosure. Unfortunately, the restrictions of our existing programs couldn’t get it done. This deal would have saved 40 jobs.

“With more flexibility, we could have helped. So, I propose investing \$400,000 in a ThinkVermont Innovation Fund to help small businesses and entrepreneurs finance scalable opportunities faster.

“We can also attract more entrepreneurs in a way that expands our workforce and our economy by modernizing the Vermont Employment Growth Incentive (VEGI). Over the last decade, this program has helped generate thousands of jobs, and brought in more state revenue.

“I’ll propose enhancements to VEGI that make it more accessible to small businesses and B-Corporations – companies committed to social and environmental goals, as well as a profitable bottom line.

“This would be the first incentive of its kind for B-Corps, making Vermont the destination for mission-driven businesses and attracting the mission-driven millennials we need for our future.

“We will also help nurture our cybersecurity industry and grow this workforce, while better protecting Vermont’s data and systems from cyber threats.

“With a \$600,000 investment and a partnership with Norwich University, we can establish a Security Operations Center that provides round-the-clock monitoring and protection against cyber-attacks.

“By working with students from Norwich, this partnership will also build a deep bench of experienced cybersecurity professionals to support our workforce goals.

“Our work to address climate change and meet our clean energy and clean water goals also present real opportunities to strengthen the economy.

“Focusing on chimneys and tailpipes – the two greatest sources of emissions – we can stimulate more economic investment and job creation, just like we’ve done with solar energy.

“Here are just a few examples.

“Our Clean Energy Plan identified wood heat as a critical way to achieve Vermont’s goal of 90 percent renewable energy by 2050. So, at the recommendation of my Climate Action Commission, we will invest \$300,000 to help homeowners replace old, non-EPA certified wood stoves with modern efficient ones.

“This improves air quality, in and outside the home, saves folks money by reducing what they burn, and supports local shops and our forest products economy.

“To help make electric vehicles more affordable and to meet my Administration’s goal to double the number of renewable energy vehicles in Vermont by 2022, this year, we will draw down \$1.8 million from our Volkswagen settlement to electrify our system – making Vermont more accessible to electric vehicles for both residents and visitors.

“Additionally, my Administration will work on solutions to encourage less expensive charging rates at times when its most beneficial to our electric grid.

“And while all this is going on, we’re exploring how to make Vermont the nation’s leading manufacturer of battery storage technology.

“My point is this: Environmental innovation can also be economic innovation, and we can’t do one without the other.

“Here’s another example of how my administration is looking at things differently. The key to cleaning up our lakes and waterways is reducing the amount of phosphorous flowing into them.

“Right now, we’re using a 20th Century strategy, building infrastructure to capture phosphorous. Its estimated to cost taxpayers more than a billion dollars over the next 20 years, which doesn’t even include maintenance and upgrade costs.

“I believe there is a more innovative solution – one that creates economic growth by generating revenue and jobs and could be exported to places struggling with this very same challenge.

“There is a large market for phosphorous in the energy, fertilizer and compost industries, and manufacturers purchase phosphorous and raw organic materials for their products.

“My administration is exploring how the State can help create a commercial enterprise that captures a large amount of Vermont’s excess phosphorous and convert it to a wholesale or retail product.

“We’ll soon be looking to harness the imagination and competitive nature of entrepreneurs, scientists and inventors, seeking proposals for the most efficient and commercially viable ways to segregate, process, package and sell phosphorous.

“This is the kind of creative thinking we need to solve this problem, and I invite you to join with us in this effort.

“I think most are aware that a larger workforce and a stronger economy are essential to generating the revenue we need to maintain the public investments we value. So too is ensuring we get the most value out of every dollar we spend to protect our most vulnerable.

“I’d like to give thanks to our Agency of Human Services for its work to identify how to improve operations, find savings and efficiencies, repurpose existing resources and reduce overhead, while making progress modernizing systems and management to strengthen our social safety net.

“This allowed us to balance the need for affordability while protecting services for those who need it most.

“Thanks to that work, we can invest \$7.8 million in new initiatives. Efforts that not only seek to tackle some of our toughest challenges, from opioids to mental health, but also focus on prevention, which will reduce healthcare spending in the long-run.

“To start, we will invest \$500,000 in two prevention initiatives.

“First, we’ll focus on the dental health of our kids. According to the Centers for Disease Control, poor dental hygiene leads to missed school, diminished classroom performance and serious health complications.

“To strengthen children’s health, while reducing long-term healthcare costs, we will begin rolling out a statewide school-based dental health program.

“Next, we’ll pilot a voluntary universal home visits program for pregnant women and babies. This initiative will provide three home visits for the first 16 weeks after birth, and it’s modeled on programs we know improve the health of babies and mothers, while lowering costs.

“We propose to launch this program in two high-impact regions this year, and if proven successful, expand statewide.

“At the recommendation of my Opioid Coordination Council, this program will provide additional care for mothers suffering from substance abuse – beginning during pregnancy and through the child’s second year.

“Programs like CHARM in Chittenden County have demonstrated the tremendous value this type of support brings to moms and infants faced with addiction.

“I’m also proposing to invest \$500,000 more to help the Department of Children and Families provide additional supports to children impacted by the opioid epidemic.

“These children are the true victims of our struggle with addiction, and so long as I’m governor, we will not turn our backs or a blind eye to them. Because there’s hope for a better future and we owe it to them to make it a reality.

“This focus on community-based prevention isn’t a function for government alone.

“In fact, Rise Vermont – a movement created and led by Northwestern Medical Center, its surrounding communities and state partners like the Department of Health – has empowered its residents to make healthier choices, encouraging exercise and eating better to reduce chronic diseases like diabetes and heart disease.

“Rise Vermont is outcome-focused, evidenced-based, and it’s working. That’s because Vermonters are involved in their own health. It’s tailored to meet each community’s prevention needs. So, I’m pleased Rise Vermont, with the support of OneCare, is expanding this model statewide.

“Coupled with the state’s existing prevention initiatives and those I’ve asked you to support today, Rise Vermont will improve health and continue our transition to a prevention-focused model of healthcare that lowers costs and builds upon our reputation as the nation’s healthiest state.

“Together, we’ve made improving our response to the mental health needs of Vermonters a priority – and getting them help as quickly as possible leads to better outcomes and more effective use of resources.

“That’s why this budget proposes nearly half a million dollars to put outreach workers in targeted areas throughout the state, getting people the care they need, when they need it, and reducing some of the strain on our emergency rooms.

“We also need to ensure adequate facilities for those suffering from mental illness.

“To address our most pressing mental healthcare needs, I have requested \$6.4 million for two facility upgrades – replacing the temporary secure

residential facility in Middlesex and creating a forensics unit at the Northwest State Correctional Facility.

“This is the first phase of our strategic plan to address an issue state government has grappled with for decades, and will better meet patients’ needs while saving taxpayers millions of dollars.

“As I said, it’s no easy task to present a balanced budget without raising taxes or fees.

“We must recognize that investments to grow the economy and make Vermont more affordable are essential to a future where our classrooms are full of kids, and students graduate with greater opportunity.

“Where every community – every county – thrives.

“Where we have a cleaner environment, safer and healthier neighborhoods;

“And a future where we’ve restored our fiscal fundamentals, and no longer face revenue shortfalls year after year.

“Across Vermont, many school boards have been working to manage budgets, mitigate tax increases and provide students more value for every dollar of the \$1.6 billion we currently spend.

“We all want every child, regardless of district, to receive the best education possible. But we must be honest about whether we’re achieving that vision.

“The Brigham decision and Act 60 were both about equal access to education funding. But after two decades, opportunities, outcomes and funding remain alarmingly unequal.

“We have some schools offering a wide range of foreign languages, environmental studies, coding, cutting-edge science, technology and engineering classes. Not to mention, sports, drama and music programs. And we have other schools that can’t offer any of these opportunities.

“We have districts which trimmed programs for kids to restrain budget growth to one, two or three percent each year, only to learn their tax rates are going up eight, nine or 10 percent because others have increased spending dramatically.

“We have statewide test results that suggest the substantial increase in education spending over the last 20 years has not closed the achievement gaps in our schools.

“And, year after year, Vermonters have endured property tax rate increases they cannot afford.

“It’s time to accept reality.

“Due to the steady decrease in student population, the current funding mechanism is weakening the very system it was meant to strengthen.

“With only 76,000 students in an education infrastructure built for well over 100,000, inefficiency prevents us from investing more in educational programs for our kids even as taxes skyrocket.

“Friends, for our kids, communities, educators, economy and our future, we must do better.

“We know the challenge. We’re losing, on average, six workers from our workforce and three students from our schools, every single day.

“It’s why the Legislature passed Act 46, which – through difficult discussions – has positioned many districts to take the next essential steps. But we must accelerate this work.

“Our goal should be to reach an agreement this session that meets the following objectives:

“First, we must contain costs to eliminate the current deficit and achieve savings that will expand over time and prevent costs from growing faster than wages.

“Second, we must establish a statewide funding system that is fully transparent, easily understood and truly equitable for every child.

“Third, we need to provide districts the flexibility, tools and incentives they need to make sure consolidations improve outcomes for children and save money.

“And finally, working with school boards, superintendents and unions, we should chart a course that steadily moves us from an average of 1 adult for every 4 students to having 1 adult for every 5 students, over the next 5 years – using the natural retirement and attrition of the current workforce.

“Changing the average ratio by one, would save us well over \$100 million each year, once complete. And, we would still have the lowest ratio in the nation.

“The scope of this challenge means all ideas must be on the table. To start this discussion, my team identified more than a dozen reforms with \$75 million in potential savings, which we’ve shared with you.

“The fact is, there are multiple paths to achieve the needed savings. So, I look forward to hearing your ideas as well, and forming the best path to eliminate the existing deficit.

“This work must be driven by our vision for the future, not our memories of the past.

“Just as we did when we formed union high schools more than a half century ago, if we put what “can be” ahead of what “was,” we can take an enormous step forward.

“If we have the courage to discuss all options with civility and respect, and are willing to listen and learn from each other, we can save millions of dollars, invest in creating the best Cradle-to-Career system in the nation, give our kids the brightest possible future, and attract more families to all areas of Vermont.

“We started down this path last year, by increasing the appropriation to the Vermont State Colleges and making our child care assistance program available to more families.

“We’ll continue these investments this year. And we’ll make more by directing the Vermont Training Program to increase funding to train early childcare professionals... and by investing more in Career Technical Education, and scholarships that will put more members of the National Guard into our colleges and universities.

“We know investment in these areas brings long term benefits for our kids, families and economy. But to make more, we must have the courage to reform our K-12 education system, and we must act now.

“These priorities represent a transformative vision.

“Now, I have no doubt that some will contrast our approach with their desire for new or higher taxes, or more expensive mandates on job creators.

“Benjamin Franklin said, “there’s a place for everything, and everything has its place.” This is the time, and this is the place to make Vermont more affordable for families and businesses, not less.

“As Governor, I’ve spoken to thousands of Vermonters.

“To parents trying to give their kids the college education they didn’t have. To small business owners taking a chance on hiring an extra set of hands in a tough economy.

“I’ve talked to farmers, truck drivers, servers, electricians, and state employees, who work hard every day to make ends meet, but tell me it’s getting harder.

“And I’ve heard older Vermonters brag about their grandkids but wonder if the home they love – the state that gave them so much – will be affordable for those they hope to leave it to.

“It’s not bold to spend more than Vermonters can afford, or to experiment with policies our economy cannot sustain.

“Instead, let’s make real progress, and ensure the promise of Vermont is achievable for this generation, the next, and the one after that.

“Ours is tough work. Many past governors and legislators have been fortunate to lead through economic booms. When the question wasn’t as much about whether to fund an initiative or not, but by how much.

“Those were simpler days, and days worth remembering but we must recognize that these days are different.

“However, we can do what is truly bold.

“We can have the courage to put Vermont on a clear, disciplined path. We can work to restore our economic foundation. We can expand our workforce, create jobs and make Vermont more affordable for our families and businesses.

“And if we do, we will see better days again. Of this, I am certain.”

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 15, 2018

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. 44. Joint resolution providing for a Joint Assembly for the election of two legislative Trustees of the Vermont State Colleges Corporation.

Resolved by the Senate and House of Representatives:

That the two Houses meet in Joint Assembly on Thursday, February 15, 2018, at ten o’clock and thirty minutes in the forenoon to elect

two legislative Trustees of the Vermont State Colleges Corporation to serve a four year term commencing March 1, 2018, and expiring on March 1, 2022. In case election of all such Trustees shall not be made on that day, the two Houses shall meet in Joint Assembly at ten o'clock and thirty minutes in the forenoon, on each succeeding day, Saturdays and Sundays excepted, and proceed in such election, until all such Trustees are elected.

Presiding Officer

Honorable David E. Zuckerman, President of the Senate, in the Chair.

Clerk

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

Statement by Presiding Officer

Pursuant to our statutes we are assembled here today in Joint Assembly for the election of two legislative trustees for the Vermont State Colleges Corporation, who are to be elected as trustees for four-year terms commencing on March 1, 2018, and expiring on March 1, 2022. The Chair now cautions you with respect to two statutory conditions imposed by that law for this election:

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

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

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

The adoption of J.R.S. 45 permits us to determine the winners of this election by means of a plurality vote, so that two candidates can be elected on the same ballot.

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

I also draw your attention to the text of Joint Rule 10 which applies to elections held by the assembly.

Rule 10(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 not objection, the chair may put the question to the Joint Assembly by voice vote.

Election of Trustees of Vermont State Colleges Corporation

The Joint Assembly then proceeded to the election of two legislative trustees of the Vermont State Colleges Corporation, each for a term of four years, from and including the first day of March, 2018.

Nominations for Both Vacancies

Representative Kevin Christie of Hartford nominated *Representative Dylan J. Giambatista* of Essex.

Representative Charles A. Kimbell, of Woodstock then nominated *Representative James W. Masland* of Thetford.

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

Accordingly, those names placed in nomination and on the ballot for the office of Trustee of the Vermont State Colleges Corporation were as follows:

Representative Dylan J. Giambatista of Essex
Representative James W. Masland of Thetford

Vermont State Colleges Corporation Trustees Declared Elected

There being two vacancies and two nominations, under Joint Rule 10(a), with no objection, the question, Shall Dylan J. Giambatista and James W. Masland be elected to the Office of Trustee of Vermont State Colleges Corporation? was agree to.

Whereupon, the Chair declared that

Dylan J. Giambatista, of Essex

having received a plurality of the total votes cast, was duly elected a Trustee of the Vermont State Colleges Corporation, for a term of four years, commencing March 1, 2018.

Whereupon, the Chair declared that

James W. Masland, of Thetford

having received a plurality of the total votes cast, was duly elected a Trustee of the Vermont State Colleges Corporation, for a term of four years, commencing March 1, 2018.

Dissolution

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, MARCH 15, 2018**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. 50. Joint resolution providing for a Joint Assembly to vote on the retention of one Superior Judge and one Magistrate.

Resolved by the Senate and House of Representatives:

That the two Houses meet in Joint Assembly on Thursday, March 15, 2018, at ten o'clock and thirty minutes in the forenoon to vote on the retention of one Superior Judge and one Magistrate. In case the vote to retain said Judge and Magistrate shall not be made on that day, the two Houses shall meet in Joint Assembly at ten o'clock and thirty minutes in the forenoon on each succeeding day, Saturdays and Sundays excepted, and proceed until the above is completed.

Presiding Officer

Honorable Timothy R. Ashe, 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 Superior Judge, and one 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 requires the retention of magistrates. The date for holding joint assemblies for the retention of judges 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 name of the candidate for retention as superior judge; and one containing the name of the candidate for retention as magistrate.

Retention of Superior Judge

We shall now proceed to the matter of retention of the incumbent Superior Judge. 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 a Superior Judge 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 voted on 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 Judge be retained in office?"

Tellers Appointed

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

Senator Claire D. Ayer, of Addison District, as Chief Teller
Senator Christopher A Pearson, of Chittenden District
Senator Brian P. Collamore, of Rutland District
Representative Sandy Hass, of Rochester
Representative Robert B. LaClair, of Barre Town
Representative Mary E. Howard, of Rutland City
Representative Benjamin Jickling, of Randolph

We shall now proceed to the matter of retention of the incumbent Superior Judge. For this position we have received an automatic declaration of intention to seek retention to the office of Superior Judge from the following:

John R. Treadwell

The question to be decided in this case shall be as follows:

"Shall Superior Judge John R. Treadwell be retained in office?"

Yes _____ No _____.

The ballot which you will receive will contain this question in printed form on one single ballot. The term of this Superior Judge is for six years, from and including the first day of April, 2018, and until his successor is elected and qualified.

To facilitate the procedure for this morning, the Chair will rule, unless there is objection, at the end of the debate for this Judge, any general debate on the entire question shall be in order.

Committee Report

Prior to any debate, we will receive the report of the Joint Committee on Judicial Retention. The Chair now recognizes the Chair of this Committee, the Member from Newbury, Charles Conquest, for the purpose of receiving his report.

Representative Charles Conquest, then delivered a general report for the Joint Committee on Judicial Retention.

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

Results of Balloting

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

For Superior Judge John R. Treadwell

Total votes cast.....	144
Necessary for a majority.....	73
For retention.....	143
Against retention.....	1

Whereupon the Chair declared that

JOHN R. TREADWELL, of Burlington

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, 2018, and until his successor is elected and has qualified.

Retention of Magistrate

Statement of Presiding Officer

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

Barry D. Peterson

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

"Shall Magistrate Barry D. Peterson 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, 2018, and until his successor is elected and qualified.

Committee Report

The Chair then recognized, Representative Charles Conquest of Newbury, who delivered the report of the Joint Committee on Judicial Retention with respect to the candidacy of Magistrate Barry E. Peterson.

Results of Balloting

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

For Magistrate Barry D. Peterson

Total votes cast.....	145
Necessary for a majority.....	73
For retention.....	145
Against retention.....	0

Whereupon the Chair declared that

BARRY D. PETERSON, of East Fairfield

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, 2018, and until his successor is elected and has qualified.

Dissolution

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

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