

Journal of the Joint Assembly

IN JOINT ASSEMBLY, FEBRUARY 16, 2017

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. 13. 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 16, 2017, 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 Timothy R. Ashe, President *pro tempore* of the Senate, in the Chair.

Clerk

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

Statement by Presiding Officer

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

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

the Joint Assembly the text of Joint Rules 10 which applies to elections held by the Assembly:

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

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

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without an election, all nominees except the two having the highest number of votes on the second ballot shall be withdrawn, and voting shall then continue until a candidate is elected.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

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for the first vacancy shall automatically be a candidate for successive vacancies, unless the nomination is voluntarily withdrawn.

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

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

The following rules shall apply to the conduct of these elections:

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

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

We have three sets of elections today:

- a. First, To elect a Sergeant at Arms.
- b. Second, To elect an Adjutant and Inspector General.
- c. Third, To elect three UVM Trustees.

For the first two elections, that for the Sergeant at Arms and for the Adjutant and Inspector General, since there are no contests, the provisions of Joint Rule 10(a) will apply.

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

For the third set of elections --- for the three UVM Trustees -- the provisions of Joint Rule 10 have been suspended as a result of the adoption by both houses of J.R.S. 14. Different rules will apply to that election, and majority votes for the three trustees will not be necessary.

Tellers Appointed

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

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

Senator Jeannette K. White, of Windham District, as Chief Teller
Senator Mark A. MacDonald, of Orange District
Senator Brian P. Collamore, of Rutland District
Representative Benjamin Jickling, of Brookfield
Representative Susan Buckholtz, of West Hartford
Representative Jessica Brumsted, of Shelburne
Representative Robert Bancroft, of Westford

Election of Sergeant at Arms

The Joint Assembly then proceeded to the election of a Sergeant at Arms.

For the office of Sergeant at Arms, Representative 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.

Whereupon, no other nominations being made, the vote was taken *viva voce* pursuant to Joint Rule 10(a), and the Chair declared that

JANET MILLER, of Montpelier

was unanimously elected to the office of Sergeant at Arms for a term of two years, from and including the first day of March, 2017, 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 A. Cray*, of Essex Junction.

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

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 A. 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, 2017, 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, 2017.

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

For the election of UVM trustees, we will be operating under a different set of rules. This is because both houses adopted J.R.S. 14, which suspended the provisions of Joint Rule 10 for this particular election.

By adopting this joint resolution (J.R.S. 14), we have set up a special voting procedure for this election, which will help expedite the process.

The adoption of J.R.S. 14 permits the Joint Assembly to determine the winners of this election of the three Trustees of the University of Vermont and State Agriculture College by means of a plurality vote. This means that three candidates can be elected on the same ballot.”

Nominations for UVM Trustees

Representative David Deen nominated *Representative John L Bartholomew* of Hartland. The nomination was seconded by Senator Alice W. Nitka of Windsor District.

Representative David Sharpe of Bristol then nominated *Representative Johannanh Donovan* of Burlington. The nomination was seconded by Senator Claire D. Ayer of Addison District.

Representative Michael Yachtacka of Charlotte then nominated *Senator Deborah J. Ingram* of Chittenden District. The nomination was seconded by Representative Ruqaiyah Morris of Bennington.

Representative William Botzow II of Pownal then nominated *Shapleigh Smith, Jr.* of Morristown. The nomination was seconded by Representative Sarah Copeland-Hanzas of Bradford.

Senator Margaret K. Flory of Rutland District then nominated *Representative Janssen Willhoit* of St. Johnsbury. The nomination was seconded by Representative Matthew Trieber of Rockingham.

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:

John L. Bartholomew of Hartland
Johannah Donovan of Burlington
Deborah J. Ingram of Chittenden District
Shapleigh Smith, Jr. of Morristown
Janssen Willhoit of St. Johnsbury

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. 14, 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.....	169
Necessary for election.....	three greatest numbers of votes
Bartholomew.....	77*
Donovan.....	92*
Ingram.....	41
Smith.....	102*
Willhoit.....	66

Whereupon the Chair declared that

SHAPLEIGH SMITH, JR. of Morristown

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, 2017.

The Chair further declared that

JOHANNAH DONOVAN, 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, 2017.

The Chair further declared that

JOHN L. BARTHOLOMEW, of Hartland

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, 2017.

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