

**From:** London, Sarah

**Sent:** Friday, April 22, 2016 4:53 PM

**To:** 'Anne Galloway' <[agalloway@vtdigger.org](mailto:agalloway@vtdigger.org)>

**Subject:** RE: Request for information about Alex MacLean's use of a government email account after she was no longer employed by the governor's office

Dear Anne, attached please find records in response to your public record act request below. I am not aware of any records that are responsive to the second part of your request below. Alex's last day in the office was Friday January 11, 2013. (I see that the form attached to our request of DII to close her account incorrectly notes 8/17/12.) We do not have a record of Alex's use of her state account after Monday January 14, 2013. It appears that DII executed our request to close her account on Tuesday, January 15, 2013. We have redacted executive privileged information, proprietary, and personal information pursuant to 1 VSA 317(c)(1), (4), (7) & (9). None of the redacted information relates to EB-5. All of these records exist in multiple accounts in the Governor's Office. If you feel information has been withheld in error, you may appeal to the Governor's Chief of Staff, Darren Springer. We hope this is helpful to you,  
Sarah



Hello, Jessica M | [Sign-out](#) | [Preferences](#) | [Help](#)

Advanced

You are in the DII workspace.

[Home](#) [Repons](#)

[Back](#)

Ticket 62800 in DII

**Subject** Alexandra MacLean termination effective close of business 1/11/13.  
**Status** Closed **Submitter** 58273

Contact Information

|                          |                             |                   |              |                      |                           |
|--------------------------|-----------------------------|-------------------|--------------|----------------------|---------------------------|
| <b>Last Name</b>         | Carrier                     | <b>First Name</b> | Janis        | <b>Email Address</b> | janis.carrier@state.vt.us |
| <b>User ID/Emp #</b>     | 58273                       | <b>Phone</b>      | 802-828-6413 |                      |                           |
| <b>Address</b>           | 109 State Street, 5th Floor |                   |              | <b>City</b>          | Montpelier                |
| <b>State</b>             | VT                          | <b>Zip</b>        | 05609        | <b>Building</b>      | Pavillon                  |
| <b>Organization Name</b> | EXE                         |                   |              |                      |                           |

Ticket Information

**Type** User Account Management **SubType** Termination  
**Resolution** Entered on 2013-01-15 at 08:09:00 by Matt Brabazon:  
H: drive moved to be deleted. EV disabled, archive backup completed, mailbox removed

Description

Entered on 01/14/2013 at 09:40:07 EST (GMT-0500) by MBrabazon:  
Removed from all groups, moved to Archived Mailbox OU, delivery restrictions set. Moved H: drive to be deleted. Will remove Exchange account when archiving and backup complete  
Entered on 01/08/2013 at 08:41:54 EST (GMT-0500) by MBrabazon:  
Moving to long term until 1/11/13  
Entered on 01/08/2013 at 08:08:34 EST (GMT-0500) by Janis Carrier:  
Termination form attached.

Attachments

| Filename  | Size   | Date               |                          |
|---|--------|--------------------|--------------------------|
| New Termination_Form Alexandra MacLean_20130108080829.doc | 156 KB | 01/08/2013 9:08 AM | <a href="#">Download</a> |

**Terminated Employee**

Employee Information section must be filled in. All others are optional based on the service required.

**EMPLOYEE INFORMATION (Required Section)**

|   |                           |   |                               |
|---|---------------------------|---|-------------------------------|
| Name: <b>Alexandra MacLean</b>  |                           | Effective date:<br><b>8/17/2012</b>   | Manager: <b>Janis Carrier</b> |
| Employee ID: <span style="background-color: black; color: black;">[REDACTED]</span> | Billing Code: <b>EXE1</b> | Please indicate whether this is a permanent or temp position:<br><input checked="" type="checkbox"/> Permanent<br><input type="checkbox"/> Temporary; employment expires: |                               |
| Department: Executive   |                           | If this is a transfer request, please list the department:<br>Transferring from:<br>Transferring to:  |                               |
| Phone No.: 828-3333   |                           |   |                               |
| Physical Address: 109 State Street, Montpelier, VT 05609                            |                           |   |                               |

**NETWORK/EMAIL ACCOUNT INFORMATION AND ACCESS REQUIREMENTS**

|   |   |                                    |  |
|---|---|------------------------------------|--|
| Network Account: Needs to be removed  |   | Email Account: Needs to be removed |  |
| Domain: VSMS  | If VSMS domain: <Choose One>  | UserID:                            |  |
| Shared Network Folder(s):<br>(Example: S:\Shared\Projects)  |   | Remove access                      |  |
|   |   | <Permissions>                      |  |
|   |   | <Permissions>                      |  |
| Outlook - Public Folders:<br>(Example: ADM - Budget)  |   | <Permissions>                      |  |
|   |   | <Permissions>                      |  |
|   |   | <Permissions>                      |  |
| Outlook - Public Calendars:<br>(Example: PSD - Staff Schedule)  |   | <Permissions>                      |  |
|   |   | <Permissions>                      |  |
|   |   | <Permissions>                      |  |
| Outlook - Email Distribution Lists<br>loaded in the Global Address Book:<br>(Example: DII - Accounting) | Janis has removed from EXE, Cabinet, Cabinet appointed and Sr. Staff distribution lists | Remove                             |  |
|   |   | <Choose One>                       |  |
|   |   | <Choose One>                       |  |

**HARDWARE/SOFTWARE REQUIREMENTS**

|   |  |  |  |
|---|--|--|--|
| Is there an existing computer?  |  |  |  |
| <input type="checkbox"/> Yes If yes, please list where is the computer located? (i.e. Building, Room#, etc) _____; Is there an existing network? <input type="checkbox"/> Yes <input type="checkbox"/> No |  |  |  |
| <input type="checkbox"/> No If no, a separate Footprints ticket will be needed to order a new PC; Choose Desktop Hardware as the Type, and Computer or Laptop as the Subtype.                             |  |  |  |
| Standard Software includes:   |  | Please list all other required software: |  |
| <input checked="" type="checkbox"/> Antivirus<br><input checked="" type="checkbox"/> Adobe Reader<br><input checked="" type="checkbox"/> Java<br><input checked="" type="checkbox"/> Flash Player         | <input checked="" type="checkbox"/> Microsoft Office, which includes:<br>• Word      • PowerPoint<br>• Excel     • Outlook<br>• Access |  |  |
| List network printers the new user will need access to:   |  |  |  |

**NETWORK CONNECTIVITY REQUIREMENTS**

DSL / Cable / Broadband to pre-existing VPN group?  
Yes/No If yes, list VPN Group:

VPN client TACAS+ account needs to be created for:

Will they require List-Owner access to any Listservs  
located on mail.state.vt.us?  
☐ Yes ☐ No

Other Network needs i.e. routing changes, new VPN group,  
other, please explain:

If yes, allow access to:

**MAINFRAME REQUIREMENTS**

RACF ID: ☐ New, requested ID (if known)

☐ Existing RACF ID:

Is TSO Access Required? ☐ Yes ☐ No

Access to CICS1? ☐ Yes ☐ No # of sessions: TERMID Prefix:

IS TSO Access for OASIS/ZEKE? ☐ Yes ☒ No

Access to CICS3? ☐ Yes ☐ No # of sessions: TERMID Prefix:

Please enter Dept ID/Default Group:

Access to CICS7? ☐ Yes ☐ No # of sessions: TERMID Prefix:

<Choose One>

If Other, please specify:

Access to CICS9? ☐ Yes ☐ No # of sessions: TERMID Prefix:

Is VM required? ☐ Yes ☐ No

What OS will be used for VM? CMS/Focus/VIC

Is this access for DMV? ☐ Yes ☐ No

**PHONE REQUIREMENTS**

For phone requests to include auth codes and long distance calling cards, please click the following link and fill out the appropriate on-line form: <https://telecomservices.dii.state.vt.us/webapp>

ACD Account (if required) <Choose One>

Existing employee to mirror:

Username:

Choose one per line for multiple Roles, Workgroups and Skills:

Ext:

Roles

Workgroups

Skills (DMV only)

DID (password):

<Choose One>

<Choose One>

<Choose One>

MAC Address:

<Choose One>

<Choose One>

<Choose One>

User Workstation:

<Choose One>

<Choose One>

<Choose One>

Mailbox:

<Choose One>

<Choose One>

<Choose One>

Network ID:

<Choose One>

<Choose One>

<Choose One>

NOTE: Auto answer will be the ACD default choice – unless otherwise noted.

**Comments:**

London, Sarah

---

**From:** MacLean, Alex  
**Sent:** Monday, January 14, 2013 8:04 AM  
**To:** Jake Perkinson; Miller, Elizabeth  
**Subject:** Fwd: Vermont F&W has a vested interest in the Burlington Gun Proposal

Alex MacLean  
Secretary of Civil and Military Affairs  
Deputy Chief of Staff  
1-802-828-3333

Begin forwarded message:

**From:** "vtguns@aol.com" <vtguns@aol.com>  
**Subject:** Vermont F&W has a vested interest in the Burlington Gun Proposal  
**Date:** January 2, 2013 9:42:07 PM EST  
**To:** "Berry, Patrick" <Patrick.Berry@state.vt.us>, "MacLean, Alex" <Alex.MacLean@state.vt.us>

Pat and Alex,

The Vermont F&W Department should have a very keen interest in the gun ban proposal by the Mayor of Burlington and the Burlington City Council.

It is bad enough that the city seeks to ban the majority of firearms Vermonters own. But, the advocates of this gun ban proposal are taking on Vermont's Sportsmen's Bill of Rights.

If any VT municipality succeeds in dismantling 24 VSA Section 2295, how long do think it will be before other municipalities will want to attack other areas currently protected activities or interests?

Say, Town X wanting to be able to ban trapping and the sale of traps? City Z to ban reloading, that will really ring the bell of all of those shotgun shooters who love trap and skeet.

Look at what has gone on with the City of Montpelier over the Berlin Pond and what about if Greensboro voted to ban fishing and vessels on Caspian Lake. I am available for discussion with either of you on this subject. Thanks, Evan

Please see the federation position on Burlington's gun ban proposal.

VERMONT FEDERATION  
SPORTSMEN'S CLUBS  
City of Burlington Gun Control Ban

The Mayor and some members of the City Council of Burlington have publicly proclaimed that they seek to take up enacting a ban of semi-automatic firearms. The supporters of this proposed ban plan to enact the gun ban by a change to Burlington's City Charter.

To enact such a charter change would require repealing, amending, or by other means, circumventing Vermont statute 24 VSA Section 2295, commonly known as the Vermont's Sportsmen's Bill of Rights. If the city is able to get the legislature to neutralize the protections of this law, it would invite more attacks on this law from municipalities all over the state. Such regulatory or ban attacks would not be limited to just firearm ownership, it would become open season on all of the outdoor sporting/shooting interests protected by the Vermont's Sportsmen's Bill of Rights law.

---

24 VSA 2295 Reads:

**§ 2295. Authority of municipal and county governments to regulate firearms, ammunition, hunting, fishing and trapping**

Except as otherwise provided by law, no town, city or incorporated village, by ordinance, resolution or other enactment, shall directly regulate hunting, fishing and trapping or the possession, ownership, transportation, transfer, sale, purchase, carrying, licensing or registration of traps, firearms, ammunition or components of firearms or ammunition. This section shall not limit the powers conferred upon a town, city or incorporated village under section 2291(8) of this title. The provisions of this section shall supersede any inconsistent provisions of a municipal charter. (Added 1987, No. 178 (Adj. Sess.), eff. May 9, 1988.)

---

Presumably the elected officials in Burlington are seeking a semi-automatic firearm ban in reaction to the Connecticut shooting tragedy. They may not understand that semi-automatic firearms are among the most popular firearms in Vermont and lawfully owned by citizens for over 100 years. Also, that their proposed ban is an attack on our Vermont Sportsmen's Bill of Rights law, thus endangering the protection of the activities honored by the outdoor sporting/shooting communities in our state.

The Vermont Sportsmen's Bill of Rights was enacted to avoid a patchwork of conflicting laws throughout the state, so complicated as to make voluntary lawful compliance by citizens nearly impossible.

Make no mistake, the City of Burlington gun ban proposal not only attacks the ownership of firearms by responsible citizens, it attacks the viability of Vermont's Sportsmen's Bill of Rights.

The Vermont Federation of Sportsmen's Clubs is an organization of clubs having ranks full of parents and grandparents as members. We take gun safety very seriously, which is why the federation invests so much

time in the training of shooters/hunters, development of safe ranges, training programs, and enactment of pertinent laws and regulations.

What has become clear thus far in the recent heated public discussion is that numerous factors play critical

roles in the complex problem of preventing violent crime. That said, it is the experience of the federation that

those who commit violent criminal acts do not obey laws.

Hence, the federation has long held that laws which restrict the ownership of firearms by peaceful citizens do not

deter crime and only serve to slander the vast majority of gun owners, who are very responsible citizens.

All while handing advantage to the perpetrators of violent crime.

Therefore, the Vermont Federation of Sportsmen's Clubs strenuously opposes the City of Burlington gun ban

proposal because it attacks the ownership of firearms by responsible citizens and it also endangers the viability

of Vermont's Sportsmen's Bill of Rights.

The federation does not engage in the legislative or regulatory process in a hasty manner. We believe that laws created in haste, particularly in the emotional aftermath immediately following a traumatic event, usually lack the sound public policy that society has a right to demand in its laws. We continue to believe in a deliberate legislative process.

Therefore, the federation will continue its long standing practice of being willing to offer our knowledge and

decades of experience to our state in legislative discussions on proposed legislation involving firearms.

London, Sarah

---

**From:** MacLean, Alex  
**Sent:** Monday, January 14, 2013 8:01 AM  
**To:** Miller, Elizabeth  
**Subject:** Fwd: Excise tax on haulers

Alex MacLean  
Secretary of Civil and Military Affairs  
Deputy Chief of Staff  
1-802-828-3333

Begin forwarded message:

**From:** "Peterson, Mary" <[Mary.Peterson@state.vt.us](mailto:Mary.Peterson@state.vt.us)>  
**Subject:** FW: Excise tax on haulers  
**Date:** December 14, 2012 4:58:31 AM EST  
**To:** "MacLean, Alex" <[Alex.MacLean@state.vt.us](mailto:Alex.MacLean@state.vt.us)>

Is this the info that you needed on haulers? Let me know if there are any other questions.

Mary  
Mary Peterson  
Commissioner  
Vermont Department of Taxes  
133 State Street  
Montpelier, VT 05633  
802-828-3763

---

**From:** Costa, Michael  
**Sent:** Thursday, December 13, 2012 2:48 PM  
**To:** Peterson, Mary  
**Subject:** RE: Excise tax on haulers

Mary,

The Franchise Tax on Waste Facilities and Commercial Haulers of Solid Waste (Haulers Tax) in 32 VSA 5952 is \$6 per ton. Municipalities and similar entities receive a 5% discount. It raised approximately \$3.3 million in 2011, and the collection should be similar for 2012. Therefore, each penny is worth approximately \$550,000. This does not include any analysis of the elasticity of the tax. We would need to do more work to determine if a reduction in the rate would result in more waste disposed of subject to the tax. As you know, these returns are filed with Tax and ANR.

Best,

Michael

-----  
Michael Costa, Director  
Division of Policy, Outreach, and Legislative Affairs  
Vermont Dept. of Taxes  
(802) 828-0141  
[Michael.Costa@state.vt.us](mailto:Michael.Costa@state.vt.us)

It is amazing what you can accomplish if you do not care who gets the credit.  
-Harry Truman



London, Sarah

---

**From:** MacLean, Alex  
**Sent:** Monday, January 14, 2013 7:54 AM  
**To:** Roessle, Drusilla  
**Subject:** Fwd: Bill Review Form and Guidance  
**Attachments:** REvised Bill Review Form.doc; revised guidance for providing testimony 8-12.doc; guidance for leg. bill review.doc  
  
**Categories:** Legislative

Alex MacLean  
Secretary of Civil and Military Affairs  
Deputy Chief of Staff  
1-802-828-3333

Begin forwarded message:

**From:** "Henry, Dixie" <[dixie.henry@state.vt.us](mailto:dixie.henry@state.vt.us)>  
**Subject:** Bill Review Form and Guidance  
**Date:** November 20, 2012 12:35:41 PM EST  
**To:** "MacLean, Alex" <[Alex.MacLean@state.vt.us](mailto:Alex.MacLean@state.vt.us)>, "London, Sarah" <[Sarah.London@state.vt.us](mailto:Sarah.London@state.vt.us)>  
**Cc:** "Philibert, Dawn" <[Dawn.Philibert@state.vt.us](mailto:Dawn.Philibert@state.vt.us)>

Alex and Sarah ?

Attached are the revised bill review form (we made some minor formatting adjustments this morning), along with our guidance for writing the bill review and for providing legislative testimony. We plan to use these documents train the VDH staff members who are involved with the legislative process during the session. If you have any comments or suggestions, we would very much appreciate your input.

Also, FYI - the bill review revision came out of our work to develop some procedures around the legislative work, so we also have developed guidance, forms or work management documents that we use annually, including:

- Inventory of work from previous session (matrix to track new statutory provisions, rulemaking, report and timeline requirements)
- VDH Proposals for Legislative Initiatives - Internal Form (we start this process in the late summer)
- *Writing a Legislative Report: VDH Guidance and Procedures*

We would be happy to share any of these, if you are interested.

Finally, I want to acknowledge Dawn Philibert's terrific work on this project. She makes sure all this work is timely implemented and all the documents are well written. Her organizational skills have been instrumental in helping us develop the forms and guidance and for creating efficient procedures for meeting our legislative work requirements and expectations.

Please let us know if you have questions or would like any further info.

Thanks,  
Dixie

Dixie Henry, Esq.  
Senior Policy & Legal Advisor  
Office of the Commissioner  
Vermont Department of Health  
108 Cherry Street, PO Box 70  
Burlington, VT 0540

London, Sarah

---

**From:** MacLean, Alex  
**Sent:** Monday, January 14, 2013 7:54 AM  
**To:** Porter, Louis  
**Subject:** Fwd: PSD leg mtg  
**Attachments:** Assimilated Legislative Notes 11-19-12 few edits.docx

Alex MacLean  
Secretary of Civil and Military Affairs  
Deputy Chief of Staff  
1-802-828-3333

Begin forwarded message:

**From:** "Miller, Elizabeth" <[Elizabeth.Miller@state.vt.us](mailto:Elizabeth.Miller@state.vt.us)>  
**Subject:** PSD leg mtg  
**Date:** November 19, 2012 5:07:04 PM EST  
**To:** "MacLean, Alex" <[Alex.MacLean@state.vt.us](mailto:Alex.MacLean@state.vt.us)>  
**Cc:** "Recchia, Chris" <[Chris.Recchia@state.vt.us](mailto:Chris.Recchia@state.vt.us)>

Here is a rough running list of ideas either folks here have had or others have brought up that we expect either will be or could be raised this session. Includes notes on Elect Vehicle incorporating the interagency working group, and on the ANR, ACCD, AG and BGS issues we learned of in our joint meeting. We start with this huge laundry list to just remind ourselves of the many things that may get raised; obviously this is not in a form of priority for PSD as many of these items are issues that we expect to oppose if indeed they are raised. See you tomorrow. Liz

Elizabeth H. Miller  
Commissioner of the Department of Public Service  
802-828-2321, office  
[elizabeth.miller@state.vt.us](mailto:elizabeth.miller@state.vt.us)

London, Sarah

---

**From:** MacLean, Alex  
**Sent:** Monday, January 14, 2013 7:54 AM  
**To:** Porter, Louis  
**Subject:** Fwd: Draft Bill  
**Attachments:** Draft Bill.docx

Alex MacLean  
Secretary of Civil and Military Affairs  
Deputy Chief of Staff  
1-802-828-3333

Begin forwarded message:

**From:** "Vilaseca, Armando" <[Armando.Vilaseca@state.vt.us](mailto:Armando.Vilaseca@state.vt.us)>  
**Subject:** FW: Draft Bill  
**Date:** November 21, 2012 1:55:10 PM EST  
**To:** "MacLean, Alex" <[Alex.MacLean@state.vt.us](mailto:Alex.MacLean@state.vt.us)>

Alex,

Here is some language that could be included in any bill that goes forth making changes to the SBE/Agency responsibility regarding the move from the SBE to the governor. I believe that Donna is putting together an overview of statutes that need to be changed as part of the transition. This language provides more authority to the governor and less to the SBE. Enjoy Thanksgiving,

Armando

Here is an outline of the bill (as I understand it) that you are interested in considering.

\* \* \*

Section 1.

Notwithstanding anything to the contrary in the Vermont Statutes, all powers and duties heretofore vested in the Vermont State Board of Education, except for those specifically enumerated herein, are hereby eliminated, and are hereby vested in the Vermont Agency of Education.

Section 2.

The scope of the aforementioned powers and duties of the Vermont State Board of Education include, *but are not limited to*, the following:

INSERT DONNA RUSSO-SAVAGE'S ATTACHMENT TO HER 11/01/12 EMAIL, AS AUGMENTED BY HER INCLUSION OF ALL VERMONT STATE BOARD OF EDUCATION POWERS AND DUTIES THAT MAY BE FOUND IN TITLES OF THE VERMONT STATUTES ANNOTATED OTHER THAN TITLE 16.

Section 3.

Legislative Counsel for the Senate and House Education Committees shall submit a draft bill including all statutory amendments which are necessary and appropriate for the purpose of effectuating the plain meaning and the intent of this legislation, on or before January 1, 2014.

Section 4.

Act 98 of 2012 is hereby amended as follows:

ACT 98 OF 2012 HAS TO BE AMENDED TO ELIMINATE THE FIRST SENTENCE OF 16 VSA 2702(a), AND TO REMOVE ANY PROVISIONS WHICH ARE MORE THAN ADVISORY IN NATURE.

Section 5.

This legislation shall be effective upon passage.

Here is an outline of the bill (as I understand it) that you are interested in considering.

\* \* \*

Section 1.

Notwithstanding anything to the contrary in the Vermont Statutes, all powers and duties heretofore vested in the Vermont State Board of Education, except for those specifically enumerated herein, are hereby eliminated, and are hereby vested in the Vermont Agency of Education.

Section 2.

The scope of the aforementioned powers and duties of the Vermont State Board of Education include, *but are not limited to*, the following:

INSERT DONNA RUSSO-SAVAGE'S ATTACHMENT TO HER 11/01/12 EMAIL, AS AUGMENTED BY HER INCLUSION OF ALL VERMONT STATE BOARD OF EDUCATION POWERS AND DUTIES THAT MAY BE FOUND IN TITLES OF THE VERMONT STATUTES ANNOTATED OTHER THAN TITLE 16.

Section 3.

Legislative Counsel for the Senate and House Education Committees shall submit a draft bill including all statutory amendments which are necessary and appropriate for the purpose of effectuating the plain meaning and the intent of this legislation, on or before January 1, 2014.

Section 4.

Act 98 of 2012 is hereby amended as follows:

ACT 98 OF 2012 HAS TO BE AMENDED TO ELIMINATE THE FIRST SENTENCE OF 16 VSA 2702(a), AND TO REMOVE ANY PROVISIONS WHICH ARE MORE THAN ADVISORY IN NATURE.

Section 5.

This legislation shall be effective upon passage.

London, Sarah

---

**From:** MacLean, Alex  
**Sent:** Monday, January 14, 2013 7:54 AM  
**To:** Porter, Louis  
**Subject:** Fwd: Confidential Memorandum  
**Attachments:** confidential\_memorandum.docx

Alex MacLean  
Secretary of Civil and Military Affairs  
Deputy Chief of Staff  
1-802-828-3333

Begin forwarded message:

**From:** "Porter, James" <[James.Porter@state.vt.us](mailto:James.Porter@state.vt.us)>  
**Subject:** FW: Confidential Memorandum  
**Date:** November 21, 2012 7:16:05 PM EST  
**To:** "Miller, Elizabeth" <[Elizabeth.Miller@state.vt.us](mailto:Elizabeth.Miller@state.vt.us)>, "MacLean, Alex" <[Alex.MacLean@state.vt.us](mailto:Alex.MacLean@state.vt.us)>

Now with the attachment...

---

**From:** Porter, James  
**Sent:** Tuesday, September 04, 2012 9:35 AM  
**To:** Spaulding, Jeb; Lofy, Bill  
**Cc:** Miller, Elizabeth; Marshall, Karen  
**Subject:** Confidential Memorandum

Hi Jeb and Bill,

As requested, attached is a confidential memorandum which discusses the relative advantages and disadvantages of amending 24 V.S.A. Sec. 1911-1914 to allow for municipalities to issue general obligation bonds for the construction and operation of telecommunications systems.

The memorandum represents a consensus from Liz, Karen and me.

Please let me know if you have any questions.

Thanks, Jim

London, Sarah

---

**From:** MacLean, Alex  
**Sent:** Monday, January 14, 2013 7:55 AM  
**To:** Porter, Louis  
**Cc:** Miller, Lawrence  
**Subject:** Fwd: Legislative action on "7th" TIF district

If you two could close this loop that would be great.

Alex MacLean  
Secretary of Civil and Military Affairs  
Deputy Chief of Staff  
1-802-828-3333

Begin forwarded message:

**From:** "MoultonPowden, Pat" <[Pat.MoultonPowden@state.vt.us](mailto:Pat.MoultonPowden@state.vt.us)>  
**Subject:** RE: Legislative action on "7th" TIF district  
**Date:** November 27, 2012 2:22:35 PM EST  
**To:** "MacLean, Alex" <[Alex.MacLean@state.vt.us](mailto:Alex.MacLean@state.vt.us)>, "Kenney, Fred" <[Fred.Kenney@state.vt.us](mailto:Fred.Kenney@state.vt.us)>  
**Cc:** "Spaulding, Jeb" <[Jeb.Spaulding@state.vt.us](mailto:Jeb.Spaulding@state.vt.us)>, "Miller, Lawrence" <[Lawrence.Miller@state.vt.us](mailto:Lawrence.Miller@state.vt.us)>, "Peterson, Mary" <[Mary.Peterson@state.vt.us](mailto:Mary.Peterson@state.vt.us)>

I have not had those conversations. I will check with Lawrence but I doubt it. So we need to start that.  
Pat

Patricia Moulton Powden  
Deputy Secretary and  
Economic Development Director  
Vermont Agency of Commerce and Community Development  
One National Life Drive-6th Floor  
Montpelier, VT 05620-0501  
(802) 828-5200-direct  
(802) 371-9077 mobile

Doing business in Vermont? [http://thinkvermont.com/  
facebook.com/VermontEconomicDevelopment](http://thinkvermont.com/facebook.com/VermontEconomicDevelopment)  
[twitter.com/VTEconDev](http://twitter.com/VTEconDev)



---

**From:** MacLean, Alex  
**Sent:** Tuesday, November 27, 2012 9:35 AM  
**To:** Kenney, Fred  
**Cc:** Spaulding, Jeb; Miller, Lawrence; MoultonPowden, Pat; Peterson, Mary  
**Subject:** Re: Legislative action on "7th" TIF district

Ok so looks like we need to talk to Barre and South BTV reps and senators re. putting together a stand alone bill that can hopefully move quickly. Have any of these conversations occurred yet?

Alex MacLean  
Secretary of Civil and Military Affairs  
Deputy Chief of Staff  
1-802-828-3333

On Nov 19, 2012, at 2:14 PM, Kenney, Fred wrote:

Jeb:

The VEPC Board reached positive determinations on all approval criteria for the Barre City TIF at our November 15 meeting. The Board will vote on the Final Determination Document (basically the contract between State and TIF District) at our December 6 meeting. That will mean the 6 TIF Districts allowed by current statute are approved.

VEPC will also continue consideration of the South Burlington TIF District application at the December 6 meeting, then, assuming all goes well on Dec 6., the final vote will occur at our next meeting on January 13.

The next steps for South Burlington, assuming approval of the TIF District application, will be to submit a TIF District Financing Plan to VEPC for approval, then go to the So Burlington public for a TIF debt ceiling vote. They will not take these steps until the legislature acts on the TIF cap. It is my understanding that South Burlington is not planning to schedule the debt ceiling vote during the first half of 2013.

From that perspective, there is no deadline looming for South Burlington requiring action by the General Assembly quickly or early in the session on the additional TIF District.

However, waiting for a "normal" vehicle, such as the Misc Tax Bill, which will not be passed until the end of the session, will probably have the following consequences:

- South Burlington will not know if they have the support of the GA for the 7<sup>th</sup> TIF until May or June, delaying the other actions they need to take, such as submittal of the TIF Financing Plan, public education for the debt ceiling vote, and other actions they need to take in their normal budgeting cycle, such as budgeting for engineering plans for certain TIF projects.
- The request for an additional TIF will get caught up in the larger debate over TIFs resulting from the audits of the "old" TIFs and the legislative changes to the program which will inevitably be requested this session by the municipalities and the VLCT.

At his press conference on September 4, the Governor said, "[I] will seek early legislative action to increase the number of TIFs that can be approved to seven and emphasized this situation should not get wrapped up in the larger questions about the appropriate number of and accountability for TIF Districts. I expect there will broad discussion in the next Legislature about the value of the TIF program and proper accountability, etc., but that should be outside of the narrow question about these two communities who have been playing under the existing rules. I am hopeful for quick legislative approval of my request for Barre and South Burlington,"

<image001.jpg>

Fred Kenney

Executive Director

Vermont Economic Progress Council

1 National Life Drive

Montpelier, VT 05620-0501

[Fred.kenney@state.vt.us](mailto:Fred.kenney@state.vt.us)

(802) 828-5256 Direct Line

(802)777-8192 Mobile

[www.facebook.com/VermontEconomicDevelopment](http://www.facebook.com/VermontEconomicDevelopment)

[twitter.com/VTEconDev](https://twitter.com/VTEconDev)

<image003.jpg>

*"Improve the economic vitality of Vermont and support a diverse, sustainable future for Vermonters"*

---

**From:** Spaulding, Jeb

**Sent:** Monday, November 19, 2012 12:54 PM

**To:** Kenney, Fred  
**Subject:** FW: TIF district

Fred,

See below. Please advise.

---

**From:** MacLean, Alex  
**Sent:** Monday, November 19, 2012 9:53 AM  
**To:** Miller, Lawrence; MoultonPowden, Pat; Peterson, Mary  
**Cc:** Spaulding, Jeb  
**Subject:** TIF district

Hi All -

I have begun to compile the legislative list for the Administration and have a quick question on adding a TIF district. Is there a timing requirement of this or should we aim to put this in the misc. tax bill? That is certainly the easiest route but if there is a need to get this done before May please let me know and I will work to find a different vehicle.

A

Alex MacLean  
Secretary of Civil and Military Affairs  
Deputy Chief of Staff  
1-802-828-3333

London, Sarah

---

**From:** MacLean, Alex  
**Sent:** Monday, January 14, 2013 7:55 AM  
**To:** Porter, Louis  
**Subject:** Fwd: Irene's impact on State Unemployment tax increase

Alex MacLean  
Secretary of Civil and Military Affairs  
Deputy Chief of Staff  
1-802-828-3333

Begin forwarded message:

**From:** "Noonan, Annie" <[Annie.Noonan@state.vt.us](mailto:Annie.Noonan@state.vt.us)>  
**Subject:** RE: Irene's impact on State Unemployment tax increase  
**Date:** December 4, 2012 5:50:17 PM EST  
**To:** "Spaulding, Jeb" <[Jeb.Spaulding@state.vt.us](mailto:Jeb.Spaulding@state.vt.us)>, "MacLean, Alex" <[Alex.MacLean@state.vt.us](mailto:Alex.MacLean@state.vt.us)>

I have our staff running some modeling to review internally, vis-à-vis cost implications. We will have that ready in the next few weeks.

---

**From:** Spaulding, Jeb  
**Sent:** Tuesday, December 04, 2012 5:14 PM  
**To:** Noonan, Annie; MacLean, Alex  
**Subject:** RE: Irene's impact on State Unemployment tax increase

Interesting. Seems like other states have addressed the issue. My instinct has not changed, though.

---

**From:** Noonan, Annie  
**Sent:** Tuesday, December 04, 2012 4:53 PM  
**To:** MacLean, Alex; Spaulding, Jeb; Wolffing, Erika; Phillips, Tracy; Clasen, Michael; Lofy, Bill; Anderson, Dirk  
**Cc:** Minter, Sue  
**Subject:** RE: Irene's impact on State Unemployment tax increase

[ Executive Privilege ]

Annie

**From:** MacLean, Alex  
**Sent:** Tuesday, December 04, 2012 1:07 PM  
**To:** Spaulding, Jeb  
**Cc:** Minter, Sue; Noonan, Annie  
**Subject:** Re: Irene's impact on State Unemployment tax increase

Agree with your instinct Jeb on the legislation. However, Annie & others if there is anything that comes readily to kind for those affected now we should lead with it. My sense from these emails though is that there is not.

Sent from my iPhone

On Dec 3, 2012, at 12:13 PM, "Spaulding, Jeb" <[Jeb.Spaulding@state.vt.us](mailto:Jeb.Spaulding@state.vt.us)> wrote:

Sue, Thanks for the heads-up. I assume, based on the e-mail chain, that Annie is up to speed on this. My inclination would be for us to be helpful as the Legislature grapples with this, but not lead the charge and reserve final judgment on any legislative changes until the process works itself out. What do you think, Alex?

**From:** Minter, Sue  
**Sent:** Monday, December 03, 2012 11:03 AM  
**To:** Clasen, Michael  
**Subject:** Fwd: Irene's impact on State Unemployment tax increase

Heads up on legislation coming our way. I'll try to keep track of these items, as I learn about them. I am wondering if I should copy this to someone at the Gov. office (Alex?) to know about as well.

Thanks,

S

Sent from my iPad

Begin forwarded message:

**From:** Alison Clarkson <[aclarkson@leg.state.vt.us](mailto:aclarkson@leg.state.vt.us)>  
**Date:** December 2, 2012 11:44:02 PM EST  
**To:** Richard McCormack <[RMcCormack@leg.state.vt.us](mailto:RMcCormack@leg.state.vt.us)>, Jim Harrison <[jim@vtgrocers.org](mailto:jim@vtgrocers.org)>, "patrick [REDACTED]" <[patrick \[REDACTED\]](mailto:patrick [REDACTED])>  
**Cc:** "paulbousquet [REDACTED]" <[paulbousquet \[REDACTED\]](mailto:paulbousquet [REDACTED])>, "kjiirvine1 [REDACTED]" <[kjiirvine1 \[REDACTED\]](mailto:kjiirvine1 [REDACTED])>, "jgoldstein [REDACTED]" <[jgoldstein \[REDACTED\]](mailto:jgoldstein [REDACTED])>, "jcampbell@leg.state.vt.us" <[jcampbell@leg.state.vt.us](mailto:jcampbell@leg.state.vt.us)>, "peter.welch [REDACTED]" <[peter.welch \[REDACTED\]](mailto:peter.welch [REDACTED])>, "steve.m [REDACTED]" <[steve.m \[REDACTED\]](mailto:steve.m [REDACTED])>, "bfinlayson [REDACTED]" <[bfinlayson \[REDACTED\]](mailto:bfinlayson [REDACTED])>  
**Subject:** RE: FW: Irene's impact on State Unemployment tax increase

Dear Patrick, Steve, Jim and Dick -

After our meeting on Friday morning, I called Annie Noonan, Commissioner of Labor. She asked Dirk Anderson (the lawyer @ Dept of Labor) to call me - which he did, and we had a very good conversation that afternoon. 15 states have specific provisions in law protecting employers in areas of federally declared disasters. If people have lost work "as a result of a federally declared disaster" those unemployment benefits are not charged back to the employer. So - yes, we will have to change our laws. Dick, I am happy to introduce this in the House if you do so in the Senate. However, this won't immediately help our Irene affected employers...so, we need to see what we can do in addition to changing the law for the next disaster.

To that end - Dirk and I discussed a range of possibilities to relieve employers of the UI tax increase as a result of charges related to Irene....Sadly, it is employers with the best records of

low UI claims (like the [REDACTED] and the [REDACTED]) that will be hit with the biggest increases. To get a handle on the scale of the challenge, Dirk will have the DOLabor 1) calculate the cost to UI and the possible loss to the UI Trust Fund, and 2) identify affected employers in VT. I agreed to 1) speak with Michael Hoyt in Legislative Counsel about doing research as to what other states have done to help affected employers (other than changing the law going forward), 2) contact Sue Minter, Irene Czarina, and find out if we can find an angle for FEMA help, and 3) find out how the W Inn was affected.

"A problem clearly stated is a problem half solved" - thank you all for identifying the problem. We're off and running on trying to fix it. More to follow.

Alison

Alison Clarkson

Vermont State Legislature

Windsor 5 Plymouth, Reading and Woodstock>>> "Jim Harrison" <[jim@vtgrocers.org](mailto:jim@vtgrocers.org)>

11/29/2012 10:39 AM >>>

Thanks for your help Dick. That was my initial read on it as well. I am going to visit with Patrick tomorrow. I will also check in with the Dirk at Dept of Labor.

Jim

---

Jim Harrison

Vermont Grocers' Association

148 State Street

Montpelier, VT 05602

802-839-1928

Fax - 802-839-1927

[www.vtgrocers.org](http://www.vtgrocers.org)

---

**From:** Richard McCormack [<mailto:rmccormack@leg.state.vt.us>]

**Sent:** Thursday, November 29, 2012 10:36 AM

**To:** [jim@vtgrocers.org](mailto:jim@vtgrocers.org); patrick [REDACTED]

**Cc:** [snochaser@vtgrocers.org](mailto:snochaser@vtgrocers.org); [paulbousquet@vtgrocers.org](mailto:paulbousquet@vtgrocers.org); [kjirvine@vtgrocers.org](mailto:kjirvine@vtgrocers.org); [jgoldstein@vtgrocers.org](mailto:jgoldstein@vtgrocers.org); Alison

Clarkson; [jcampbell@leg.state.vt.us](mailto:jcampbell@leg.state.vt.us); [peter.welch@leg.state.vt.us](mailto:peter.welch@leg.state.vt.us); [steve.m@leg.state.vt.us](mailto:steve.m@leg.state.vt.us); [bfi@leg.state.vt.us](mailto:bfi@leg.state.vt.us)

**Subject:** Re: FW: State Unemployment tax increase

Hello.

I confess that this is new information to me and that I need to get up to speed before anything I say has any real value.

That said, here is my initial response.

In fairness to the bureaucrats, there probably really is "nothing they can do." They are required to enforce the law as written and not authorized to go beyond the law or to fall short of it. I'll look into the possibilities of a legislative remedy, which is to say changing the law.

At first glance this appears to be an unintended and unanticipated perverse effect. In general a business's experience record seems a reasonable basis for determining its share of benefit expenses. But as far as I know, this arrangement does not account for increases in benefits caused by natural disasters. It appears to me that you, and others similarly situated, are indeed being punished for having been hit hard by Irene.

I'll make a drafting request this morning for a bill to not include flood related benefits in computing a business's experience record. I'll also ask legislative council for a tutorial on the matter, including the question of state jurisdiction as opposed to federal.

Sorry for your trouble. God knows you've had more than your share already.  
Dick McCormack

[ Proprietary ]



[ Proprietary ]

London, Sarah

---

**From:** MacLean, Alex  
**Sent:** Monday, January 14, 2013 7:56 AM  
**To:** Porter, Louis; London, Sarah  
**Subject:** Fwd: Regarding Migrant Worker Benefits  
**Attachments:** Migrant workers benefits question.doc

Alex MacLean  
Secretary of Civil and Military Affairs  
Deputy Chief of Staff  
1-802-828-3333

Begin forwarded message:

**From:** "Hutt, Monica" <[Monica.Hutt@state.vt.us](mailto:Monica.Hutt@state.vt.us)>  
**Subject:** Regarding Migrant Worker Benefits  
**Date:** December 6, 2012 5:30:30 PM EST  
**To:** "MacLean, Alex" <[Alex.MacLean@state.vt.us](mailto:Alex.MacLean@state.vt.us)>  
**Cc:** "Racine, Doug" <[doug.racine@state.vt.us](mailto:doug.racine@state.vt.us)>

Alex,  
Doug asked me to respond to your question regarding migrant worker eligibility for public benefits. Because each benefit program has its own set of guidelines, it is a very complicated question. What I have attached is a quick chart that gives you at least a sense of what migrant workers could be eligible for; the caveat is that for each individual, eligibility will be based on the specific scenario. I hope that this at least provides a starting frame of reference. Let me know if you have additional questions.  
Monica

*Monica Caserta Hutt*

Director of Policy and Planning  
Agency of Human Services  
AHS Secretary's Office  
208 Hurricane Lane, Suite 103  
Williston, Vermont 05495  
[monica.hutt@state.vt.us](mailto:monica.hutt@state.vt.us)  
802-871-3251  
802-793-3610 (mobile phone)

PLEASE NOTE CHANGE IN EMAIL ADDRESS. FOR ALL FUTURE CORRESPONDENCE USE:  
[monica.hutt@state.vt.us](mailto:monica.hutt@state.vt.us)

London, Sarah

---

**From:** MacLean, Alex  
**Sent:** Monday, January 14, 2013 7:56 AM  
**To:** Porter, Louis  
**Subject:** Fwd: Cloud

This is a tricky one with House leadership.  
Alex MacLean  
Secretary of Civil and Military Affairs  
Deputy Chief of Staff  
1-802-828-3333

Begin forwarded message:

**From:** "Spaulding, Jeb" <[Jeb.Spaulding@state.vt.us](mailto:Jeb.Spaulding@state.vt.us)>  
**Subject:** RE: Cloud  
**Date:** December 8, 2012 12:29:54 PM EST  
**To:** "Peterson, Mary" <[Mary.Peterson@state.vt.us](mailto:Mary.Peterson@state.vt.us)>, "MacLean, Alex" <[Alex.MacLean@state.vt.us](mailto:Alex.MacLean@state.vt.us)>  
**Cc:** "Costa, Michael" <[Michael.Costa@state.vt.us](mailto:Michael.Costa@state.vt.us)>

Seems good to me, even though I wouldn't be surprised if the complication in your last paragraph does become an issue at some point.

-----Original Message-----

**From:** Peterson, Mary  
**Sent:** Saturday, December 08, 2012 12:23 PM  
**To:** Spaulding, Jeb; MacLean, Alex  
**Cc:** Costa, Michael  
**Subject:** RE: Cloud

I think what the draft will say is something like: "Tangible personal property includes pre-written software delivered electronically. Pre-written software accessed remotely will not be considered delivered electronically for purposes of this section." The service rationale works nicely in this construct.

Just know that Janet is fond of saying that VT does tax services. In fact, we are pretty low on the service tax scale relative to other states, and the Dept's original argument for going after this stuff was that it was a license to use TPP. I think we can credibly say that looking closely at cloud software packages as they have evolved, they are more like a service than TPP. Taxing it as a service is a leap, and should only be done in context of tax reform.

We have to be careful because in another section that no one has challenged, we DO tax electronic books, movies and music, and those increasingly are entirely cloud apps (aka you can

access the book you got from the Kindle store or the music from iTunes on any device without a download). iTunes does charge VT tax last I knew...

Mary  
Mary Peterson  
Commissioner  
Vermont Department of Taxes  
133 State Street  
Montpelier, VT 05633  
802-828-3763

---

From: Spaulding, Jeb  
Sent: Saturday, December 08, 2012 11:49 AM  
To: Peterson, Mary; MacLean, Alex  
Subject: RE: Cloud

I look forward to the draft. I have in my mind that what is in contention is the difference between a service and a product - we do generally tax products and don't tax services.

-----Original Message-----

From: Peterson, Mary  
Sent: Tuesday, December 04, 2012 10:07 AM  
To: Spaulding, Jeb; MacLean, Alex  
Subject: Cloud

Here is the details on the issue on cloud - more than I am sure you want to know. If you use a Streamlined definition - we use "prewritten software", you are supposed to use Streamlined exemptions if you opt to exclude things otherwise within the definition. Streamlined offers an exemption for software "delivered electronically", however that would encompass downloads and get into definitional fight about whether it includes cloud (COST argues at Streamlined that cloud is "transferred" rather than "delivered"). So the available Streamlined exemption is potentially over and under inclusive. As you know, the Streamlined board is tied up in knots over cloud anyways - although a document I saw from a meeting suggests that the Board is in VT's court on the position that the current software definition encompasses cloud.

Long way of saying that the preferred solution of an exemption is tricky business because of Streamlined rules. Nonetheless, we are going to try to draft something.

Mary

Mary Peterson  
Commissioner  
Vermont Department of Taxes  
133 State Street  
Montpelier, VT 05633  
802-828-3763

London, Sarah

---

**From:** MacLean, Alex  
**Sent:** Monday, January 14, 2013 7:57 AM  
**To:** Porter, Louis  
**Subject:** Fwd: Cloud Handout for Sales Tax Committee

More cloud.

Alex MacLean  
Secretary of Civil and Military Affairs  
Deputy Chief of Staff  
1-802-828-3333

Begin forwarded message:

**From:** "Peterson, Mary" <[Mary.Peterson@state.vt.us](mailto:Mary.Peterson@state.vt.us)>  
**Subject:** Re: Cloud Handout for Sales Tax Committee  
**Date:** December 10, 2012 2:06:51 PM EST  
**To:** "MacLean, Alex" <[Alex.MacLean@state.vt.us](mailto:Alex.MacLean@state.vt.us)>  
**Cc:** "Costa, Michael" <[Michael.Costa@state.vt.us](mailto:Michael.Costa@state.vt.us)>

Michael can help. We would be foregoing at least 300k annually...

Sent from my iPhone

On Dec 10, 2012, at 1:49 PM, "MacLean, Alex" <[Alex.MacLean@state.vt.us](mailto:Alex.MacLean@state.vt.us)> wrote:

Ya, still confused. So there would be under 100k of refunds that would go out and we would get 352 annually if we did tax moving forward...right?

Alex MacLean  
Secretary of Civil and Military Affairs  
Deputy Chief of Staff  
1-802-828-3333

On Dec 10, 2012, at 1:40 PM, Peterson, Mary wrote:

352k total, split between tax foregone(most of it) versus refunds paid back to taxpayer (under 100k). Only 19 taxpayers thus far...

Sent from my iPhone

On Dec 10, 2012, at 1:16 PM, "MacLean, Alex"  
<[Alex.MacLean@state.vt.us](mailto:Alex.MacLean@state.vt.us)> wrote:

Sorry to be slow but this says the refund amount  
would be roughly 352k?

Alex MacLean  
Secretary of Civil and Military Affairs  
Deputy Chief of Staff  
1-802-828-3333

On Dec 10, 2012, at 1:05 PM, Peterson, Mary  
wrote:

<Cloud Refunds as of 12-10-  
12.docx>

**London, Sarah**

---

**From:** MacLean, Alex  
**Sent:** Monday, January 14, 2013 7:57 AM  
**To:** Porter, Louis; London, Sarah  
**Subject:** Fwd: detention bed bill  
**Attachments:** GENERAL-#284179-v2-DR\_13-140\_correction\_beds\_Sears.DOCX

Alex MacLean  
Secretary of Civil and Military Affairs  
Deputy Chief of Staff  
1-802-828-3333

Begin forwarded message:

**From:** "Pallito, Andy" <[Andy.Pallito@state.vt.us](mailto:Andy.Pallito@state.vt.us)>  
**Subject:** FW: detention bed bill  
**Date:** December 10, 2012 2:49:04 PM EST  
**To:** "Bartlett, Susan" <[Susan.Bartlett@state.vt.us](mailto:Susan.Bartlett@state.vt.us)>, "Racine, Doug" <[doug.racine@state.vt.us](mailto:doug.racine@state.vt.us)>  
**Cc:** "MacLean, Alex" <[Alex.MacLean@state.vt.us](mailto:Alex.MacLean@state.vt.us)>

This is something that Senator Sears is working on. It is unclear who we will actually bill.

1 Introduced by Senator Sears

2 Referred to Committee on

3 Date:

4 Subject: <Subject>

5 Statement of purpose: This bill proposes to establish a system for allocating  
6 the cost of state detention beds.

7 An act relating to allocating the cost of state detention beds

8 It is hereby enacted by the General Assembly of the State of Vermont:

9 Sec. 1. 28 V.S.A. § 123 is added to read:

10 § 123. DETENTION BED ALLOCATION

11 (a) As used in this section, the term “state detention bed” means [XXX but  
12 include an exemption for people held without bail] and the term “statewide  
13 average cost” means [XXX].

14 (b) The Department of Corrections shall determine the total number of state  
15 detention beds and the statewide average cost of each state detention bed for  
16 each fiscal year. Prior to July 1 of each year, the Department of Corrections  
17 shall allocate the number of state detention beds among each Vermont county  
18 for the next fiscal year. The formula for allocation under this subsection shall  
19 be based on [insert general statement of standards here -- per capita



1 population? prior year detention population? DOC is working on the  
2 metrics?]

3 (c) The Department of Corrections shall determine on or before July 1 of  
4 each year the actual number of state detention beds used by each county for  
5 that fiscal year.

6 (1) If the number of actual state detention beds used by a county is more  
7 than 120 percent of the number allocated under this section for that fiscal year,  
8 then the Department of Corrections shall bill the county for the cost of each  
9 state detention bed that exceeds 120 percent of the allocation. The bill shall be  
10 for the number of state detention beds that exceeds 120 percent of the  
11 allocation, multiplied by the statewide average cost of each state detention bed.  
12 The bill shall be delivered to the county treasurer and shall be considered an  
13 expense and obligation of the county under 24 V.S.A. § 133(e).

14 (2) If the number of actual state detention beds used by a county is less  
15 than 80 percent of the number allocated, then the Department of Corrections  
16 shall make available to the county grants for innovative programs to reduce  
17 recidivism not to exceed the amount determined under this subdivision. The  
18 grant amounts under this subdivision shall equal the number of actual state  
19 detention beds less than 80 percent of the county's allocation, multiplied by the  
20 statewide average cost for each bed.

1        (d) The Department of Corrections shall report to the Joint Legislative  
2        Corrections Oversight Committee on or before July 1 of each year on the total  
3        state detention beds in the fiscal year that ends July 1, the allocation of state  
4        detention beds for the upcoming fiscal year, and the amounts, if any, billed or  
5        granted to each county under this section in the fiscal year ending July 1.

6        Sec. 2. ESTABLISHMENT OF INITIAL BASELINES

7        On or before July 1, 2013, the Department of Corrections shall report to the  
8        Joint Legislative Correction's Oversight Committee concerning the allocation  
9        of state detention beds per county under 28 V.S.A. § 123 for fiscal year 2014.  
10       The report shall explain the methodology and rationale the Department used  
11       for determining the total state detention beds for the current fiscal year and the  
12       methodology and rationale for determining the allocation of the state detention  
13       beds to each county in fiscal year 2014.

14       Sec. 3. EFFECTIVE DATE

15       This act shall take effect on passage.

**London, Sarah**

---

**From:** MacLean, Alex  
**Sent:** Monday, January 14, 2013 7:57 AM  
**To:** Porter, Louis  
**Subject:** Fwd: Revenue Alternatives 12\_11\_2012.xlsx  
**Attachments:** Revenue Alternatives 12\_11\_2012.xlsx

Alex MacLean  
Secretary of Civil and Military Affairs  
Deputy Chief of Staff  
1-802-828-3333

Begin forwarded message:

**From:** "Searles, Brian" <Brian.Searles@state.vt.us>  
**Subject:** FW: Revenue Alternatives 12\_11\_2012.xlsx  
**Date:** December 10, 2012 4:17:48 PM EST  
**To:** "MacLean, Alex" <Alex.MacLean@state.vt.us>

Hi Alex:

Here are the latest numbers.....bottom line is the same but based on new projections from the national group that projects gas prices we have used a base price of \$3.60 instead of \$3.80 so the numbers are different in the amount raised by the % levied and the reduction in per gallon tax goes to 6 cents. The net is the same at \$21.7 million, which when combined with the Bonding and the T-Funds transferred from DPS result in the \$36.7 million needed to accomplish the objectives bulleted on the lower part of the page.

Brian

Brian R. Searles  
Secretary of Transportation  
Vermont Agency of Transportation  
Montpelier, VT 05633-5001  
802-828-2657

---

**From:** LeBlanc, Leonard  
**Sent:** Monday, December 10, 2012 4:00 PM  
**To:** Spaulding, Jeb  
**Cc:** Searles, Brian  
**Subject:** Revenue Alternatives 12\_11\_2012.xlsx

Jeb,

Please see attached revision of the document that you and Brian discussed this morning.

London, Sarah

---

**From:** MacLean, Alex  
**Sent:** Monday, January 14, 2013 7:57 AM  
**To:** Porter, Louis  
**Subject:** Fwd: uvm trustee terms

Alex MacLean  
Secretary of Civil and Military Affairs  
Deputy Chief of Staff  
1-802-828-3333

Begin forwarded message:

**From:** "Richards, Alyson" <[Alyson.Richards@state.vt.us](mailto:Alyson.Richards@state.vt.us)>  
**Subject:** FW: uvm trustee terms  
**Date:** December 11, 2012 10:07:18 AM EST  
**To:** GPS <[gps@state.vt.us](mailto:gps@state.vt.us)>, "Spaulding, Jeb" <[Jeb.Spaulding@state.vt.us](mailto:Jeb.Spaulding@state.vt.us)>, "Miller, Elizabeth" <[Elizabeth.Miller@state.vt.us](mailto:Elizabeth.Miller@state.vt.us)>, "MacLean, Alex" <[Alex.MacLean@state.vt.us](mailto:Alex.MacLean@state.vt.us)>, "Allen, Susan" <[Susan.Allen@state.vt.us](mailto:Susan.Allen@state.vt.us)>, "Lofy, Bill" <[Bill.Lofy@state.vt.us](mailto:Bill.Lofy@state.vt.us)>

Legislative terms expiring: Harry Chen, Donna Sweeney, Jeanette White

Gov appointee expiring: Jeffrey Davis

-----Original Message-----

From: A John Bramley [<mailto:abramley@uvm.edu>]  
Sent: Monday, December 10, 2012 12:26 PM  
To: Richards, Alyson  
Subject: trustee terms

Aly

Terms expiring in March 2012 are

Legislative trustees:

Harry Chen (was legislator when appointed) Donna Sweeney Jeanette White

Gubernatorial appointed trustees

Jeffrey Davis

here is the link for future reference:

<http://www.uvm.edu/trustees/?Page=members/allmembers.html>

Nominations through Sargent at Arms - election in February.

John

--

Dr John Bramley

London, Sarah

---

**From:** MacLean, Alex  
**Sent:** Monday, January 14, 2013 7:58 AM  
**To:** Porter, Louis  
**Subject:** Fwd: H-2A Workers and drivers licenses

FYI

Alex MacLean  
Secretary of Civil and Military Affairs  
Deputy Chief of Staff  
1-802-828-3333

Begin forwarded message:

**From:** "Smith, Michael" <[Michael.Smith@state.vt.us](mailto:Michael.Smith@state.vt.us)>  
**Subject:** RE: H-2A Workers and drivers licenses  
**Date:** December 11, 2012 12:56:16 PM EST  
**To:** 'Will Stevens' <[wstevens@leg.state.vt.us](mailto:wstevens@leg.state.vt.us)>  
**Cc:** "MacLean, Alex" <[Alex.MacLean@state.vt.us](mailto:Alex.MacLean@state.vt.us)>, "Ide, Robert" <[Robert.Ide@state.vt.us](mailto:Robert.Ide@state.vt.us)>

Dear Representative Stevens,

The Jamaican licenses, when accompanied by an International Drivers License are recognized by the state of Vermont. However, the Jamaican licensed motorists referenced below are legal to operate in the United States only for a period of 1-year provided they are bona fide tourists. If the driver accepts a job or places their children in school they lose the tourist status and are now subject to the States requirements. In Vermont you must be a resident to obtain a drivers license. Years ago a modification was made to 23 V.S.A. §603. This modification created section (d) which authorizes the Department to issue licenses and learners permits to citizens of foreign countries and requires us to collect, as part of the application process, proof of legal presence. This section further mandates the license or learners permit must expire coincidentally with the applicants authorized duration of stay.

The applicants in the situation you describe below are eligible to obtain Vermont drivers licenses as they have documentation to substantiate legal presence. They are required to visit any DMV office and take the eye sight, written and road exams. Their license would be issued to expire coincidentally with their end of legal presence. Vermont statutes only allow this Department to issue 2 and 4 year licenses. Applicants in the situation you describe would be charged a 2 year fee and issued a license which would expire when their legal presence does. If they return to this Department with new documentation extending their duration of stay; they would be charged the duplicate license fee and issued a new license to expire on the new end of stay date.

I hope this addresses your concerns. If you should have further questions please feel free to reply to this e-mail or contact me at (802) 828-2066.

Thank you

Michael A. Smith  
Director of Operations

---

**From:** Will Stevens [mailto:wstevens@leg.state.vt.us]  
**Sent:** Monday, December 03, 2012 10:55 AM  
**To:** Smith, Michael  
**Subject:** H-2A Workers and drivers licenses

Mr. Smith,  
Helena Gardner at Legislative Council gave me your name as the person to talk with about drivers licenses and foreigners.

I'd really like to fact-check claims I've heard from constituents in the agricultural sector: it's come to my attention that seasonal agricultural Jamaican workers, who are here legally through the federal H-2A program, have valid Jamaican driver's licenses that aren't recognized by the state of Vermont. Can this be true?

As I discussed this with Ms. Gardner, she suggested that VT does recognize "International Drivers Permits" as per the Geneva convention, but she wondered if maybe the problem relates to the matter of "residency" -- that the DMV considers temporary H-2A workers "residents," therefore they must have VT licenses. Is that so? I understand the difference between International Drivers Permits and valid Driver's Licenses issued by one's own homeland.

My interest is in discovering whether or not legal alien workers, with valid licenses from their home countries are being prevented from driving legally here in VT due to some structural determination. If they are required to get a VT DL, does this make sense, when they are only here for part of the year (10 months max, as per USDOL rules)? Are they limited to single year licenses, or can they get multi-year? What exactly is the situation?

As the discussion moves forward on the Mexican licensing matter, I want to be sure that everyone is treated fairly. This issue is very important to Vermont's fruit and vegetable growers who use H-2A labor, but are under the impression that their men can't drive here legally -- whether to the fields or to the store.

I'd be happy to discuss this matter with you directly on the phone, if that would be useful. My number is 802-897-7031, and/or I'm willing to call you.

Thanks in advance for any help you can provide me in order to clarify this.

Best,  
Will Stevens

London, Sarah

---

**From:** MacLean, Alex  
**Sent:** Monday, January 14, 2013 7:58 AM  
**To:** Porter, Louis  
**Subject:** Fwd: Working Lands commentary

Alex MacLean  
Secretary of Civil and Military Affairs  
Deputy Chief of Staff  
1-802-828-3333

Begin forwarded message:

**From:** "Allen, Susan" <[Susan.Allen@state.vt.us](mailto:Susan.Allen@state.vt.us)>  
**Subject:** FW: Working Lands commentary  
**Date:** December 11, 2012 3:58:17 PM EST  
**To:** "MacLean, Alex" <[Alex.MacLean@state.vt.us](mailto:Alex.MacLean@state.vt.us)>

I DON'T KNOW WILL.

---

**From:** Will Stevens [<mailto:wstevens@leg.state.vt.us>]  
**Sent:** Tuesday, December 11, 2012 3:39 PM  
**To:** Allen, Susan  
**Subject:** Working Lands commentary

Susan,  
I wanted to give the Governor's office a head's up that I'll be sending the following out to the media. As a lobbying effort, it is intended to be an invitation, not a challenge!

Best,  
Will

Last month, Governor Shumlin announced his priorities for the upcoming legislative session. As notable as what we heard was something we didn't hear: discussion about economic development and Vermont's working landscape.

Last year, the Legislature passed H.496, the Working Lands Enterprise Investment bill, which, with the Governor's signature, became Act 142. It creates the Working Lands Enterprise Board (WLEB), made up of individual Vermonters who are active in the farm, forest product, and value-added sectors, which oversees a fund of nearly one million dollars. It is a marriage of tradition and modernity in that it supports private enterprise and light-handed government as it



embraces contemporary concepts such as stakeholder identification, collaboration, coalition-building, and strategic intervention.

The Act puts us in position to maintain our cultural heritage by acknowledging that people have a place on the land. It promotes the concept that individuals and businesses that support the wise stewardship of the land are welcome here, especially if they utilize our land and natural resource base in ways that meaningfully contribute to our economy. It also builds on the Farm-to-Plate Strategic Plan, which has been adopted as our roadmap for growing Vermont's food system and serves as an important guide to deploying Working Lands Enterprise funding in the ag and food sectors. The genesis for this visionary effort comes straight from Joni Mitchell: "Don't it always seem to go, that you don't know what you've got 'til it's gone . . .". In that context, Act 142 represents a timely and potentially transformative commitment of state resources toward a sector of Vermont's economy that shows great promise for the future.

The Legislature showed a lot of courage last spring as it crafted H.496, and the Administration pushed back hard, with good reason. Money was (and continues to be) tight, and there are a lot of competing priorities. Although the funding for this initiative was not in the Governor's original F/Y 2013 budget, it became clear as the discussion evolved that no one wanted to be in the position of someday wondering why our farmers and loggers have disappeared.

This is a pivotal time for the ag and forest product sectors in Vermont, and the idea that those sectors could meaningfully drive future economic development became too compelling to ignore, as the potential ancillary benefits to our environment, our communities, and our "brand" became clear.

To its credit, the administration recognized the value of this effort and has whole-heartedly kicked off the implementation process. In the rollout announcement in Middlebury on November 29, Agency of Agriculture Deputy Secretary Jolinda LaClair announced that the WLEB is now ready to receive requests for proposals for grants in three priority areas of investment: start-up or expanding entrepreneurial enterprises; technical, research, or support services for farm and forest product-related businesses; and capital or infrastructural needs or improvements. Potential applicants have been lining up in anticipation of leveraging private and foundation (philanthropic) dollars with state money in ways that will undoubtedly energize our economy. Rumor has it that the WLEB is worried about the high number of applications they might receive, but in this economic environment, that's a reason to celebrate, not worry! Demand defines need, and design reveals intent. Act 142 is meant to draw on, and support, the best of Vermont.

All that said, this is not the time to pat ourselves on the back and declare, "Job well done!" Rather, it is time to up the ante and sustain the initiative by infusing additional capital into the

Working Lands Enterprise Fund in the Governor's budget so that the economic stimulus germinated by the Working Lands initiative can actually take root and grow.

I'd like to invite the Governor to consider a legacy that includes the same sort of courage he has shown around health care. This legacy will be achieved through economic activity by continuing his investment in Vermonters whose work contributes to the iconic landscape and environmental benefits that set this state apart from all others. Including Vermont's Working Landscape as a budgetary and legislative priority will have a positive multiplier effect on social and economic conditions, and will one day be looked back upon as a truly wise and bold investment in our future.

For more information on the Working Lands Fund (including how to apply), go to: [www.vermontworkinglands.com](http://www.vermontworkinglands.com).

\*\*\*\*\*

*Will Stevens is an organic market gardener and Independent state representative from Shoreham.*

London, Sarah

---

**From:** MacLean, Alex  
**Sent:** Monday, January 14, 2013 7:59 AM  
**To:** Porter, Louis  
**Cc:** Miller, Lawrence  
**Subject:** Fwd: Hill Farmstead/Online beer sales

[ Executive Privilege ]

Alex MacLean  
Secretary of Civil and Military Affairs  
Deputy Chief of Staff  
1-802-828-3333

Begin forwarded message:

**From:** "Bartlett, Susan" <[Susan.Bartlett@state.vt.us](mailto:Susan.Bartlett@state.vt.us)>  
**Subject:** FW: Hill Farmstead/Online beer sales  
**Date:** December 12, 2012 1:57:44 PM EST  
**To:** "MacLean, Alex" <[Alex.MacLean@state.vt.us](mailto:Alex.MacLean@state.vt.us)>

Beer in the mail

---

**From:** Miller, Lawrence  
**Sent:** Friday, December 07, 2012 1:39 PM  
**To:** Bartlett, Susan  
**Subject:** Fwd: Hill Farmstead/Online beer sales

I think we should support this but our DLC apparently does not agree. I think you know this best on the 5th floor and I would appreciate it if you could circle up and let me know if we can get behind it.

\*\*\*\*\*

Lawrence Miller, Secretary  
VT Agency of Commerce and Community Development  
(802) 371-9075

Begin forwarded message:

**From:** Tim Ashe <[timashe@burlingtontelecom.net](mailto:timashe@burlingtontelecom.net)>  
**Date:** November 30, 2012, 3:27:50 PM EST  
**To:** Lawrence Miller <[lwm2vt@gmail.com](mailto:lwm2vt@gmail.com)>, "Miller, Lawrence"  
<[Lawrence.Miller@state.vt.us](mailto:Lawrence.Miller@state.vt.us)>  
**Subject:** Fwd: Hill Farmstead/Online beer sales

Lawrence - I fought for three years to allow in-state wine shops to ship wines to people out of state. It was a bit of a war, and I took a lot of shit from the distributors, but in the end we reached a compromise.

This time the issue is the micro-micro breweries who are seeing their single bottles sold on e-bay for up to \$100 per. I would like to introduce a bill to address this, but would be even more delighted if the administration would join me in supporting this. In particular, Sen. Mazza is very sensitive to these issues because of a perception, fostered by the distributors, that somehow this will chip into the sales of small retailers, which it will not.

I will also send you a message trail with Shaun Hill.

I think this would be a nice, modest proposal for the administration to support...

What do you think? If you are willing, I'd want to introduce the bill, and perhaps have a press conference in early January with the smallest beer producers, Adam Greshin, and you to highlight the issue for the session. Obviously, would also want to communicate with the distributors and Mazza that this is not going to effect them, and that they should support.

Tim

**Tim Ashe**  
State Senator  
Chittenden County

Begin forwarded message:

**From:** Sean Lawson <[lawsonsfinest](mailto:lawsonsfinest)>  
**Date:** September 17, 2012 8:31:39 AM EDT (CA)  
**To:** "Shaun E. Hill" <[hillfarmstead](mailto:hillfarmstead)>, Samuel Young  
<[samyoungvt](mailto:samyoungvt)>, Tim Ashe <[timashe@burlingtontelecom.net](mailto:timashe@burlingtontelecom.net)>  
**Cc:** [adamgreshin@madriver.com](mailto:adamgreshin@madriver.com)  
**Subject:** RE: Fwd: Hill Farmstead/Online beer sales

Greetings all,  
I have copied Adam Greshin, our local rep, on this email to advise. I've been discussing this issue over the last year with Adam, and he is willing to work with us to find good solution for this issue through new legislation.

I think one of the strongest arguments is that both VT wineries and 2nd class retail stores now have the legal right and ability to direct ship wine out-of-state. There really is no reason why (with the right guidelines and restrictions), that

breweries can't do the same responsibly.

Thanks,  
Sean

Sean Lawson  
Lawson's Finest Liquids, LLC  
Warren, VT 05674  
[REDACTED]  
[www.lawsonsfinest.com](http://www.lawsonsfinest.com)

"Straight from the Green Mountains to your head!"

-----Original Message-----

From: [hillfarmstead \[REDACTED\]](mailto:hillfarmstead@[REDACTED])  
Sent: Mon, 17 Sep 2012 08:07:14 -0400  
To: [lawsonsfinest \[REDACTED\]](mailto:lawsonsfinest@[REDACTED]), [sam.voungvt \[REDACTED\]](mailto:sam.voungvt@[REDACTED]),  
[timashe@burlingtontelecom.net](mailto:timashe@burlingtontelecom.net)  
Subject: Fwd: Hill Farmstead/Online beer sales

Good Morning,

See below. It appears that the DLC won't support the direct shipping.

I have written back to Martin and clarified what I have in mind - but am

hoping to talk further with the director soon.

Shaun e.

----- Forwarded message -----

From: Prevost, Martin <[Martin.Prevost@state.vt.us](mailto:Martin.Prevost@state.vt.us)>  
Date: Mon, Sep 17, 2012 at 7:53 AM  
Subject: RE: Hill Farmstead/Online beer sales  
To: "Shaun E. Hill" <[hillfarmstead \[REDACTED\]](mailto:hillfarmstead@[REDACTED])>

\*\*

Shaun,

After a few discussions with the Director and others, It looks like the

department would not support this measure for a variety of reason. You

may

do as you desire as far as trying to introduce new law but do not expect

DLC to support the bill.

\*Sgt. Martin Prevost\*

Administrative / Licensing Supervisor

Vermont Department of Liquor Control

13 Green Mountain Drive

Montpelier, Vermont 05602

802-828-2339 (Main Office)

(802)479-5697 (Residential office)

(802)828-1031 (Fax)

[martin.prevost@state.vt.us](mailto:martin.prevost@state.vt.us)

---

\*From:\* Shaun E. Hill [<mailto:hillfarmstead@hillfarmstead.com>]

\*Sent:\* Monday, September 10, 2012 8:31 AM

\*To:\* Prevost, Martin

\*Subject:\* Re: Hill Farmstead/Online beer sales

Hey Martin,

Just following up on the email copied below (from July 30th). I am going

to pursue this legislation in the upcoming session but was hoping that we

may be able to discuss beforehand.

Very Gratefully Yours,

Shaun e.

On Mon, Jul 30, 2012 at 12:22 PM, Shaun E. Hill

[<hillfarmstead@hillfarmstead.com>](mailto:hillfarmstead@hillfarmstead.com) wrote:

Hey Martin,

Per our conversation this morning, I'm curious about the ability to sell

some of our beer online and use Fedex Adult Signature Verification. It

would certainly cut down on illegal black market activity and alleviate

what we consider to be problematic behavior amidst craft beer

enthusiasts.

It would also keep the excise tax revenue in Vermont =)

Looking forward to hearing what you find out...

Gratefully Yours,

Shaun e.

--

Hill Farmstead Brewery

403 Hill Road

Greensboro Bend, VT 05842

802.533.7450

Web [hillfarmstead.com](http://hillfarmstead.com)

Facebook [facebook.com/hillfarmstead](https://facebook.com/hillfarmstead)

Twitter [twitter.com/hillfarmstead](https://twitter.com/hillfarmstead)

--

Hill Farmstead Brewery

403 Hill Road

Greensboro Bend, VT 05842

802.533.7450

Web [hillfarmstead.com](http://hillfarmstead.com)

Facebook [facebook.com/hillfarmstead](https://facebook.com/hillfarmstead)

Twitter [twitter.com/hillfarmstead](https://twitter.com/hillfarmstead)

--

Hill Farmstead Brewery

403 Hill Road

Greensboro Bend, VT 05842

802.533.7450

Web [hillfarmstead.com](http://hillfarmstead.com)

Facebook [facebook.com/hillfarmstead](https://facebook.com/hillfarmstead)

Twitter [twitter.com/hillfarmstead](https://twitter.com/hillfarmstead)

---

FREE 3D MARINE AQUARIUM SCREENSAVER - Watch dolphins, sharks & orcas on your desktop!

Check it out at <http://www.inbox.com/marineaquarium>



London, Sarah

---

**From:** MacLean, Alex  
**Sent:** Monday, January 14, 2013 8:02 AM  
**To:** Porter, Louis  
**Subject:** Fwd: Cloud

Alex MacLean  
Secretary of Civil and Military Affairs  
Deputy Chief of Staff  
1-802-828-3333

Begin forwarded message:

**From:** "Spaulding, Jeb" <[Jeb.Spaulding@state.vt.us](mailto:Jeb.Spaulding@state.vt.us)>  
**Subject:** RE: Cloud  
**Date:** December 14, 2012 6:19:48 PM EST  
**To:** "Peterson, Mary" <[Mary.Peterson@state.vt.us](mailto:Mary.Peterson@state.vt.us)>, "MacLean, Alex" <[Alex.MacLean@state.vt.us](mailto:Alex.MacLean@state.vt.us)>

We should have a copy of the publication with this in it on hand for distribution.

---

**From:** Peterson, Mary  
**Sent:** Friday, December 14, 2012 12:37 PM  
**To:** Spaulding, Jeb; MacLean, Alex  
**Subject:** Cloud

This is really great news – Michael Mazerov, well respected tax wonk at cbpp, is generally very aggressive in favor of state sales tax expansion. While that is the overall tone of his article yesterday, he actually counsels states NOT to tax cloud software since there are complex issues and discussions with industry that could lead to model legislation.

As states extend their sales taxes to digital goods and services, they should give careful consideration to whether and how to tax these products when one business sells them to another. Business-to-business sales of digitized movies, books, music, and computer games will almost always be for resale to final consumers, and states need to write their sales tax laws to ensure that such sales are tax exempt in the same way that sales of tangible goods for resale are. On the other hand, businesses do widely purchase computer software for their own use and states widely tax this software when it is purchased in physical form, so a good argument can be made that it should be taxed when purchased and delivered online. That said, taxing online computer software raises certain complex administrative and definitional issues — particularly when the software is received as a "cloud computing" service rather than a final purchase of an intact software package. These issues are currently in flux, and are the subject of state-industry discussions that could lead to model state legislation; for now, states would be well-advised to forgo extending their sales taxes to cloud computing services unilaterally.

Of course, that does not solve Jim's revenue issue.

Mary  
Mary N. Peterson  
Commissioner  
Vermont Department of Taxes  
133 State Street  
Montpelier, VT 05633-1401  
802.828.3763

London, Sarah

---

**From:** MacLean, Alex  
**Sent:** Monday, January 14, 2013 8:02 AM  
**To:** Porter, Louis  
**Subject:** Fwd: STEM Incentives

For background info

Alex MacLean  
Secretary of Civil and Military Affairs  
Deputy Chief of Staff  
1-802-828-3333

Begin forwarded message:

**From:** "Miller, Lawrence" <[Lawrence.Miller@state.vt.us](mailto:Lawrence.Miller@state.vt.us)>  
**Subject:** STEM Incentives  
**Date:** December 17, 2012 1:45:57 PM EST  
**To:** "MacLean, Alex" <[Alex.MacLean@state.vt.us](mailto:Alex.MacLean@state.vt.us)>, "Richards, Alyson" <[Alyson.Richards@state.vt.us](mailto:Alyson.Richards@state.vt.us)>, "Daniel P. Smith" <[dan.smith@vsc.edu](mailto:dan.smith@vsc.edu)>  
**Cc:** "Noonan, Annie" <[Annie.Noonan@state.vt.us](mailto:Annie.Noonan@state.vt.us)>

[http://accd.vermont.gov/business/stem\\_application](http://accd.vermont.gov/business/stem_application)

And the list of qualified occupations is  
at <http://accd.vermont.gov/sites/accd/files/Documents/business/STEM/occupationallist.pdf>

\*\*\*\*\*

Lawrence Miller, Secretary  
VT Agency of Commerce and Community Development  
(802) 371-9075

London, Sarah

---

**From:** MacLean, Alex  
**Sent:** Monday, January 14, 2013 8:02 AM  
**To:** Porter, Louis  
**Subject:** Fwd: Designation Review Summart

I did give Noelle the go ahead on this legislation.

Alex MacLean  
Secretary of Civil and Military Affairs  
Deputy Chief of Staff  
1-802-828-3333

Begin forwarded message:

**From:** "Mackay, Noelle" <[Noelle.Mackay@state.vt.us](mailto:Noelle.Mackay@state.vt.us)>  
**Subject:** RE: Designation Review Summart  
**Date:** December 20, 2012 3:37:30 PM EST  
**To:** "MacLean, Alex" <[Alex.MacLean@state.vt.us](mailto:Alex.MacLean@state.vt.us)>

Perfect. Thanks for making time. N

Noelle Mackay, Commissioner  
Agency of Commerce and Community Development  
Department of Economic, Housing and Community Development  
One National Life Drive North Building, 6th Floor  
Montpelier, VT 05620-0501  
Phone: (802) 828-5216  
Fax: (802) 828-2928

Doing business in Vermont? <http://thinkvermont.com>

---

**From:** MacLean, Alex  
**Sent:** Thursday, December 20, 2012 3:34 PM  
**To:** Mackay, Noelle  
**Subject:** Re: Designation Review Summart

Noelle,

Will either call you later this afternoon or tomorrow afternoon.

A

Sent from my iPhone

On Dec 20, 2012, at 3:30 PM, "Mackay, Noelle" <[Noelle.Mackay@state.vt.us](mailto:Noelle.Mackay@state.vt.us)> wrote:

Any chance you have 5 min today or tomorrow for a quick check in. I want to make sure about this decision. I'm in the office until 5:30 or so today and around tomorrow. Cell 661-8117. Off next week, but feel free to call.

I feel a bit confused and don't want to mis-step on this with our designation. Thanks, N

Noelle MacKay, Commissioner  
Agency of Commerce and Community Development  
Department of Economic, Housing and Community Development  
One National Life Drive North Building, 6th Floor  
Montpelier, VT 05620-0501  
Phone: (802) 828-5216  
Fax: (802) 828-2928

Doing business in Vermont? <http://thinkvermont.com>

---

**From:** MacLean, Alex  
**Sent:** Tuesday, December 18, 2012 12:24 PM  
**To:** Mackay, Noelle  
**Subject:** Re: Designation Review Summart

Noelle,

Apologies for the late response. I talked to Ron today about the Act 250 decision.

A

Alex MacLean  
Secretary of Civil and Military Affairs  
Deputy Chief of Staff  
1-802-828-3333

On Dec 17, 2012, at 10:06 AM, Mackay, Noelle wrote:

Wanted to make sure you received this. Got the note that it was OK to proceed. Working group has some draft language changes. I'll work with our legal folks and then finalize for your review. So let me know if you have any other questions.

Does Ron know about the Act 250 decision? We have a meeting today with him so was just wondering.

Thanks, N

Noelle MacKay, Commissioner

Agency of Commerce and Community Development  
Department of Economic, Housing and Community Development  
One National Life Drive North Building, 6th Floor  
Montpelier, VT 05620-0501  
Phone: (802) 828-5216  
Fax: (802) 828-2928

Doing business in Vermont? <http://thinkvermont.com>

---

**From:** Mackay, Noelle  
**Sent:** Friday, December 14, 2012 2:29 PM  
**To:** MoultonPowden, Pat  
**Cc:** Hollar, Jennifer; Miller, Lawrence  
**Subject:** Designation Review Summart

Pat,

Attached is the designation review summary for Alex that you can add to. Below are concerns that we raised when hearing ANR's State Policy and Program Changes:

- Many of the recommendations hinge upon limiting activities in areas that are considered "hazard areas." Key stumbling block is that there is not consistent information and data layers throughout the state. Several grants (EDA-VERI and HMGP) hope to assist ANR in developing full coverage.
- Adopt A New State Executive Order: EO that would avoid state making investment in critical areas. Issue raised by ACCD: many of our state buildings are in downtowns – which are in flood prone areas.
- Expand Act 250 Jurisdiction for Floodplain Projects. Comments by ACCD: did not know how this fit into other Act 250 updates (energy, climate, permit reform, etc.)
- Many of the other recommendations –technical assistance, improving municipal reviews, etc – do not need legislative change, but do need man-power to review and potentially enforce.

Let me know if you need anything else. N

Noelle MacKay, Commissioner  
Agency of Commerce and Community Development  
Department of Economic, Housing and Community Development  
One National Life Drive North Building, 6th Floor  
Montpelier, VT 05620-0501  
Phone: (802) 828-5216  
Fax: (802) 828-2928

Doing business in Vermont? <http://thinkvermont.com>

<Designation Program Review.docx>

London, Sarah

---

**From:** MacLean, Alex  
**Sent:** Monday, January 14, 2013 8:04 AM  
**To:** Porter, Louis  
**Subject:** Fwd: Rutland Senatorial District Meeting results

Alex MacLean  
Secretary of Civil and Military Affairs  
Deputy Chief of Staff  
1-802-828-3333

Begin forwarded message:

**From:** Kathy Hall <[krhall297](mailto:krhall297)>  
**Subject:** Fwd: Rutland Senatorial District Meeting results  
**Date:** January 3, 2013 4:46:05 PM EST  
**To:** "MacLean, Alex" <[Alex.MacLean@state.vt.us](mailto:Alex.MacLean@state.vt.us)>

January 3, 2013

Dear Governor Shumlin,

I write to inform you of the results of the Rutland County Senatorial District Committee meeting held on January 2, and called for the purpose of nominating as you requested three candidates for the senate seat vacated by Bill Carris.

Of the possible 62 voting delegates, 56 checked in at the duly warned meeting and were eligible to vote. Four names were put into nomination and the results of the secret ballot produced these three nominees:

Eldred French: 42 votes  
Cheryl Mazzariello Hooker: 38 votes  
Bob Baird: 37 votes

We are grateful for the opportunity to participate in this process, and are proud that we have such capable and willing candidates to recommend to you.

Respectfully,

Katherine Hall, Chair  
Rutland County Democratic Committee



London, Sarah

---

**From:** MacLean, Alex  
**Sent:** Monday, January 14, 2013 8:05 AM  
**To:** Porter, Louis  
**Subject:** Fwd: senatorial appointment for Rutland County

Alex MacLean  
Secretary of Civil and Military Affairs  
Deputy Chief of Staff  
1-802-828-3333

Begin forwarded message:

**From:** Gregory Macleod <[gsmacleod@state.vt.us](mailto:gsmacleod@state.vt.us)>  
**Subject:** senatorial appointment for Rutland County  
**Date:** January 4, 2013 4:32:17 PM EST  
**To:** "[peter.shumlin@state.vt.us](mailto:peter.shumlin@state.vt.us)" <[peter.shumlin@state.vt.us](mailto:peter.shumlin@state.vt.us)>  
**Cc:** "MacLean, Alex" <[Alex.MacLean@state.vt.us](mailto:Alex.MacLean@state.vt.us)>

Governor Shumlin - My wife Carol and I have been friends and neighbors of Eldred and Nancy French and their three daughters for over 30 years. We would like to recommend his appointment to the Senate seat vacated by Bill Carris. We are disappointed to see Bill retire, but excited (as excited as a 4th gen. Vermonter gets) to see Eldred have the opportunity to serve our State as a Senator. I would be enthusiastic to talk to you about the many reasons we believe Eldred will be a unique asset to our Governing system, and there are many, but we recognize your many other obligations. We would ask you to appoint Eldred to this position, and watch a very interesting person make his contribution to our Great State. Thank you. Gregory and Carol Macleod (D's), Wallingford, Vt.

London, Sarah

---

**From:** MacLean, Alex  
**Sent:** Monday, January 14, 2013 8:07 AM  
**To:** Miller, Lawrence  
**Cc:** Porter, Louis  
**Subject:** Re: Legislative action on "7th" TIF district

Perfect, thanks!

Alex MacLean  
Secretary of Civil and Military Affairs  
Deputy Chief of Staff  
1-802-828-3333

On Jan 14, 2013, at 7:57 AM, Miller, Lawrence wrote:

done. All South Burlington representatives and all Chittenden County senators same bill going in both sides

\*\*\*\*\*

Lawrence Miller, Secretary  
VT Agency of Commerce and Community Development  
(802) 371-9075

"MacLean, Alex" <[Alex.MacLean@state.vt.us](mailto:Alex.MacLean@state.vt.us)> wrote:

If you two could close this loop that would be great.

Alex MacLean  
Secretary of Civil and Military Affairs  
Deputy Chief of Staff  
1-802-828-3333

Begin forwarded message:

**From:** "MoultonPowden, Pat" <[Pat.MoultonPowden@state.vt.us](mailto:Pat.MoultonPowden@state.vt.us)>  
**Subject:** RE: Legislative action on "7th" TIF district  
**Date:** November 27, 2012 2:22:35 PM EST  
**To:** "MacLean, Alex" <[Alex.MacLean@state.vt.us](mailto:Alex.MacLean@state.vt.us)>, "Kenney, Fred" <[Fred.Kenney@state.vt.us](mailto:Fred.Kenney@state.vt.us)>

**Cc:** "Spaulding, Jeb" <[Jeb.Spaulding@state.vt.us](mailto:Jeb.Spaulding@state.vt.us)>, "Miller, Lawrence" <[Lawrence.Miller@state.vt.us](mailto:Lawrence.Miller@state.vt.us)>, "Peterson, Mary" <[Mary.Peterson@state.vt.us](mailto:Mary.Peterson@state.vt.us)>

I have not had those conversations. I will check with Lawrence but I doubt it. So we need to start that.

Pat

Patricia Moulton Powden  
Deputy Secretary and  
Economic Development Director  
Vermont Agency of Commerce and Community Development  
One National Life Drive-6th Floor  
Montpelier, VT 05620-0501  
(802) 828-5200-direct  
(802) 371-9077 mobile

Doing business in Vermont? [http://thinkvermont.com/  
facebook.com/VermontEconomicDevelopment](http://thinkvermont.com/facebook.com/VermontEconomicDevelopment)  
[twitter.com/VTEconDev](https://twitter.com/VTEconDev)

---

**From:** MacLean, Alex  
**Sent:** Tuesday, November 27, 2012 9:35 AM  
**To:** Kenney, Fred  
**Cc:** Spaulding, Jeb; Miller, Lawrence; MoultonPowden, Pat; Peterson, Mary  
**Subject:** Re: Legislative action on "7th" TIF district

Ok so looks like we need to talk to Barre and South BTV reps and senators re. putting together a stand alone bill that can hopefully move quickly. Have any of these conversations occurred yet?

Alex MacLean  
Secretary of Civil and Military Affairs  
Deputy Chief of Staff  
1-802-828-3333

On Nov 19, 2012, at 2:14 PM, Kenney, Fred wrote:

Jeb:

The VEPC Board reached positive determinations on all approval criteria for the Barre City TIF at our November 15 meeting. The Board will vote on the Final Determination Document (basically the contract between State and TIF District) at our December 6 meeting. That will mean the 6 TIF Districts allowed by current statute are approved.

VEPC will also continue consideration of the South Burlington TIF District application at the December 6 meeting, then, assuming all goes well on Dec 6., the final vote will occur at our next meeting on January 13.

The next steps for South Burlington, assuming approval of the TIF District application, will be to submit a TIF District Financing Plan to VEPC for approval, then go to the So Burlington public for a TIF debt ceiling vote. They will not take these steps until the legislature acts on the TIF cap. It is my understanding that South Burlington is not planning to schedule the debt ceiling vote during the first half of 2013.

From that perspective, there is no deadline looming for South Burlington requiring action by the General Assembly quickly or early in the session on the additional TIF District.

However, waiting for a "normal" vehicle, such as the Misc Tax Bill, which will not be passed until the end of the session, will probably have the following consequences:

- South Burlington will not know if they have the support of the GA for the 7<sup>th</sup> TIF until May or June, delaying the other actions they need to take, such as submittal of the TIF Financing Plan, public education for the debt ceiling vote, and other actions they need to take in their normal budgeting cycle, such as budgeting for engineering plans for certain TIF projects.
- The request for an additional TIF will get caught up in the larger debate over TIFs resulting from the audits of the "old" TIFs and the legislative changes to the program which will inevitably be requested this session by the municipalities and the VLCT.

At his press conference on September 4, the Governor said, "[I] will seek early legislative action to increase the number of TIFs that can be approved to seven and emphasized this situation should not get wrapped

up in the larger questions about the appropriate number of and accountability for TIF Districts. I expect there will be broad discussion in the next Legislature about the value of the TIF program and proper accountability, etc., but that should be outside of the narrow question about these two communities who have been playing under the existing rules. I am hopeful for quick legislative approval of my request for Barre and South Burlington,”

<image001.jpg>

Fred Kenney

Executive Director

Vermont Economic Progress Council

1 National Life Drive

Montpelier, VT 05620-0501

[Fred.kenney@state.vt.us](mailto:Fred.kenney@state.vt.us)

(802) 828-5256 Direct Line

(802) 777-8192 Mobile

[www.facebook.com/VermontEconomicDevelopment](http://www.facebook.com/VermontEconomicDevelopment)

[twitter.com/VTEconDev](https://twitter.com/VTEconDev)

<image003.jpg>

*“Improve the economic vitality of Vermont and support a diverse, sustainable future for Vermonters”*

---

**From:** Spaulding, Jeb  
**Sent:** Monday, November 19, 2012 12:54 PM  
**To:** Kenney, Fred  
**Subject:** FW: TIF district

Fred,

See below. Please advise.

---

**From:** MacLean, Alex  
**Sent:** Monday, November 19, 2012 9:53 AM  
**To:** Miller, Lawrence; MoultonPowden, Pat; Peterson, Mary  
**Cc:** Spaulding, Jeb  
**Subject:** TIF district

Hi All -

I have begun to compile the legislative list for the Administration and have a quick question on adding a TIF district. Is there a timing requirement of this or should we aim to put this in the misc. tax bill? That is certainly the easiest route

but if there is a need to get this done before May please let me know and I will work to find a different vehicle.

A

Alex MacLean  
Secretary of Civil and Military Affairs  
Deputy Chief of Staff  
1-802-828-3333