

From: London, Sarah
Sent: Thursday, August 04, 2016 5:04 PM
To: 'Erin Mansfield' <emansfield@vtdigger.org>
Subject: Your request

Erin, attached please find records in response to your request dated July 25, 2016. Weekly reports to the Governor, which Lawrence and other Governor's staff received, have been withheld as executive privileged communications pursuant to 1 VSA 317(c)(1) & (4). A few pages have been withheld at this time as potentially relevant to litigation pursuant to 1 VSA 317(c)(14) because they fall under various litigation hold notices - these withheld pages are not about VTel, but are portions of longer documents that appear in this production. Personal contact information has been redacted pursuant to 1 VSA 317(c)(7). In addition to the records attached, Lawrence and all staff received a calendar update regarding the Governor's attendance at a VTel announcement regarding a partnership with Sprint at Adkins Field in Hardwick VT at 1:30pm on July 1, 2014.

If you feel any records have been withheld in error, you may appeal to the Governor's Chief of Staff, Darren Springer.

Thank you,
Sarah

Sarah London
Counsel to the Governor
802-828-3333
sarah.london@vermont.gov

Miller, Lawrence

From: London, Sarah
Sent: Wednesday, June 29, 2016 5:03 PM
To: Johnson, Harriet; Miller, Lawrence
Subject: RE: Public Records Request -- 2013 Communication

I am trying to get to this now. Sorry there is no Jess here. Will come out tonight. Thanks

From: Johnson, Harriet
Sent: Wednesday, June 29, 2016 4:47 PM
To: Miller, Lawrence <Lawrence.Miller@vermont.gov>
Cc: London, Sarah <Sarah.London@vermont.gov>
Subject: FW: Public Records Request -- 2013 Communication

Do we have a response ready?

thanks

Harriet Johnson | Agency of Administration
109 State Street | Montpelier, VT 05609-0201
ph: 802.828.3322 | fax: 802.828.3320

From: Erin Mansfield [<mailto:emansfield@vtdigger.org>]
Sent: Wednesday, June 29, 2016 4:45 PM
To: Johnson, Harriet <Harriet.Johnson@vermont.gov>
Cc: Miller, Lawrence <Lawrence.Miller@vermont.gov>
Subject: Re: Public Records Request -- 2013 Communication

Hi Harriet,
Just following up to see when I can expect a response.
Erin

On Wed, Jun 15, 2016 at 1:33 PM, Johnson, Harriet <Harriet.Johnson@vermont.gov> wrote:

Dear Erin:

I am writing in response to your recent public records request dated June 14, 2016 to Lawrence Miller and myself.

Pursuant to 1 V.S.A. § 318 please be advised that you can expect a further response to your request within ten business days of receipt of the request.

Thank you.

Harriet

Harriet Johnson | Agency of Administration

109 State Street | Montpelier, VT 05609-0201

ph: 802.828.3322 | fax: 802.828.3320

From: Erin Mansfield [mailto:emansfield@vtdigger.org]

Sent: Tuesday, June 14, 2016 1:29 PM

To: Miller, Lawrence <Lawrence.Miller@vermont.gov>; Johnson, Harriet <Harriet.Johnson@vermont.gov>

Subject: Public Records Request -- 2013 Communication

June 14, 2016,

Dear Lawrence Miller (chief of health care reform) and Harriet Johnson (executive assistant at the Agency of Administration):

Pursuant to Vermont's Public Records Act, I am seeking copies of emailed communication to or from Lawrence Miller between Jan. 1, 2013 and Dec. 31, 2013.

This is for a time period when Mr. Miller was the Secretary of the Agency of Commerce and Community Development. Please narrow the communication to anything regarding the Vermont Telephone Company, also known as VTel and VTel wireless, in that year.

Because this request is in the public interest, I request that you waive any fees for filling it. If fees are assessed, please notify me before proceeding. If, after that conversation, fees are charged, please provide a detailed receipt explaining the purpose of each fee charged.

If some of this material will take longer to provide than other portions, please provide any segments of the requested information as soon as it is available. If this information is available in electronic format, please provide it in that manner. If any or all of the information can be provided by email, please do so.

Please let me know if you have any questions about this request. I would appreciate receiving those questions by today via email. I trust you will respond to my request for the records within the timeframe set out in the Public Records Act.

Should you deny access to any of the records I am requesting, please provide me with a list of those records ("Vaughn index") indicating the specific exemption that applies to each record or portion of the record being withheld. If a record has a portion that is exempt from disclosure, the law [1 VSA 318 (e)] requires that only the exempt portion be redacted, and that a copy of the rest of the document be released, together with a notation of the specific exemption that applies to the portion withheld. In that event, please also indicate the name and title of the person responsible for the denial and, as the law requires, please inform me of the appeal procedures available to me, and the name of the person to whom appeal may be made.

Thank you for your assistance.

--

ERIN MANSFIELD

Health Care and Business Reporter

VTDigger.org

802.558.3024 | @erin_vt

97 State Street | Montpelier VT 05602

--

ERIN MANSFIELD

Health Care and Business Reporter

VTDigger.org

802.558.3024 | @erin_vt

97 State Street | Montpelier VT 05602

Miller, Lawrence

From: Vermont Tech Jam <yourfriends=sevendaysvt.com@mail22.atl91.mcsv.net> on behalf of Vermont Tech Jam <yourfriends@sevendaysvt.com>
Sent: Monday, June 06, 2016 6:16 PM
To: Miller, Lawrence
Subject: Build-a-Bot Workshop on Wednesday; Castleton University to Invest in STEM Ed

Learn to make a web bot in a workshop with Vermont Public Radio developer Sara Simon.

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Monday, June 6, 2016

Ready for Camp?

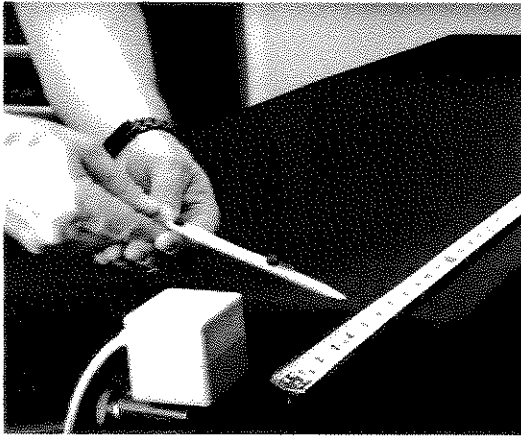
Code Camp, that is. Vermont Code Camp brings the local tech community together with students and professionals from around the region for a day-long, hands-on conference. This year's Code Camp takes place on Saturday, September 17. The event's volunteer organizers are now seeking session topics — [find more info here](#).



— *Cathy Resmer*

DEMO

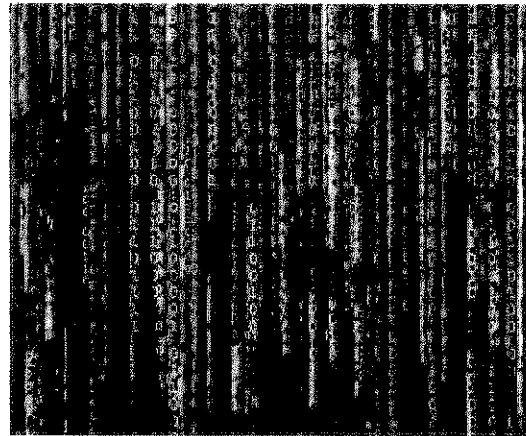
WORKSHOP



Polhemus Motion-Tracking Tech

Colchester-based Polhemus pioneered motion-tracking more than 45 years ago. See their technology and discuss its many applications, including industrial and healthcare VR training simulators, at this June meetup of the Vermont VR/AR group. Wednesday, June 8, at Excelerate Essex.

[Read more](#)



Learn to Make a Benevolent Bot

Vermont Public Radio web developer Sara Simon leads this hands-on workshop for Burlington Python, in which participants write, test and deploy a bot. Read more about Sara's work in [this Poynter interview](#), then head to Main Street Landing Performing Arts Center in Burlington on Wednesday, June 8.

[Find details](#)

TECH NEWS



Infrastructure Upgrades Extend Sovernet's Footprint

BRATTLEBORO REFORMER, 6/5/16

A Sovernet spokesperson says the company has focused on providing the telecommunications infrastructure for commercial and municipal use; other companies use that "back bone" to provide residential service.

Feds: VTel Met Obligations, But System 'Not Fully Functional'

VTDIGGER.ORG, 6/1/16

The Vermont Telephone Co. got federal stimulus funds to build 131 broadband towers. And regulators say the company did its job — even if it's impossible to tell how many Vermonters are actually being served.

ECFiber to Bring Universal Fiber-Optic Network to Six Towns in 2017

VTDIGGER.ORG, 5/29/16

Residents of Pomfret, Pittsfield, Barnard, Strafford, Thetford and West Windsor may soon be able to connect to the internet using ECFiber, a nonprofit utility serving 24 member towns.

Castleton University to Invest \$3.6 Million in STEM Facilities

VERMONT BUSINESS MAGAZINE, 6/1/16

The state of Vermont will pony up a cool million to help Castleton update its laboratories.

New Broadband Grants Will Let Companies Build in VTel Territory

VTDIGGER.ORG, 5/31/16

Companies can now apply for grants to extend broadband service to underserved Vermonters — including some in VTel's service area.

**Featured Tech
Events**

ADVERTISEMENT

- [Burlington JS: Awesome App Architecture With React Router](#)
Main Street Landing Performing Arts Center, Burlington.
Wednesday, June 8.
- [Upper Valley Mac Users Group](#)
WinCycle, Windsor. Thursday, June 9.
- [Brattleboro Coworking Meetup](#)
The Lounge @ Duo, Brattleboro.
Tuesday, June 14.



[Find more tech events](#)

TECH JOBS



- [Information Technology Support Specialist](#), UVM Extension
- [eCommerce Manager](#), Turtle Fur
- [Director of Engineering and Grid Services](#), Burlington Electric
- [Adjunct Faculty, Mathematics](#), Champlain College

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Miller, Lawrence

From: Vermont Business Magazine <donotreply=vermontbiz.com@mail222.wdc02.mcdlv.net>
on behalf of Vermont Business Magazine <donotreply@vermontbiz.com>
Sent: Saturday, June 04, 2016 7:01 AM
To: Miller, Lawrence
Subject: Round Up of this week's TOP 10 Enews stories 📧

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vermontbiz | weekly roundup



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**SMALL BUSINESS
PERSON OF THE YEAR**
Tom Stearns,
High Mowing Organic Seeds
June 16, 2016, 4 - 7 pm @
Country Club of Vermont

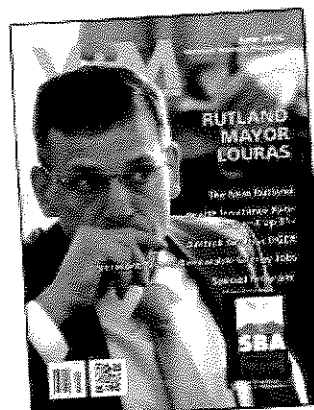


10) Castleton to invest \$3.6 million in STEM facilities

vermontbiz.com

With a focus on preparing current and future students for high skill, high demand, high paying jobs in Vermont, Castleton University has committed to investing roughly \$3.6 million in a renovation and modernization project to the Jeffords Science Center, after recently acquiring a \$1 million capital investment from the state of Vermont. The Castleton STEM Improvement Project includes funds from the Capital Adjustment Bill containing \$500,000 funded up front from the state, paired with \$500,000 upon match from the University, totaling \$1.5 million to be combined with other funding sources for renovations and expansion of its science laboratories.

9) Shumlin signs bill to protect Vermonters from toxic chemicals



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June's issue
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SERIOUS BUSINESS...
SERIOUS NEWS

vermontbiz.com

Just over three months after the discovery of elevated levels of the potentially harmful chemical PFOA in private wells in and around North Bennington and Bennington, Governor Peter Shumlin on Wednesday signed a law that will hold polluters responsible and help better control the use of potentially toxic chemicals in the state.

8) Governor Shumlin makes Vermont first state to require Rx drug price transparency

vermontbiz.com

In an effort to build on health care cost containment efforts that have been a priority since he came to office, Governor Peter Shumlin has signed a law to make Vermont the first state in the US to require greater transparency of drug manufacturers when they increase the prices of prescription medications. Under the legislation (S216), insurers will be required to provide Vermonters with information about how much prescription drugs will cost out of pocket.

7) UVM trustees approve 3 percent tuition hike, 7.7 percent financial aid increase

vermontbiz.com

At its May meeting, the UVM Board of Trustees approved a three percent tuition increase, and continued its commitment to offset rising tuition by increasing financial aid 7.7 percent. Approximately one-half of all tuition increases goes toward increasing financial aid. As a result, the net revenue tuition increase is only about 1.5 percent for FY 2017. For instance, this year financial aid gifts lowered the sticker price for tuition, fees and room and board for Vermont students from \$27,918 to \$18,469 with 43 percent of in-state students paying no tuition.



Check out our Enews!

<https://t.co/rr3thA17Qh6> 02PM

enews | - <https://t.co/XITcWtf4QX6> 02PM

Weekly unemployment claims down, still ahead of 2015 | Vermont Business Magazine

<https://t.co/pNqYfZu2U82> 23PM

Shumlin issues executive order allowing Vermonters to continue displaying Vermont Strong license...

<https://t.co/jcTgSLskk912> 22PM

Check out VBM's June issue featuring Rutland's Mayor Louras; The New Rutland; Health Insurance Rate Request Up... <https://t.co/NKfH44bhWd10> 58AM



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statewide business magazine in Vermont. We are a multi-media publication with over 6,000 monthly print subscribers. Follow us on Twitter too. @vermontbiz @vermontbiznews

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Latest Posts

Board materials show that UVM has the next to lowest average tuition and fees increase (3.1 percent) over the past three years among a set of comparator private and public colleges and universities. The board also approved an FY 2017 general fund budget of \$348.5 million.

6) VTel met obligations, but system not 'fully functional'

vtddigger.org


The USDA says that even though VTel has met its obligations to build wireless broadband under a federal funding award, the system is not "fully operational," and VTel has not provided "a definitive time frame" for when it will be.


5) Vermont Yankee tax value drops \$172 million


The Commons


Vermont Yankee's property value has plummeted by almost 70 percent, according to a tax deal that has been approved by the Vernon Selectboard and the state. The six-year tax-stabilization contract sets the shut-down nuclear plant's value at \$78 million, down from a \$250 million valuation that had been in effect. The change affects the town and state differently, but the end result will be the same — a loss of millions of dollars in Vermont Yankee tax revenue over the life of the agreement. But officials also say the deal contains some positives for Vernon, including a substantial annual payment in lieu of taxes to cushion the blow of lost taxes. That means Vermont Yankee owner Entergy will be paying much more than required, said Patty O'Donnell, a Vernon official who was involved in negotiations with Entergy.


4) SEC: Quiros potentially liable for \$191.8 million in 'ill-

 Check out our Enews![\[see more\]](#)6/3/16 6:02PM

 Vermont Business Magazine[\[see more\]](#)6/3/16 2:23PM

 Shumlin issues executive order allowing Vermonters to continue displaying Vermont Strong license...[\[see more\]](#)6/3/16 12:22PM

 Vermont Business Magazine[\[see more\]](#)6/3/16 10:59AM

 Check out VBM's June issue featuring Rutland's Mayor Louras; The New Rutland; Health Insurance Rate Request Up 8%; Amtrak Grabs a TIGER; Vermont Boasts Renewable Energy Jobs and a Special Program of the 2016 SBA Small Business Awards. This year Tom Stearns from High Mowing Organic Seeds has won the Small Business Person of the Year Award presented by VBM and SBA.[\[see more\]](#)6/3/16 10:58AM

gotten gains'

vtdigger.org

If the judge accepts arguments made by federal regulators, Quiros would be barred from running the Jay Peak and Burke resorts. He would also be prohibited from selling securities, and his assets would remain largely frozen.

3) Renewable Bill Faces

Possible Veto, Legislature

Eyes Fix

VPR

The Shumlin administration and legislative leaders are questioning aspects of a renewable energy siting bill passed in the waning hours of the 2016 legislative session. The concerns may prompt Gov. Peter Shumlin to veto the bill, according to Rep. Tony Klein, the chairman of the House Natural Resources and Energy Committee.

2) Governor Shumlin signs

\$613 million FY2017

Transportation Bill

vermontbiz.com

Governor Peter Shumlin today at the new I-89 interchange in Waterbury signed the FY 2017 Transportation Bill, which approves \$612,574,418 in infrastructure improvements and maintenance of the state's highways, bridges, rail lines, and airports. It also provides capital and operating support for public transit systems and other programs critical to the safe and efficient movement of people and goods in Vermont.

1) State orders Jay Peak tram

shut down

BURLINGTONFREEPRESS.COM

Vermont's Passenger Tramway Board has ordered the

Jay Peak aerial tram shut down until upgrades are made,
according to a document delivered to the resort this week.



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Miller, Lawrence

From: Vermont Business Magazine <donotreply=vermontbiz.com@mail77.atl91.mcsv.net> on behalf of Vermont Business Magazine <donotreply@vermontbiz.com>
Sent: Thursday, June 02, 2016 6:02 PM
To: Miller, Lawrence
Subject: enews | \$613M for Transportation; Jay Peak tram shut down

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Governor Shumlin signs \$613 million FY2017 Transportation Bill


vermontbiz.com

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Spirits of Vermont



Tasting & Market Event featuring
Vermont distillers, wineries & breweries
Paired with a showcase of food
Sunday, July 3, 2016 3-6pm



Click Here to learn more
about the fundraiser for
The Pope Memorial Library,
Danville, VT

State orders Jay Peak tram shut down

BURLINGTONFREEPRESS.COM

Vermont's Passenger Tramway Board has ordered the Jay Peak aerial tram shut down until upgrades are made, according to a document delivered to the resort this week.

VTel met obligations, but system not 'fully functional'

vtdigger.org

The USDA says that even though VTel has met its obligations to build wireless broadband under a federal funding award, the system is not "fully operational," and VTel has not provided "a definitive time frame" for when it will be.

Help wanted: Vermont adds 4,000 jobs this year

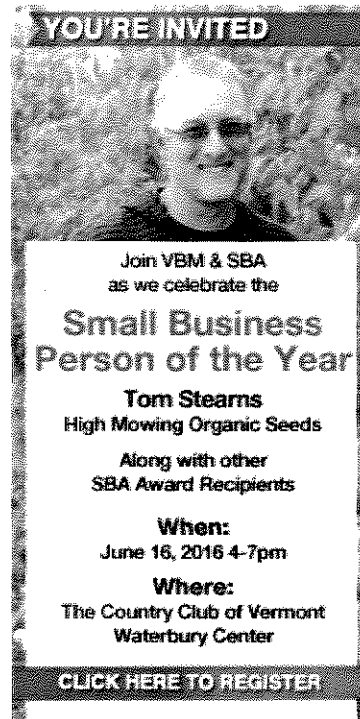
BURLINGTONFREEPRESS.COM

The March unemployment rate of 2.6 percent for the Burlington area was the third lowest rate of any metropolitan area in the U.S. Only Ames, Iowa, and Sioux Falls, South Dakota were lower. The overall Vermont rate in April of 3.2 percent was fifth lowest.

PAI: 10 states account for most Vermont migration

Public Assets Institute

In the last two decades most of the people moving to and from Vermont have followed the same paths. Between 1993 and 2014, the top 10 destinations for people moving away were New Hampshire, New York, Massachusetts, Florida, California, North Carolina, Connecticut, Maine, Virginia, and Pennsylvania. Nine of those states — all but North Carolina — were also among the top 10 states of origin for Vermont's new arrivals.



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<https://t.co/uiEbOeU8Fc3> 5:44PM

Vermont Yankee tax value drops
\$172 million | Vermont Business
Magazine

<https://t.co/JLg8ctuXgI> 1:29PM

e/eneews = VBM's energy and
environmental newsletter delivered
every Thursday.)

<https://t.co/Tw8zwxN4B1> 2:04PM

Bringing the hammer down on Harmony Place in Brattleboro

vermontbiz.com

Brattleboro's newly formed Parks and Plazas, Inc introduced the final stage of the Brooks House's \$24 million redevelopment project to a community crowd of over 200 Wednesday. Bob Stevens (Stevens Associates and the Brooks House Development Project) told the crowd that Brattleboro is a great downtown, but it is fragile — it's suffered from fire and Irene flooding, from old tired buildings, and from on-line stores and big boxes.

GMP's St. Albans manure- digester project on hold

BURLINGTONFREEPRESS.COM

State approval for a manure processor and power generator has stalled due to a slew of questions about its environmental benefits, according to Green Mountain Power.

Vermont officials travel to Michigan after prison incidents

WCAX

Lawyers from Vermont's Prisoners' Rights Office plan to travel to Michigan this weekend to investigate a series of incidents in a prison there that houses Vermont inmates.

GW Plastics wins Plastics News' 2015 'Sustained Excellence' Award

vermontbiz.com

Norwich University officials say yes to student's hijab

BURLINGTONFREEPRESS.COM

e/eneews | -

<https://t.co/1noNaVFmd5> 1:20PM

PAI: 10 states account for most

Vermont migration | Vermont

Business Magazine

<https://t.co/w6NMDvQyPg> 10:27AM



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📰 Vermont Yankee tax value drops \$172 million | Vermont Business Magazine[see more]6/2/16 1:29PM

📰 e/eneews = VBM's energy and environmental eneewsletter delivered every Thursday;)[see more]6/2/16 1:20PM

📰 PAI: 10 states account for most Vermont migration | Vermont Business Magazine[see more]6/2/16 10:27AM

**Hodges named assistant AD,
SVC awarded NCAA strategic
alliance grant**

vermontbiz.com

Politics/Government

**GOP campaigns spar over effort
to tar Scott with Shumlin brush**

vtdigger.org

A pair of mailings from Bruce Lisman's side has exacerbated tensions between the two Republican gubernatorial campaigns, with Phil Scott's campaign manager calling them "an act of desperation" filled with "blatant lies."

**'Spaceman' Lee adds curveball
to field of governor hopefuls**

vtdigger.org

He decries the opiate addiction problem as a product of "the introduction of the designated hitter and the elimination of PE" gym classes in school. On the second point, he said, he is serious.

**New laws signed to better
protect Vt. state employees**

WCAX

Two new laws are on the books Thursday afternoon aimed at better protecting state employees following the murder of a social worker last summer.

**In The Vermont Legislature, An
Unusually High Number Of
Open Seats**

VPR

Shumlin issues executive order
allowing Vermonters to
continue displaying Vermont
Strong license plate

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Miller, Lawrence

From: Dudley, Jahala
Sent: Thursday, June 02, 2016 8:00 AM
Subject: MEDIA CLIPS FOR THURSDAY, JUNE 2

VTDIGGER:

VERMONT STATE POLICE BARRACKS BUILT BUT NEEDS PERMITS BRATTLEBORO REFORMER

WESTMINSTER — The Vermont State Police will have to wait just a little while longer before moving into a new barracks due to stormwater issues.

"The building is ready to be occupied," said Bob Rea, director of facilities and operations for the state's Buildings and General Services. "A certificate of occupancy has been completed. The equipment has been moved in so that when (the Department of) Public Safety does get ready and we can give them the go-ahead, they can start functioning as a public safety facility. From our standpoint, because Public Safety wanted to be in by June, now they'll be happy if it's July."

The newly constructed \$6.2-million, 16,600-square-foot police barracks, located on Westminster Heights Road near Exit 5 of Interstate 91, will be home to troopers currently stationed in Brattleboro and Rockingham.

Westminster Town Manager Russell Hodgkins said the facility originally was designed to have a retention stormwater permit, meaning the water would stay on the site and soak into the ground. He had worried the plan would not last for the long term and expressed that concern before construction began. He said he was assured by engineers the pond would hold up in a 100-year-flood event.

But project leaders are now working with the town to address a portion of the stormwater running off the barracks' land onto adjoining property owned by the town after material was taken off the barracks property and disposed of illegally. The town was named in a notice of an alleged violation issued by the Department of Environmental Conservation.

"Water that used to run off our property ran off in various ways but there was one water course that was used. By dumping the material there, it kind of redirected the water," said Rea. "Our original design called for all water to be retained on the site but the water did not percolate into the ground as originally anticipated so the design had to be changed to a detention pond."

When notified of an alleged violation, Hodgkins said the town did not know it owned the land in question. The property was acquired when it gave up a right-of-way to Green Mountain Power.

"The water came over the bank and washed over a pretty big gouge of natural land and trees," said Hodgkins. "We've been negotiating for a good two months about who was responsible, what's going to happen eventually and who's going to be in charge of paying for the new fix to their problem. The state has stepped up and said they would take care of all of it."

The town has been waiting on a new design, according to Hodgkins, who said he has offered input on what the town would like to see. The project will be heard at a Development Review Board meeting on June 6.

Plans are being changed so that a stormwater detention pond will be constructed rather than a retention pond. Rea said the state will maintain the pond.

Site designs had to be resubmitted to the town and state. Rea said construction of the pond can begin once permits are obtained.

"We're waiting on an amended Act 250 permit. We're also waiting for our construction permit, which expired on May 15. We're waiting for that to be renewed. With everything going on, that permit expired. We had expected to be done with everything," said Rea. "We want to be good neighbors with the town. We told the town we'd be responsible for putting the remediation in even though we didn't dump the fill in there. Water's coming from our site. We don't want to shackle the town with this responsibility forever."

On Wednesday, District 2 Coordinator Stephanie Gile said she received an application for the Act 250 permit but did not have a chance to review it.

"We're on the mend and looking forward to putting this to rest," said Hodgkins.

Contact Chris Mays at cmays@reformer.com or 802-254-2311, ext. 273.

GROUP HOME FOR PSYCHIATRIC PATIENTS MEETS LOCAL OPPOSITION

ERIN MANSFIELD

Residents in a small southern Vermont community are criticizing a plan to open a group home for psychiatric patients in one of the wealthiest parts of town.

Property owners and community leaders in Danby say psychiatric patients at a proposed group home would bring down their property values. They're targeting state regulators for not stopping the proposal, and they want to keep the group home, called PATH at Stone Summit, from opening.

Annette Smith, an environmental advocate who lives in Danby, said people are "concerned about the types of people who may be coming into town" when the home opens and that residents would likely "escape" the home and likely "go to somebody's home and break in."

Brian Keating, who owns a second home in Danby, has been leading the charge. He said: "These people come and go as they please. There doesn't seem to be any kind of control. And they're medicated. So I don't see the benefit to what the proposed loss is."

April Stein, who declined to comment for this story, wants to open the home for eight people in a rented facility at the top of a hill in Danby. The home would board people in their 20s with psychiatric diagnoses who need to transition from inpatient care to independent life.

Stein submitted an application March 18 seeking a green light from regulators at the Green Mountain Care Board to open the facility without a state-level permit, called a certificate of need. The board decided April 7 it did not have jurisdiction at the time to issue or deny a permit because the annual operating costs of the group home would be less than \$500,000.

According to the application, the residents would live on the facility's campus, be discouraged from having cars on campus, and have access to psychiatric services to manage medication. The for-profit facility would not accept government or commercial insurance and would instead bill residents between \$450 and \$750 a day.

The application describes PATH at Stone Summit as a way to combine vocational rehabilitation and psychiatric care for young adults who have depression, anxiety, bipolar disorder, comorbid substance abuse or personality disorders. Residents would gradually "return to their own communities feeling a sense of mastery, competence, and personal integrity."

Keating, a resident of White Plains, New York, who owns property a mile from the proposed facility, said his property value would go down by more than half because people would be less likely to buy a home near psychiatric patients.

"Is it right that there's a stigma? It isn't. But you have to deal with what you have to deal with," Keating said. He also said, as an example, that he would also oppose anyone who tried to open a pig slaughterhouse in Danby. But he said he would buy the property from Stein if it would stop her from opening.

Rep. Patti Konline, R-Dorset, represents the area in the Legislature. She said there is "some kind of gap" in the state's regulatory system because the budget for PATH at Stone Summit does not adequately estimate how much to pay a psychiatrist or how much to spend on meals.

Konline also raised questions about how much property values would go down in the area, which she said is one of the wealthiest parts of Danby and contributes significantly to the town's grand list. "I would never want to live next door to a psychiatric facility," she said.

Rep. Anne Donahue, R-Northfield, a mental health advocate, said it's common for neighbors to fear having people with psychiatric diagnoses in their towns. But she said once group homes open, the neighbors usually realize there aren't any problems.

"I know (discrimination) remains a reality and a struggle," Donahue said. "Even people with disabilities have a right to live somewhere, and the fact that you have a mental health or substance abuse issue doesn't necessarily mean there's a threat."

Danby does not have any zoning laws, and if it did, a state law would pre-empt any local ordinance that sought to keep out the group home. A Vermont anti-discrimination law says that a group home for eight or fewer people with disabilities must automatically be considered a single-family home under town zoning.

Al Gobeille, the chair of the Green Mountain Care Board, said if the operating cost of the group home were more than \$500,000 a year, the board would decide whether to go through a formal certificate of need process. And even if that happened, he said, it is very unlikely the board would reject the facility.

"No one has made the case that we have enough mental health or substance abuse treatment in the state," Gobeille said. "Some people have made the case about MRI, emergency rooms, hospitals. Nobody in mental health or substance abuse land has made the case that there's enough."

The board sent VT Digger the entire public record for the PATH at Stone Summit project, including Stein's application and Keating's comments, available [here](#).

TAXES TAKE BITE OUT OF VERMONT YANKEE CLEANUP FUND

MIKE FAHER

Debate has surrounded the way Vermont Yankee administrators are using the plant's decommissioning trust fund.

As it turns out, the federal government has been taking its share of that same pot of money.

In response to an information request from the Vermont Nuclear Decommissioning Citizens Advisory Panel, Entergy administrators have disclosed that they paid \$34 million in federal trust fund taxes over a 10-year period.

Those tax payments — the result of a 20 percent federal levy on trust fund investment earnings — will continue throughout the decadeslong process of decommissioning Vermont Yankee. And that has some wondering whether some sort of tax relief could help speed cleanup work at the Vernon plant.

"Maybe we could get a little (federal) action going here to get some relief, not for the benefit of Entergy but for the benefit of Vermont to have a faster decommissioning," said Martin Langeveld, the advisory panel's vice chairman.

At this point, there is no consensus among panel members to lobby for a change in the federal tax structure. But Chairwoman Kate O'Connor predicts that the issue will come up again this year as the group gets more information.

Vermont Yankee stopped power production in December 2014, but the bulk of Entergy's decommissioning work isn't happening right away. The plant is heading into an extended period of dormancy, under which decommissioning can take up to 60 years.

Delayed decommissioning gives a trust fund time to grow due to investment earnings. That's important at Vermont Yankee, where Entergy's federally approved long-range plan says decommissioning is expected to cost \$1.24 billion.

Entergy has been spending Vermont Yankee trust fund money since shutdown; those withdrawals, combined with changes in investment performance, lead to frequent fluctuations in the fund. Last week, the company reported the balance was \$594.1 million at the end of April.

The trust fund has been a source of conflict. Though federal regulators have thus far sided with Entergy, Vermont officials want a speedier decommissioning and argue that the fund shouldn't cover expenses such as insurance payments, property taxes and long-term management of spent fuel.

So anything that affects the Vermont Yankee trust fund attracts scrutiny. The focus usually is on Entergy's spending, but Langeveld has been inquiring for the past few months about the impact of any federal taxes on the trust fund.

Entergy's answers show the impact has been significant. While publicly owned power utilities are exempt from nuclear trust fund taxes, private utilities like Entergy must pay, said Vermont Yankee Government Affairs Manager Joe Lynch.

At one point, the federal tax rate on trust fund earnings was 35 percent. "Fortunately, in 1992 ... Congress enacted certain rules associated with these trust funds and set the income tax for gains on the fund at 20 percent," Lynch told panel members at a recent meeting. "And that's what we pay right now."

Some trust fund investments are subject to the tax, while others aren't. Lynch said Entergy tries to manage the Vermont Yankee fund "to maximize after-tax returns and thus minimize the overall taxes that we do have to pay."

Nevertheless, Entergy's new report shows that the Vermont Yankee trust fund paid \$34 million in federal taxes from 2005 to 2014.

Even in the context of an expensive decommissioning job, that's no small amount. For example, \$34 million is 24 percent of the money needed to transfer all of Vermont Yankee's remaining spent fuel into dry cask storage. And it's 15 percent of the estimated cost of managing that radioactive material until it is removed from the Vernon site.

There is no state tax on nuclear decommissioning trust funds, and "that's one good thing," Langeveld said. But he expressed concern about the federal levy's depletion of the Vermont Yankee fund.

Without that tax, "how much sooner would decommissioning be able to take place?" Langeveld asked.

Lynch said he could not answer that. Entergy's decommissioning plans, officials said, assume the tax will remain in place.

Not everyone is eager to seek trust fund tax relief for Entergy. For instance, state Public Service Department Commissioner Chris Recchia argued against "changing the rules" of a federal tax that's been in place for almost a quarter-century.

"These people bought the plant in 2002 as a private entity and knew that to be the case, factored that (tax) into all their financials," Recchia said. "That was part of the deal."

Langeveld pointed out, though, that Entergy didn't build the trust fund. The principal funding came from a fee charged to Vermont electrical ratepayers; when Entergy purchased the plant, the decommissioning trust fund was part of the sale approved by the Vermont Public Service Board.

If there is any trust fund money remaining at the end of decommissioning, 55 percent of that total must be returned to Vermont Yankee Nuclear Power Corp., the plant's original owner. Green Mountain Power now owns that corporation. The expectation is that ratepayers would see money passed along to them.

"This fund doesn't really belong to Entergy — it belongs to the ratepayers," Langeveld said. "This is a tax on the money of the ratepayers who paid into it for years, and our grandchildren stand to gain a little refund of some sort at the end of the day. ... I think that this is something that's more important to the state of Vermont, really, than it is to Entergy."

'SPACEMAN' LEE ADDS CURVEBALL TO FIELD OF GOVERNOR HOPEFULS

MARK JOHNSON

Bill "Spaceman" Lee checks a blade at the sawmill in Craftsbury where wood is sawn that is used for bats with his name on them. Courtesy photo by Anika Bieg

Former Boston Red Sox pitcher Bill "Spaceman" Lee never had much of a fastball. He relied more on off-speed pitches and curveballs throughout his baseball career.

Not much has changed, not even his changeup — he still pitches senior ball in Burlington — except for one thing. He's added a new pitch to his arsenal: He's running for governor of Vermont.

Thursday evening in Cabot, Lee will officially kick off his campaign as the candidate of the Liberty Union Party, the party that spawned the political career of presidential candidate Bernie Sanders. Lee's campaign promises to be a mix of pitches — fastballs and curveballs, and maybe even one of those super-slow throws with an enormously high trajectory, known as an eephus pitch, that became his signature way of catching the batter off-guard.

The Craftsbury resident is an oddity and a study in contrasts. A goofball off the field, Lee pitched more games for the Sox than any other left-hander in the team's history. He won 109 games in a career with the Sox from 1969 to 1978 and then the Montreal Expos until 1982, pitching in relief at the beginning and end of his career, a three-time 17-game winner as a starter in between.

But Lee's bigger claim to fame was forged off the field with off-the-cuff, often tongue-in-cheek remarks, including support for Maoist China and Boston school busing. He was a darling of the press.

Just when you think Lee is being serious, he veers into the silly.

"I live here because it's a sane place to live," he said Wednesday, "and because it's a halfway house between two bars, one in Montreal and one in Boston."

The 69-year-old has been an ambassador for Major League Baseball since 1999, helping to bring Cuban players to the United States and encouraging Americans to visit the island country. He also said that in his first 100 days he will market baseball bats made from Vermont wood and labeled "I-91" and "I-89."

He decries the opiate addiction problem as a product of "the introduction of the designated hitter and the elimination of PE" gym classes in school. On the second point, he said, he is serious, adding that children need to be made to go outside and run to "create their own endorphins" and not rely on drugs.

The founder of the Liberty Union Party, Peter Diamondstone, told Time Magazine that Lee is a credible candidate.

"He seemed to us to be a person of high quality character," Diamondstone said. "He goes to Cuba and plays baseball with young girls and boys. He does things that seem to be in the spirit of the socialist community."

The Liberty Union Party describes itself as the nonviolent socialist party. It is classified as a minor party, although it had major party status as recently as 2012. Last year, it passed a resolution condemning Vermont's three-member congressional delegation as "war criminals" for supporting Israel.

This will not be Lee's first swing at politics.

In 1988, he ran for president under the banner of the Rhinoceros Party. His platform included bulldozing the Rocky Mountains so areas to the east could receive a few extra minutes of sunlight. He also sought to ban guns and butter.

Asked what his 2016 gubernatorial platform will be, Lee said, in between splitting cords at his home: "It will be made of my own wood."

He went on to list universal health care and legalizing marijuana as part of his agenda, though he sounded as if he thought that had already been taken care of.

"It's not legal?" he quipped. "It's been legal since 1966 as far as I'm concerned."

The man who once bragged he sprinkled marijuana on his pancakes to combat Boston bus fumes said he no longer smokes it. "I'm into edibles these days."

Lee became known as "Spaceman" in 1971 after a teammate, third baseman John Kennedy — no, not that Kennedy — heard him pontificating about an Apollo mission to reporters after a game, preventing Kennedy, according to Lee, from getting changed quickly enough to catch up with a woman he spied in the crowd.

Lee said he also wants to abolish the border between the U.S. and Canada, harness Canada's Bay of Fundy for electric power and bring the Tampa Bay Rays back to Montreal.

"We'll call them the X-Rays," he said.

Lee said that in truth he would not do much as governor and that it's really just a stepping stone.

"This is a perfect state. Why touch it?" he said, invoking the Heisenberg Uncertainty Principle, which says that once something is observed or examined its behavior is changed. Plus, Lee said, he has higher goals.

"I want to be the emperor of planet Earth," he said.

Lee may run into a practical problem. He told Time magazine he lived in Vermont for only three months of the year, which would mean he is not a full-time resident. He told VTDigger he's "pretty sure" he was in the state for six months of the year, but quickly added he expected the issue to be a "touchstone" in the campaign.

"I'm a ballplayer. I'm always on the road," Lee said. He said he also has homes in Canada and Florida. "My accountants are in Florida, my lawyers in Montpelier and my doctors are in Canada — my dentist, my dermatologist, my orthopedic surgeon."

Lee plans to use his appearances on the mound for the Burlington Cardinals, his senior league team, to promote his candidacy.

"Am I the right person to lead the state? You bet I am," he said, "in international affairs and domestic affairs. I live off the land, eat my own produce. I eat within 5 miles of my house, and I think that's the way all Vermonters should live."

Also running for governor are Democrats Sue Minter, Matt Dunne and Peter Galbraith. Republicans running are Lt. Gov. Phil Scott and Bruce Lisman.

Lee will hold his kickoff at Headwater Gardens in Cabot at 5:30 p.m. Thursday.

SPECIAL SESSION EYED AS SHUMLIN PEN HOVERS OVER SITING BILL

JASPER CRAVEN

Legislators are in talks to convene a special session next week should Gov. Peter Shumlin bring out his veto pen for a bill meant to give communities more oversight over the location of energy projects.

"We are still reviewing the bill," said Shumlin spokesman Scott Coriell. "As you know, the chairs of the House and Senate energy committees have raised significant concerns about potential unintended effects of this bill. We are looking into those concerns now, and the governor will make a decision about how to proceed."

In the weeks since the session ended, Shumlin has signed dozens of bills into law, but he has not acted on the siting bill, S.230. If he rejects it, the Legislature could reconvene to try to overcome the veto; that would occur June 9. Overriding a veto requires a two-thirds vote of the members present of each house.

"We have had a number of discussions about what would happen if there was a veto, ranging from an override to some legislative fixes that could be made," said House Speaker Shap Smith, D-Morristown. "No specific course has been set yet."

The siting bill passed on the last day of the session amid scrambling in a bicameral conference committee. A number of controversial provisions, which were added in the final hours of legislative bargaining, prompted a May veto threat from the governor.

Language causing the most concern for some legislators and Shumlin has to do with sound limits for wind turbines and the process by which they would be established.

Rep. Tony Klein, D-East Montpelier, who chairs the House Committee on Natural Resources and Energy, said eleventh-hour additions to the bill in conference committee made it a very different piece of legislation from the one that passed the House unanimously in April.

"I don't think anybody had any idea that no existing commercial wind project today could ever meet those sound requirements," Klein said. "That's the problem when you don't have time to do research and collect testimony."

Legislators pointed to other issues in the final bill, including the lack of a \$300,000 funding mechanism for regional planning commissions tasked with drafting siting plans for renewable energy projects.

Klein said he and the Senate energy chairman, Chris Bray, D-New Haven, have identified a number of fixes that could be passed in a special session and sent back to the governor.

"We now need to figure out how that happens," Klein said. "That's not as easy as buttering a piece of toast, especially because at this moment you don't even have any language that has been proposed by anybody that there's universal agreement on."

The generally uncontested provisions of the bill deal with the siting process, which gives towns and regions authority to write energy plans showing where they believe projects should and shouldn't go.

If the Department of Public Service certifies these plans as compatible with state energy goals, renewable energy developers must abide by the town's wishes unless "clear and convincing" evidence shows that the good of the state necessitates otherwise.

Under S.230, the Public Service Board must afford towns' approved energy plans "substantial deference" when weighing permit applications.

Energy siting was a hotly contested issue last session, and many community advocates felt the final siting bill doesn't go far enough in curbing the power of energy companies to establish wind and solar farms.

Senate Minority Leader Joe Benning, R-Caledonia, who co-sponsored the bill, said he would support an override vote.

"If Shumlin goes to veto, my personal opinion is we should try to override him," Benning said. "This is the first piece of legislation since I've been elected that attempts to give the people more say over what's going on with their energy policy."

Smith said he supports tweaks to clean up the bill but disagreed with Shumlin's concerns over a requirement to fast-track rulemaking for sound requirements.

"I don't think that the bill is as bad as the administration seems to think," Smith said. "But they are a separate branch of government and get to do what they want."

CANDIDATE FILINGS SHOW WHO'S RUNNING, WHO'S LEAVING

JASPER CRAVEN

The lineup of party candidates in races across the state is essentially complete, with more than 300 people having submitted the necessary paperwork and signatures to the secretary of state's office.

Roughly a third of the registered candidates are Republicans and two-thirds Democrats. Vermonters go to the polls for the primaries Aug. 9.

Candidates had to file their paperwork last week, but town clerks had until this week to forward it to the secretary of state's office. One candidate was granted a filing extension.

Four candidates have registered as Progressives, including Boots Wardinski for lieutenant governor. Three Progressives are running for the House: Robert Millar, of Winooski, Daniel Nadeau, of Highgate, and Dottie Ricks, of Barre Town.

VTDigger has compiled a list of registered primary candidates across the state, as well as a list of incumbent elected officials who have announced they are not seeking re-election.

If you notice a name is missing or incorrect, email jcraven@vtdigger.org and we will update the list.

FEDS: VTEL MET OBLIGATIONS, BUT SYSTEM NOT 'FULLY FUNCTIONAL'

ERIN MANSFIELD

The federal government told Vermont's congressional delegation this month that the Vermont Telephone Co. has met all of the requirements to build its Wireless Open World project.

Brandon McBride, the administrator for the federal Rural Utilities Service, wrote to the delegation May 9 that VTel has built 131 wireless broadband towers in Vermont, and 124 have been tested and are ready to be used.

McBride wrote the letter in response to an April 6 letter from the delegation that asked “what actions” the federal agency is taking to make sure VTel completes the project and “what corrective steps” the agency would take if the company “fails to deliver on its obligations to the federal government and the taxpayers.”

The Rural Utilities Service is part of the U.S. Department of Agriculture, and it’s the same federal agency that subsidized rural electrification in the 1930s. The agency awarded VTel an \$81.7 million grant and a \$35.2 million loan in 2010 as part of the federal stimulus package to bring wireless broadband to “virtually 100 percent of Vermont’s unserved population.”

Wireless Open World was to use a portion of that award package to bring those addresses wireless 4G/LTE service — the same Internet technology that smartphones use. But state officials and Vermont’s congressional delegation continue to raise questions about whether the project is serving the Vermonters who were once promised coverage.

McBride wrote in the letter to Vermont’s congressional delegation that VTel “has met its obligations” to the federal government and “constructed their network in accordance with the award application and loan-grant agreement” and is required to keep bringing service to customers for the term of its loan.

McBride referenced VTel’s original award application and its loan-grant agreement. Those documents total about 900 pages, and more than two-thirds of those pages are redacted, with references to exemptions under the U.S. Freedom of Information Act.

McBride said in the letter that the Rural Utilities Service “does not field check customer locations unless it funds equipment at the location,” and that it “does not have the resources to test signal degradation, and cannot verify the reliability of service.”

A spokesperson for the Rural Utilities Service had not returned an emailed request for comment as of Wednesday afternoon, a day after it was sent. The spokesperson said previously that the agency “routinely audits all loan projects” and “provided sufficient oversight” of the project.”

Additionally, the letter says that even though VTel has met its obligations, the system is not “fully operational” and VTel has not provided “a definitive time frame” for when it will be. When that happens, McBride wrote, the agency will conduct field checks to check area coverage and speed.

David Weinstein, an aide to Sen. Bernie Sanders, I-Vt., said in an interview that he was disappointed that the federal government considers building wireless towers compliance with the \$116 million award agreement.

“To my mind, the federal government did not provide VTel with \$116 million to build infrastructure, but to provide Internet access for unserved Vermonters,” Weinstein said.

Sen. Patrick Leahy, D-Vt., and Rep. Peter Welch, D-Vt., said the following in a joint statement: “The basic principle behind public-private partnerships is that, in return for scarce federal resources, private sector companies must meet their obligations and be transparent about their challenges and accomplishments.

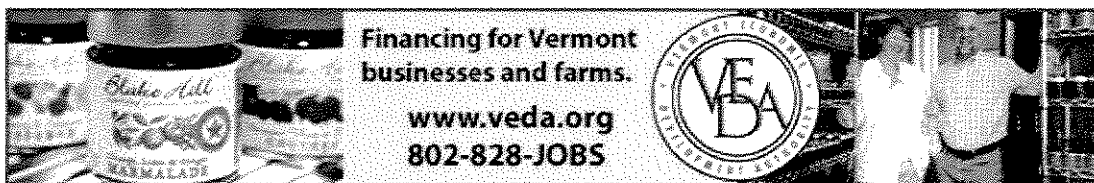
“While the company may have met the letter of its grant agreement with RUS, there remain questions about whether it has met the spirit of its agreement by reaching all eligible Vermont homes in the targeted service area. Until those questions are answered, and until all Vermonters seeking service have it, the jury is out on this important taxpayer funded project.”

Miller, Lawrence

From: Vermont Business Magazine <donotreply=vermontbiz.com@mail77.atl91.mcsv.net> on behalf of Vermont Business Magazine <donotreply@vermontbiz.com>
Sent: Wednesday, June 01, 2016 6:02 PM
To: Miller, Lawrence
Subject: enews | Castleton to invest \$3.6 million in STEM facilities; Leahy feels betrayed by Jay Peak developers

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Castleton to invest \$3.6 million in STEM facilities

vermontbiz.com

With a focus on preparing current and future students for high skill, high demand, high paying jobs in Vermont, Castleton University has committed to investing roughly \$3.6 million in a renovation and modernization project to the Jeffords Science Center, after recently acquiring a \$1 million capital investment from the state of Vermont. The Castleton STEM Improvement Project includes funds from the Capital Adjustment Bill containing \$500,000 funded up front from the state, paired with \$500,000 upon match from the University, totaling \$1.5 million to be combined with other funding sources for renovations and expansion of its science laboratories.



Hinesburg Residents Prepare To Fight Vermont Gas Over Wetland Clearcut

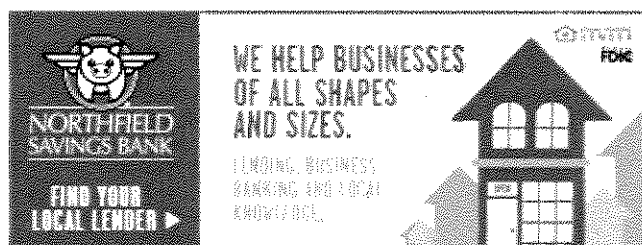
VPR

A group of Hinesburg residents got legal standing last week to fight Vermont Gas Systems on the company's effort to build a pipeline through a town park. They say the chosen route for the pipeline would be devastating for a rich ecosystem that includes state-designated wetlands.

SEC: Quiros potentially liable for \$191.8 million in 'ill-gotten gains'

vtdigger.org

If the judge accepts arguments made by federal regulators, Quiros would be barred from running the Jay Peak and Burke resorts. He would also be prohibited from selling securities, and his assets would remain largely frozen.



New broadband grants will let companies build in VTel territory

vtdigger.org

If VTel doesn't want competitors to receive more than \$550,000 in grants to build in its territory, the company will need to submit a written verification saying the addresses are served.

MorrisSwitzer merger creates E4H healthcare design firm

vermontbiz.com

Three of the country's leading healthcare architectural firms, including one of Vermont's largest architectural firms, have merged: MorrisSwitzer Environments for Health (Williston,

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Vermont), Ascension Group Architects, and daSilva Architects are now Environments for Health Architecture (E4H). Each firm has focused exclusively on healthcare design, and has a history of innovation, agility, and state-of-the-art technical expertise specific to the healthcare sector. MorrisSwitzer is the firm designing the new \$175 million University of Vermont Medical Center inpatient building in Burlington.

UVM Medical Center awards \$883,000 in grants to community health programs

vermontbiz.com

The University of Vermont Medical Center(link is external), based in Burlington, invested \$883,000 in Fiscal Year 2016 in a broad range of non-profit social service and health programs in Chittenden and Franklin counties through its Community Health Investment Fund. Support was directed to critical needs including affordable medical care, expanded free and reduced-cost school breakfast, transportation for seniors, and oral health care for children, among others. This year's recipients include the Public Health Dental Hygienist program, the Chittenden County Opioid Alliance, KidSafe CHARM team, and the Vermont Ethics Network.

Politics/Government

Patrick Leahy: 'I Feel Betrayed'

By Jay Peak Developers

VPR

Vermont Sen. Patrick Leahy says recent federal fraud charges have shaken his confidence in what was once praised as the most successful EB-5 project in Vermont.

Burlington School Board Seeks

Remedy for Teachers' Costly

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Seven Days

When Terry Buehner retired last year after teaching for 45 years in the Burlington School District, she collected a \$26,751 payout for unused sick time on top of her annual salary. The history teacher wasn't alone; she and 23 other retiring or resigning teachers cashed out a total of \$457,301 in accumulated sick-leave benefits.

Vermont Business Magazine[[see more](#)]6/1/16 9:06AM

They Love a Parade: A Long March to Election Day

Seven Days

Gov. Peter Shumlin marches Monday in Vergennes' Memorial Day Parade

As marching bands and fire departments took their places Monday morning in the Vergennes Union High School parking lot, Lt. Gov. Phil Scott taped "Thank a Vet Today" placards to the sides of a campaign vehicle — a black Ford pickup truck.

Democratic candidates continue to avoid VP questions

WCAX

As Hillary Clinton gets closer to grabbing the Democratic presidential nomination, she still must figure out how to win-over Bernie Sanders' loyal supporters for the general election.

In California, Sanders banks on making his pitch in person

vtdigger.org

Facing an expensive media market, the presidential candidate is aiming to get his message out chiefly through rallies. He has been hustling up and down the Golden State over the past weeks, hoping to speak before 200,000 residents.

Roper: Pre-K a potentially huge bill for Vermont property taxpayers

vermontbiz.com

For over a decade we have been following the goal of the VTNEA (the teachers union) and their allies in Montpelier to expand the public school system by two years to include three and four-year-olds. The next steps in this very expensive long-term play are underway right now. First, a brief history of how we got to where we are today. In 2006, the legislature passed Act 62, which made "Universal Pre-K" programs for three and four-year-olds eligible to draw down education fund dollars.

In Bid For Endorsement From State Workers, Galbraith Gets Early Lift

VPR

Democratic candidate for governor Peter Galbraith has gotten the nod from a key committee inside one of the state's largest labor unions.



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From: Dudley, Jahala
Sent: Monday, May 30, 2016 7:56 AM
Subject: MEDIA CLIPS FOR MONDAY, MAY 30

TIMES ARGUS/RUTLAND HERALD:

Armed standoff ends in suicide

ERIC BLAISDELL

PLAINFIELD — Vermont State Police said an armed standoff that lasted for several hours Sunday ended after the suspect took his own life.

Lt. Matt Nally of the state police said troopers were called out to conduct a welfare check Sunday morning. Prior to their arrival, according to Nally, shots had been fired.

He said troopers were able to make contact with the man and spoke to him for a while before the man “ended the situation.”

According to a news release issued by state police Sunday evening, the welfare check originated in East Montpelier at about 10 a.m. as the man was making suicidal statements. Police didn’t know where the man was until about 12:45 p.m. when someone in Plainfield called to report that an unknown male was in a neighbor’s backyard and shooting a gun. The man reportedly fired the gun as many as 12 times.

Troopers found the man in the backyard of the house and started a dialogue with him, according to the release. He was described as distraught.

Police say the man eventually killed himself with the gun. They did not say what kind of gun the man had.

The man’s name has not been released pending notification to his family.

Troopers carrying military-style rifles were seen evacuating houses around the area during the standoff. Several cruisers were parked at an impromptu staging area at the old Red Store on Route 2.

People who appeared to know the man were observed crying and consoling each other. Plainfield Fire and Rescue and the East Montpelier Fire Department each had an ambulance on the scene, but they were sent off around 3 p.m. after it was determined the man was dead.

The incident drew plenty of attention as people drove by on a busy Route 2 during a holiday weekend.

The man’s death is being investigated and police say no troopers or other citizens were injured in the incident.

Select Board Chairman Bram Towbin said he didn’t know the specifics surrounding the shooting, but suggested the incident clearly speaks to the need for robust mental health services. Police did not say if there was anyone from Washington County Mental Health Services at the scene.

“You have despondent people who are trying to work things out and they turn to this kind of drastic solution,” Towbin said. “It’s very sad and tragic.”

Towbin said the town would like to express its condolences to the man's family. Towbin also said he couldn't remember the last time someone committed suicide in town using a firearm, or when an armed standoff was involved.

A race to return WWI Purple Hearts

WILSON RING, AP

ST. ALBANS — A group that seeks to reunite lost Purple Hearts with service members or their descendants is embarking on an ambitious project: to return 100 such medals or certificates earned in World War I before the 100th anniversary next April of the United States' entry into the conflict.

Zachariah Fike, of the Vermont-based Purple Hearts Reunited, began the project after noticing he had in his collection of memorabilia a total of exactly 100 Purple Hearts or equivalent lithographs awarded for injuries or deaths from the Great War.

"You're honoring fallen heroes," said Fike, a Vermont National Guard captain wounded in Afghanistan in 2010. "These are our forefathers; these are the guys that have shed their blood or sacrificed their lives for us. Any opportunity to bring light to that is always a good thing."

The lithographs, known as a Lady Columbia Wound Certificate and showing a toga-wearing woman knighting an infantry soldier on bended knee, were what World War I military members wounded or killed while serving were awarded before the Purple Heart came into being in 1932. World War I service members who already had a lithograph became eligible for a Purple Heart at that time.

The Purple Hearts and the certificates include the name of the service member to whom they were awarded. Fike is working with researchers to try to find the descendants of the service members.

So far, he has found about two dozen, including a handful of children, most now in their 90s, so they can be presented with commemorations that somehow were lost.

The first return that's part of the World War I project was over Memorial Day weekend, on Saturday in Hanover, Pa., where the medal awarded to Cpl. William Frederick Zartman, who was severely wounded while fighting in France on July 22, 1918, was returned to his grandnephew. After the war, Zartman became a barber in York County, Pennsylvania. He died in 1948.

Zartman's descendant Wayne Bowers, 64, of Thomasville, Pa., said before the ceremony that he was unaware of the details of his uncle's World War I service until he heard from Fike's organization at the beginning of May.

"He died before I was born, and I never knew anything more about it," Bowers said. "My whole family is in shock, really. ... It's a fantastic thing to find out."

Fike's efforts began in 2009, after his mother gave him a Purple Heart and dog tags she had bought in an antique shop. He realized he should return the medal to its owner, Pvt. Corrado A.G. Piccoli, an Italian immigrant from the Watertown, N.Y., area who Fike had learned was killed in France in 1944.

Fike later returned the medal to Piccoli's sister.

Since Fike started Purple Hearts Reunited in 2012, the organization has presented hundreds of medals and lesser memorabilia received by his organization, including dog tags, earned in conflicts ranging from World War I to the wars in Iraq and Afghanistan.

So far, the most articles Fike's organization has returned in one year is 60. It plans to return the World War I medals by early April 6, 2017. And it will continue to return medals awarded in other conflicts.

Fike is working with the Village Frame Shoppe and Gallery in St. Albans to mount the certificates and the medals in frames that include biographies of the men who earned them and, in some cases, photographs.

He is also raising money to help pay the \$1,500 cost of each presentation, which includes buying the certificates and the medals, frequently online; framing them; and the presentations themselves, usually done with military honors in the hometown of the descendants.

When he can't find a descendant, the commemoratives are donated to museums or historical societies near the service members' hometowns — what Fike calls "homes of honor."

OPINION: Child care report faulted

Aubrey Boyles, Montpelier

Recently Let's Grow Kids issued a report titled "Stalled at the Start" regarding access to regulated child care, access to "high-quality" child care, and the role of the STARS program. The report was insulting, ill-considered, and fundamentally inaccurate. There are a few things about the study that concern providers and parents across the state:

Participation in STARS is optional and Let's Grow Kids' "four stars equals high quality" assumption is false. The STARS program's own statements to providers make clear that every star demonstrates a provider's willingness to go above and beyond standard regulations.

The study seems intentionally designed to cause panic among families looking for high-quality care. Let's Grow Kids has told parents that if they choose anyone with less than four stars they are essentially failing their kids.

The fundamental problem with the study is that it assumes that the STARS program is an accurate measure of quality. It is not. STARS places a premium on several "qualifications" that have nothing to do with providing high-quality care for children and families.

The study's further assumption that non-participation in STARS means low quality is also false. Many providers choose not to participate in STARS because of the time it requires, and time away from the children and families they work with. The study demeans and devalues the work of the majority of child care providers in the state who have zero, one, two or three stars.

The study's bleak conclusions rest on assumptions directly contrary to the STARS program's own statements to providers, it insults the majority of active STARS participants, and it plants baseless fear in the hearts and minds of families looking for high-quality care. I find it very troubling that an organization supposedly devoted to serving children and families published this.

OPINION: Vote Lisman in primary

DAVID KELLEY Greensboro

With Act 46, Governor Shumlin and his colleagues in the Legislature (including Phil Scott) have begun the process of dismantling local school boards, throwing away the value of hundreds of talented, local, volunteer, board members. In doing so, we are greatly diminishing precious opportunities for community engagement with our schools. This is being done with no discernible savings to taxpayers whatsoever, unless small, rural elementary schools (in many cases, the heart and soul of their community) are put on the chopping block. To protect the quality of our schools, Vermont needs to move in a new direction. Bruce Lisman is dedicated to prudent fiscal management without damaging the quality of our schools. I would urge my friends and neighbors to vote for Bruce Lisman in the Republican primary on Tuesday, Aug. 9.

Agency Says VTel Wireless Internet Is Meeting Goal, But Can't Verify Coverage

STEVE ZIND

A federal agency says a wireless internet system funded by taxpayers is operating as it should, but says it can't independently verify the coverage area.

Last month, the state's congressional delegation wrote to the administrator of the USDA's Rural Utilities Service asking him to provide information showing that the Wireless Open World system built by Springfield-based VTel would serve "virtually 100 percent of Vermont's unserved population."

The system was built using part of a \$116 million grant and loan award made to VTel in 2010.

Earlier this month, RUS administrator Brandon McBride responded.

In a letter McBride says, "VTel has met its obligations ... and has designed and constructed their network in accordance with the award application and loan-grant agreement."

McBride says this is based on information provided by VTel.

McBride says the agency, "does not field check customer locations ... RUS does not have the resources to test signal degradation and cannot verify the reliability of service."

The delegation had requested a copy of the VTel grant agreement, along with address-specific information to show the availability of the wireless service.

According to David Weinstein, a senior policy advisor with Sen. Bernie Sanders, RUS provided a redacted copy of the agreement but did not provide the coverage information requested.

"RUS does not have a current RF (radio frequency) propagation map to verify the data," McBride wrote. "RF propagation mapping is considered proprietary by most companies and cannot be shared."

McBride says the agency will "check area coverage and speed" and will conduct field checks when the system is fully operational. According to McBride, "VTel has not provided a definitive time frame for the entire system to be operational," although only a few towers remain to be tested.

Weinstein says detailed information on addresses served should be provided to the Vermont Department of Public Service to allow it to verify the coverage area.

"It needs to be independently verified," he says. "This isn't just holding VTel accountable, its figuring out where the state of Vermont should be investing its very limited resources to get to the goal of ubiquitous internet access."

The state says it doesn't have the information it needs to determine which addresses are served by the system.

Weinstein says Sanders is drawing no conclusions about the success or failure of the VTel system at this point, but simply wants to see data showing which Vermont addresses are being served.

New Project Maps High-Polluted Section Of Lake Champlain To Help Fight Runoff

KATHLEEN MASTERSON

Miller, Lawrence

From: Gray, Laura
Sent: Friday, May 27, 2016 7:19 AM
To: Gray, Laura
Subject: MEDIA CLIPS FOR FRIDAY, MAY 27

VTDIGGER:

VERMONT REGULATOR CALLS LACK OF UNIVERSAL FIBER 'VEXING'

ERIN MANSFIELD

WINOOSKI — Business leaders gathered Wednesday to discuss whether the state can implement high-speed Internet to every home, and if so, how.

The Vermont Technology Alliance hosted Jim Porter, the director of telecommunications and connectivity at the Public Service Department, to talk about the future of high-speed Internet in Vermont.

Porter told about two dozen attendees that companies do not find it profitable to build fiber-optic cable — the highest level of broadband technology currently available — to every last address on every last dirt road in Vermont.

What is broadband?

“Broadband” means high-speed Internet, but the definition of speeds that qualify has changed over time and varies depending on whom you ask. Here are some examples of speeds that have been considered broadband. They are written in the format of megabits per second download speed/megabits per second upload speed.

Porter said the state could easily spend \$360 million to \$1 billion paying companies to bring fiber-optic cable to every address. He said he would rather spend up to \$5 million a year on the hardest-to-reach areas and get the other addresses served through the Federal Communications Commission’s subsidy programs.

Porter also faced questions from business leaders concerned about whether those living in the territory of the Vermont Telephone Co.’s Wireless Open World project — which the feds say is complete, even though many locals say they can’t buy service — will ever have access to another option.

He showed the audience maps of which addresses can buy Internet service through at least one company. The maps do not include the VTel Wireless Open World project because the company did not provide data to prove those people who were waiting for coverage are now covered, Porter has said when displaying them before.

Porter said people at about 71 percent of addresses in Vermont can sign up for Internet service with a speed of 25 mbps for downloading and 3 mbps for uploading. “With two-thirds of the people covered, we’ve sort of reached the goal where we need to be,” he said.

The state’s 2014 telecommunications plan calls for all addresses — including businesses — in Vermont to have access to fiber-optic cable by the year 2024. But Porter said he has no power to force companies to build in

rural areas, and only the Federal Communications Commission could give it to him.

Bob Feuerstein, the president of Kennedy Brothers, a building company in Vergennes, said at the meeting that it could easily cost telecommunications companies \$5,000 per connection to provide fiber-optic cable to every address in Vermont.

"There's really no way to compel a company to build out when you're talking about broadband," Porter said. He said he's been dreaming of a time when the federal government would let him regulate broadband because "it would make my job so easy."

Porter said he remembers a time when, in order to get landline telephone service, people had to rent the device they used in their homes. Back then, he said, the FCC used its regulatory power to force telephone companies to provide service to every address.

While it was forcing universal landline service, the FCC used revenue from the universal service fee on landline phone bills to subsidize those companies. In 2011, the FCC stopped subsidizing landline phone companies and used the money to encourage building out broadband.

But, according to Porter, the FCC has not extended the tax to Internet service bills, so there's not enough money to build universal fiber across the country. Additionally, he said federal regulators are providing incentive for broadband buildout, rather than requiring it.

"I don't think that we're ever going to, certainly at the state level, regulate broadband like we used to regulate telephone service," Porter said. "I'm forever hopeful that the amount of money available for broadband support will grow."

He added: "I'm sure there are companies that do have the money to build broadband to every last mile. However, the companies are loath to build where there is no business case."

"Even with a grant program, there are areas where providers tell us that even if we pay for the infrastructure, there's not enough of a business case to maintain the infrastructure," he said. "It's a vexing problem."

DEMOCRATS HIGHLIGHT YOUNG FIRST-TIMERS AMONG HOUSE HOPEFULS

JASPER CRAVEN

House Democratic leaders unveiled their 2016 slate of candidates Thursday morning, a list of 111 people of various backgrounds, ages and hometowns.

"House Democrats have a proven track record of fighting for Vermont's hardworking families, and we are working to win in November to continue this mission," said House Majority Leader Sarah Copeland-Hanzas in a news conference on the Statehouse steps.

Vermont Republican Party officials did not return multiple calls Thursday from VTDigger seeking the number of GOP candidates running. The deadline for filing was the close of business Thursday.

More than 45 percent of the announced Democratic House candidates are female. Seventeen of the 111 are younger than 40, including 11 first-time candidates.

Three of the young first-timers spoke about their political priorities Thursday, from raising the minimum wage to expanding cellphone coverage.

"At the age of 22, the most important issue to me is the war on opiates," said Jay Hooper, a candidate in Orange-Washington-Addison. "Additionally, I want to create a climate of opportunities where young Vermonters like me can live, work and grow their businesses."

"I have the youth perspective," Hooper added. "I have insights that are going to be very beneficial to a graying General Assembly, with all due respect."

Georgia resident Caroline Bright, 25, who ran unsuccessfully for a Franklin County Senate seat in 2012, said she hopes to bring her ideas to the House.

"I will fight to protect our most vulnerable, I will work hard for Vermont families, and I will work toward common-sense solutions so that we can work together to solve the challenges that we are facing as a state," Bright said.

Dylan Giambatista is anything but a stranger to the Statehouse. The 30-year-old spent two years as chief of staff to House Speaker Shap Smith, who is running for lieutenant governor.

"I want to go out into my community, I want to hear what people are thinking, and I want to bring their voices back to Montpelier," said Giambatista, who is running to represent Essex Junction.

Democrats have been reaching out to communities across the state for months, working to recruit candidates. Copeland-Hanzas said she was happy to have candidates running for at least 111 of the 150 House seats, though she acknowledged that 150 candidates would be ideal.

"It's not without a bit of trepidation that people decide to step in in the first place," she said. "It's a little bit like your first day of middle school where you hope that if you put yourself out there, people will like you."

The secretary of state's office won't have the full list of legislative candidates until Wednesday, when town clerks are required to have submitted candidates' information.

By late Thursday, 215 candidates had registered to run for seats in the Senate and House, although the number wasn't broken down by party.

NEW TAX LAW WILL TAKE SMALLER BITE OUT OF ESTATES, BUSINESSES

MARK JOHNSON

SOUTH BURLINGTON — Gov. Peter Shumlin signed into law Thursday changes to the Vermont estate tax that are designed to keep wealthier residents from leaving for tax-friendlier locales and make it easier for small business owners to pass their companies on to the next generation.

The governor signed the bill at Leonardo's Pizza in South Burlington. The family-run business with three outlets was started in Burlington in 1990 by Phil George. Day-to-day operations are run by his daughter and son-in-law, Sara and Kelly Byers. There are about 100 full-time and part-time employees, and the family hopes to franchise the parlors in Northeastern states.

When a person dies, the first \$2.75 million of his or her assets can be passed on tax-free. Under the new law, the estate tax will be applied only to assets above that amount. In the past, once an estate went over the limit, the tax was applied to its entirety, including the first \$2.75 million.

Shumlin called that old system fundamentally flawed and said that, based on what accountants had told him, it was the single biggest reason older Vermonters moved to Florida, one of 30 states with no estate tax. Shumlin and Tax Commissioner Mary Peterson said it could cost taxpayers tens of thousands of dollars more when they had to pay tax starting at the first dollar.

"The current system could not have been more unfair," Shumlin said, noting there was no other tax system in the country that reached back to the first dollar once an estate had passed an exempted amount.

"It needed to be fixed for a long time," he said.

Sen. Ginny Lyons, D-Chittenden, the sponsor of the bill, said it took several sessions to get it through. Shumlin said lawmakers complained it was hard to make the change when there were budget pressures.

Lake Champlain Regional Chamber of Commerce President Tom Torti and Lyons said there was a misperception the estate tax applied only to wealthy people and that those in the middle class were not sympathetic to changing the law.

"It will help keep some of the folks in the state who are slightly more affluent," Lyons said. Several speakers said the state exemption should be raised to the same level as the federal government exemption, \$5.45 million. (The federal estate tax gives a couple a unified exemption of \$10.9 million.)

The speakers noted that assets include real estate and that through appreciation, many middle class Vermonters have assets approaching or exceeding the exemption caps, including farmers and small business owners.

Only about 30 estates a year pay taxes to Vermont, according to a report by the Blue Ribbon Tax Structure Commission.

Before serving up slices of pepperoni and also goat cheese and honey, Sara Byers told the crowd at the event that there were often insurmountable financial obstacles to handing down a family business. Frequently the next generation is forced to sell the business — or perhaps just a slice — to pay the estate tax bill.

"This bill helps remove some of those obstacles, ensuring that family businesses remain alive and well in Vermont," she said.

She said carrying on her father's tradition was one of the biggest honors of her life. But she has had nagging questions about whether Leonardo's could survive financially after her father's death, and she said this change to the estate tax will help.

Julia Birnn Fields, of Birnn Chocolates of Vermont, said the change could help younger Vermonters stay in the state to run their family business.

Under the old law, Shumlin said, Vermonters could pay a rate as high as 40 percent on part of an estate. Under the new law, the rate is capped at 16 percent.

said had been “tough for law schools,” and in its growth as a regional institution.

“We’ve really deepened our roots in Vermont and New Hampshire,” he said, “and I’m really proud of that.”

Mihaly’s colleagues on Wednesday credited him for shepherding the institution through an era of belt-tightening that saw law-school enrollments decline nationwide.

“Marc has steered VLS through a very difficult period in its history, and I don’t think he’ll get enough credit for his part in that,” Donald Kreis, an adjunct professor who teaches in the school’s online program, said.

“Marc basically had to downsize VLS in a thoughtful way without compromising very much of the law school’s mission,” Kreis said, “and that was a very tricky thing to do, and he dealt with it thoughtfully.”

Kreis also cited Mihaly’s leadership during the summer of 2014, when popular professor Cheryl Hanna took her own life.

Another member of the VLS leadership team is leaving her position this year: Jackie Gardina, vice dean for faculty and a professor of law, plans to take a job in California at the Santa Barbara and Ventura Colleges of Law, according to Apelquist.

“This is a professionally and personally exciting opportunity for Dean Gardina,” Apelquist said in an email. “We’re proud of her and wish her well.”

Gardina could not be reached for comment. Her faculty page lists her specialties as civil procedure, administrative law, bankruptcy and sexual orientation and gender identity issues; it also mentions numerous honors for teaching, including six VLS Student Bar Association Faculty Service Member Awards.

The departures of Mihaly and Gardina as administrators will “present a real challenge to VLS,” Kreis said, “because it’s losing both of its key leaders, almost at the same time.”

Mihaly said the search process for his successor likely will begin over the summer and involve representatives from the VLS board of directors, faculty, staff and student body.

NANCY TIPS: EEEEEK – ATTACK OF THE WIND MONSTERS

Editor’s note: This commentary is by Nancy Tips, who is a member of Friends of Windham.

Back in the ’80s, my kid and I relished a Saturday afternoon TV show featuring creaky, creepy sci-fi horror movies. “Scientists and Monsters” we called it, based on the unfailing plot line: a dreadful inexplicable event (mucus suffocates town, vast foot crushes crowds, aliens assume bodies of regular people, etc.) is analyzed by a venerable male authority figure, clad in tweed or white. The scientist does not necessarily protect; instead, he explains. Occasionally his explanation gives resolute citizens the key to finishing off the monster, but not always.

Delicious stuff. So you can imagine my glee when, an hour into a three-hour video of a tiny Vermont town’s selectboard meeting, I realized I was being treated to a “Scientists and Monsters” experience. I quickly hit “pause” and made popcorn.

Grafton, Vermont, perfect setting for a horror flick, May 16, 2016. The “scientist” is attorney Richard Saudek,

an experienced negotiator, speaking with quiet authority to a supposedly rattled town. The “monster?” Why Iberdrola of course, a harsh foreign mega-corporation of unimaginable power, menacing the town with gargantuan, noisy, flashing blades 50 stories in the air. The “scientist” reminds us: These might even catch fire! This monster doesn’t care about citizens! Montpelier’s flawed energy policy has opened our doors to the teeming onslaught of energy monsters, of which Iberdrola is but one! Importantly, it may not even be the worst! Eeeeeek!

The script requires the scientist to gravely exhort the terrified town and presumably its dull-witted and even worse-off neighbor, Windham, to “negotiate” with the monster. Why? The sage explains. If you don’t negotiate, the monster will ... flip the package!

I hit “pause.” Flip the package? This is a bit of a letdown, plot-wise. The worst the monster has to offer is package-flipping? The “scientist” begins to seem suspect. Is he for the monster, or against? I wonder if perhaps life today is more complicated than in days of yore. Eat more popcorn, hit “play.” It eventuates that “flipping the package” means that if we don’t agree to a negotiated settlement with the monster, who, by the way, is offering to pay a lawyer for us, the monster will hand us off to a brother (or sister) monster, who, we may assume, promises worse torments and won’t pay for our lawyer.

Now back in the day, scientists were not only righteous, but also right, which was helpful for a besieged and simple populace. Today, we doubt: why is this scientist so sure about the monster’s future behavior? The monster didn’t “flip the package” in New Hampshire’s Wild Meadows wind turbine fiasco. In fact, irate citizens chased the monster away. Plus, our scientist contradicts himself: he tells us that the climate in Vermont has turned decidedly against wind monsters, that Windham and Grafton are a laughable site due to the proximity of turbines to so many people; that the Public Service Board, arbiter of our fate, has become more community friendly due to the civilizing influence of female members; that the state agencies are no friends of the current administration and its “turbines for every ridgeline” mentality. That we can just say “no” to the monster if we want it to go away.

Drat. Admit it, I say to myself, the days of irreproachable scientist aiding spooked townsfolk are over. Our scientist, perhaps unwittingly, has only delivered dreary, nonsensical monster threats, amounting to simple blackmail: “If you don’t negotiate a deal and let us put turbines in your town, we’ll sell you to somebody worse.”

Still, we mustn’t despair. Our monster will be around for awhile, and perhaps future entertainments will be more stimulating.

BARBARA CRIPPEN: STEAMROLLING SCHOOL CHOICE

Editor’s note: This commentary is by Barbara Crippen, who is policy coordinator for Campaign for Vermont. She formerly was a public service lawyer for the State of Vermont for 26 years.

As the June deadline for Act 46 school district merger votes approaches, voters in choice towns should be extremely wary of the tactics being used to promote mergers. One common tactic is the use of Articles of Agreement to bribe voters in choice towns. They include provisions to “grandfather” in choice for limited time periods in exchange for a merger eliminating choice altogether. This is a duplicitous tactic since the Agency of Education (AOE) is insisting that it is “likely unconstitutional” for merging school districts to offer school choice and operate schools for the same grades. What AOE is actually saying is, “it’s unconstitutional but we can make it legal for a while if you do what we want.” In reality there is no provision in Act 46 or related statutes authorizing this grandfathering tactic. AOE has acknowledged this (in writing) while claiming that’s because

“it’s up to the voters.” Really? This begs the question of why voters can’t ratify Articles of Agreement that permanently allow both choice and the operation of schools for the same grades. Logic would dictate that this is either unconstitutional or it’s not. It can’t be temporarily constitutional just because AOE says so based on no legal authority. This is called making it up as you go along.

Voters in choice towns should also be aware of the lack of consistency in the individual grandfathering provisions in the Articles of Agreement. Some towns are getting more years of choice than others. It ranges from a few years to 2025. Some towns do not get continued private school choice while others do. This is hardly equal treatment under the law. Choice towns considering a merger should at least take a look at the varying Articles of Agreement posted on the AOE webpage under merger proposals.

Although parents with school-age children are outnumbered by other voters, who are terrified of even higher property taxes (a commonly employed scare tactic), they can at least try for the best possible deal.

All of this is frightening because of what it says about the state of Vermont politics and the power of unelected officials to control the “conversation” (an overused education buzzword) and manipulate voters. Still, what really goes bump in the night is that the Articles of Agreement developed for mergers do not necessarily prevent a newly formed centralized board with proportional membership from eliminating choice any time they want by a simple majority vote of its members. To prevent this there must be a separate warned article that requires an electorate vote on that particular issue. This is the law on Articles of Agreement.

Is this carefully explained to voters? After all it would make sense that voters in choice towns would insist on this protection. While some of the articles of agreement that have already been developed for mergers expressly state that closing a school requires an electorate vote, that safeguard is noticeably absent from the provisions on grandfathering choice. Maybe choice towns lack allies since the School Boards Association has taken a public stance against choice. Just take a look at the School Boards Association’s memo to the chair of the House Education Committee.

Equally frightening is the tactic of encouraging study groups to orphan choice towns by making them “advisory” as opposed to “necessary” to a merger. If they are “advisory” then a merger of other districts can still occur even if the choice town votes against it. This punishes choice towns by preventing them from continuing longstanding cooperative relationships as part of an existing supervisory union while geographically isolating them. Absent a repeal or amendment of Act 46, this leaves them at the mercy of the State Board of Education in 2019 when the board gets to decide their fate (with no appeal).

The biggest monster hiding under the bed all along though turns out to be the study group itself. AOE has taken the position that Vernon, a choice town, cannot get out of its study group.

It’s an important development because by implication it means that the study group can take a merger proposal directly to voters regardless of a town’s own elected officials’ positions. If Vernon is deemed “necessary” to a merger (as determined by the study group with proportional representation) there will automatically be a vote. If they are deemed “advisory” there can still be a vote, over the objections of locally elected officials, upon petition of 10 percent of the voters; the study group will control the information about the benefits of merging by way of its report.”

AOE’s position is a power grab, plain and simple. It should be a wakeup call to Vermonters. It is not necessary to form a study group to look at mergers. If you do form a study group then you have to engage a facilitator cherry picked by the School Boards Association. When it begins to dawn on you that it’s not an impartial

process you discover that you can't get out. The coup de grace is that if a choice town holds out and votes against a merger then the education lobby just pushes to bring the issue back for a revote as it did in Elmore. AOE has even published handy instructions on how to get a revote when a merger is not approved.

No wonder an insightful observer compared forming a study group to checking into the "Hotel California" (as in you can check out but you can never leave).

Have we had enough yet? Voters in Maine did not fight back against a nearly identical statute and the outcome was dismal.

The cost savings never materialized and Mainers discovered that withdrawing from a merger was an uphill legal battle, just as it would be in Vermont.

Vermonters still have a means of fighting back. We can hold out on mergers and oust the members of the general assembly who promoted Act 46, did nothing to lower our property taxes and ignored voter outcry. We can also push the candidates for governor to take a stand on Act 46 before the election. It's up to us now. After all if we can't check out of the Hotel California we can always burn it down.

JESSE DE LA ROSA: THE DIRTY TRUTH ABOUT THE OPIATE PROBLEM

Editor's note: This commentary is by Jesse de la Rosa, who participated in the Governor's 2014 Community Forum on Opiate Addiction. She previously had a drug-free practice in pain management and directed Vermont Wellness Education. She now lives in Walpole, New Hampshire.

Can we clean up the pervasive destruction that accompanies drug abuse? We know enough about addiction to help an addict, but "the problem" is bigger than that: We cannot reach enough addicts, we cannot just fix addiction with treatment, and the stigma has been a great barrier, so we must also rid ourselves of the idea of the addict. We can create more response in our communities, with broader measures of support for recovery; we must, because deep healing is what is needed.

VT Digger organized a public forum in White River Junction on May 18. The panel answered questions sent by readers before the event. It was a discussion that brought to the table plenty of good resources for the time available. I left feeling that they set the stage and not the audience.

In order to cover the subject, I wish this news outlet would deliver an editorial series – it could report on the success stories that exist far and wide. That would do more than explain why this is a national crisis, and would promote more advocacy. I think we need the kind of discourse that calls us to control poverty instead of this control of behavior.

The most pervasive reasons for opiate misuse are the multitude of social ills. If Vermont doubles down on a public health response, there could be a most satisfying victory.

Many turn to drugs because life itself is just too depressing. The real crime is that we neglect their basic needs. The pain of poverty is inhumane. Poverty controls the lives of those reaching for the drugs; pain is big business. We can stop dispensing so many drugs and respond to this by attending to underlying causes, and unmet needs.

What can we do without a drug treatment? We can help those who don't have the skills to cope. Maybe they work but the demands became too much; they can't handle the pressures. Others are adrift, already without

hope, and don't have a way to change a terrible choice. All of these people are struggling, and use drugs to fight the pain. Opiate drugs definitely alter your mood; that feels encouraging. Then doctors use drugs to fight the drugs. There is a better treatment for pain: Acupuncture is good for your health, and has no dangerous side effects. It works well on pain because it alters the nervous system, which helps the mind and body be more adaptive.

Bess O'Brien made the remarkable film "The Hungry Heart" – a most revealing title – about lives in a Vermont community trying to succeed in the work of recovery. Addiction is a burden that makes the heart so heavy that it can't find enough determination to pull the person out. You have to be even more desperate to stop. If we don't look and see that, we are not likely to feel anything either. Being committed to stopping that suffering comes from feeling... so we can no longer be numb. To support recovery, we have got to make the long-term effort to create more available, transitional living environments that are healthy and constructive.

Now the question becomes whether we are that ambitious. We may have become compassionate, but we are still not taking charge of the task. Indeed, this agenda cites a lot of issues: the excess of pain medications; housing issues that are still delayed, still a reality; expensive incarceration that makes "the crime" worse; harsh sentences, where no justice is provided. Reform of health care is justice. Inventing a formidable workforce is needed to restore self-esteem, and needed to rectify both chronic poverty and gradual middle-class impoverishment.

Both of these changes will move the culture from destruction to health. It will accomplish inclusion instead of condemnation. Calling someone an addict means they do not belong anymore, they're discarded. The opiate problem belongs to us – we disregarded the socio-economic basis of health. Anyone who denies that must imagine the health standing of the U.S. is high.

Individuals recovering from traumatic life experiences and debilitating addiction need deep healing, in a close community. Feeling the encouragement of caring helpers is the secret to staying engaged in a program, so we need to hire and train these protectors who can bring encouragement for that healing. Some will ask how we can lower the cost of health care by doing so. Let those who raise that question look at the restored human and social value that will come by getting with the program.

Miller, Lawrence

From: Dudley, Jahala
Sent: Wednesday, May 25, 2016 7:03 AM
Subject: MEDIA CLIPS FOR WEDNESDAY, MAY 25

VTDIGGER:

HOPING TO CATCH UP, SMITH HIRES WOLFFING AND HITS FUNDRAISING JASPER CRAVEN

Shap Smith's campaign manager started Monday, and the lieutenant governor candidate admitted he's a bit behind the financial 8-ball.

After briefly running for governor before dropping out, the Democratic House speaker is back in a statewide race.

Smith is gearing up for a hard three-way primary fight and acknowledges he's jumping in late in the game.

Sen. David Zuckerman, D/P-Chittenden, and Rep. Kesha Ram, D-Burlington, announced their bids in the fall and have spent the past months touring the state and fundraising. They have each brought in tens of thousands of dollars from hundreds of donors, according to March financial reports.

"It's clear that both of my opponents have gotten out there early and often," Smith said. "But we are going to put together a great field team, and I'm going to work my butt off for the next 10 weeks to explain why I'll be a good lieutenant governor."

Smith's team includes Erika Wolffing, who started as campaign manager Monday. Wolffing worked as a top aide to outgoing Senate President John Campbell for two years. She also served as the deputy commissioner for the Vermont Department of Labor.

Wolffing said the campaign has hired a field director but declined to give a name until the person officially leaves his or her current post. She said the campaign hopes to bring on more staff if fundraising allows, adding that "we will focus on volunteer recruitment, and if we can hire any new staff we definitely will."

Fundraising is a priority for Smith's campaign, and Wolffing will be leading those efforts. She served as finance director during two of Gov. Peter Shumlin's statewide campaigns.

Although an official campaign kickoff will happen soon, the longtime House speaker introduced his campaign to Vermont Democrats at their state convention in Barre on Sunday. He pledged to focus on affordable child care, downtown revitalization, educational reforms and better jobs.

In his Sunday speech, Smith became emotional as he described the plight of a close friend of one of his young daughters. He said the girl talked about a household filled with economic uncertainty.

"She said, 'I'm not sure I want to go home,'" Smith recalled.

"Recovery Act projects will continue to grow and attract subscribers, providing access to improved educational, health care and business services and contributing to economic growth and prosperity," the spokesperson said. "All RUS loans comply with the statutory requirements."

The first audit of the Rural Utilities Service, in September 2012, focused on ways the federal agency failed at collecting data on projects that received awards. At the time, the most reliable indicator that a project was moving along was the amount of money it received from the federal government, the audit said.

At the time, the Rural Utilities Service had disbursed about 30 percent of the \$3.3 billion it awarded to broadband companies. "However, the agencies disburse awarded funds for projects as payment becomes due, only as contracts are complete," the audit said.

"The data (the RUS) has recently collected are not reliable measures of fiber miles and wireless access points deployed by (Broadband Infrastructure Program) projects," the audit said, adding that the government "may struggle to demonstrate the progress and effectiveness" of the program because of the data limitations.

The audit said the Rural Utilities Service "did not establish nonfinancial performance metrics" for measuring progress on projects similar to Wireless Open World, and the agency "tends to focus on ensuring that the funding is disbursed, the project is built, and the agency is repaid, instead of tracking project outcome information."

"In June 2012, RUS officials told us that they began tracking the number of fiber miles and wireless access points deployed (but) they could not ensure the quality of the data at that time," the audit said, adding that the agency "may not be able to demonstrate the progress and effectiveness" of the Broadband Infrastructure Program.

Additionally, the audit said the Rural Utilities Service data on how many subscribers were using the federally funded broadband programs "may not be accurate," and the agency told auditors "that the data are inaccurate and that RUS has implemented quality checks to improve the information."

By June 2014, federal watchdogs said the Rural Utilities Service had been collecting appropriate data to monitor the Broadband Infrastructure Program awards. But a June 2014 report said the RUS was reporting limited information on the program's impact on rural broadband availability.

By the time of the report, the agency had disbursed more than two-thirds of the \$3 billion in awards from the Broadband Infrastructure Program, which auditors called "an unprecedented level of federal investment in broadband infrastructure, amounting to over eight times the funds RUS otherwise had available for broadband in the past decade."

However, the Rural Utilities Service was reporting limited information, did not track the results of the Broadband Infrastructure Program in the USDA's annual reports, and had not proved how the "unprecedented" level of investment in broadband helped rural Americans get Internet service, according to the report.

"Without reliable and regular information on the results of (these) projects, it will be difficult for USDA, RUS, and policy makers to determine the impact of Recovery Act funds and (the program's) progress on improving broadband availability," the report said.

REPUBLICAN DAN FELICIANO TO RUN FOR STATE AUDITOR

ELIZABETH HEWITT

Former gubernatorial candidate Dan Feliciano is running for auditor of accounts, the Vermont Republican Party announced Tuesday.

He'll be facing off against incumbent Doug Hoffer, a Democrat.

Feliciano said he sees an opportunity for the state auditor's office to play a different role and be involved "more proactively" in state government.

He pointed to "constant cost pressures around health care and technology" as two areas that need increased scrutiny and consideration.

"As we move into the future, these things are increasingly becoming problematic," Feliciano said.

Feliciano, a business consultant, sought the state's top office in 2014 as a Libertarian and attempted a write-in campaign for the Republican nomination. Early in 2015, he announced he was joining the Republican Party.

Feliciano said his background in business makes him well-equipped for the job.

David Sunderland, chair of the state Republican Party, hailed Feliciano's entry into the race.

"I think Vermonters have come to realize that the Vermont Democrats' single-party rule in Montpelier has not served them well," Sunderland said.

Hoffer, who said Tuesday that he planned to file his candidacy paperwork by the end of the day, is in his second two-year term as auditor. He was elected with the endorsement of the Progressive Party.

He said he decided to run for re-election to continue the work his office has undertaken over the last three and a half years. "We've just got started," Hoffer said.

"We have looked at a number of aspects of state government including the machinery, the nuts and bolts," Hoffer said.

"I'm very proud of what we've accomplished, and looking forward to doing more," Hoffer said.

Hoffer said the office has a key role to play in establishing support for and trust in state government.

"The way that you get broad public support is to demonstrate that you manage public money wisely," Hoffer said.

He noted that during his tenure, the office has undertaken several audits of health care, including one right now. The office is also looking into technology systems, he said.

One of his key roles is selecting which topics to direct his 10-member auditing staff to investigate, he said. "There are endless topics for audits," Hoffer said.

VERNON'S FATE GETS TURN IN SPOTLIGHT AT NATIONAL NUCLEAR SUMMIT

MIKE FAHER

VERNON — At a national nuclear power summit last week in Washington, D.C., top-ranking federal officials and industry executives focused on market forces and government regulation.

But Patty O'Donnell made sure the audience also heard about declining property values, underfunded nonprofits and lost friends — all in the context of Vermont Yankee's 2014 shutdown.

Her message was clear: If the pace of nuclear shutdowns accelerates, many other communities can expect to experience the problems that are plaguing Vernon and the surrounding tri-state area.

"There is so much more to this story and so much more to this issue than just where the electricity's coming from," O'Donnell said. "There's a real human aspect to this."

O'Donnell, a former state representative and Vernon Selectboard member who remains involved in town government, was invited to speak May 19 to the U.S. Department of Energy's Summit on Improving the Economics of America's Power Plants.

The context of that discussion is the recent spate of plant closure announcements in the U.S. In this region, Entergy Corp. is moving forward with plans to downsize its nuclear fleet: The company stopped power production at Vermont Yankee in December 2014 and has disclosed plans to close the FitzPatrick nuclear plant in Scriba, New York, in January and the Pilgrim plant in Plymouth, Massachusetts, in May 2019.

In each of those cases, Entergy has cited economic and competitive issues including high operational costs and low natural gas prices. There also are governmental and regulatory issues, a point underlined at the May 19 meeting by Bill Mohl, who is president of Entergy Wholesale Commodities and the man who delivered the news of Vermont Yankee's pending closure here in the summer of 2013.

Mohl argued that nuclear power's attributes — including a lack of air pollution — are not adequately valued in the energy market. "You need to put a price on carbon," Mohl said. "You need to be able to value the carbon-free generation that nuclear provides."

Environmental impact also was on the mind of U.S. Energy Secretary Ernest Moniz, who said it will be difficult to achieve the nation's carbon reduction goals if nuclear generation continues to decline.

"We are supposed to be adding zero-carbon sources, not subtracting or simply replacing by building (plants) to just kind of tread water," Moniz said.

In delivering the May 19 conference's keynote address, Moniz mentioned the closure of Vermont Yankee and linked it to an overall decline in regional energy generation, an increase in reliance on natural gas power generation, and an increase in carbon dioxide emissions.

"That's the kind of confluence of data that we would like to avoid more of," Moniz said.

O'Donnell later took the same podium, but she sought to shift the focus to a different kind of impact from nuclear plant closures.

Vermont Yankee has been and remains controversial statewide and locally, but there traditionally has been strong support in Vernon. O'Donnell said that support continues, even as the plant continues to reduce its labor force.

"Vermont Yankee — Entergy — isn't just a company to us. It's a member of our family. And they've treated us that way all along the way," O'Donnell said.

Across the area, Entergy employees "coach our kids. They teach our kids," O'Donnell said. "They serve on our selectboards, our volunteer fire departments. They're always there when we need them."

She also noted Entergy's dwindling annual support for area nonprofits — support that has come in the form of monetary donations and volunteerism. "The people who worked at Vermont Yankee were so generous that they always gave to their community," O'Donnell said.

The town of Vernon has seen direct economic impact as tax revenue shrinks and home values decline in the wake of Vermont Yankee's shutdown, O'Donnell told the summit audience. And she said there's no replacing the nuclear plant's lost wages: A 2014 study found the average annual salary at Vermont Yankee was \$105,000.

"Anybody who thinks New England's growing sure as heck hasn't been in my area," O'Donnell said. "Because there's nothing. Vermont Yankee (jobs) were the highest-paid jobs in the state of Vermont, and they're gone."

"I want to impress upon you how difficult it is for these communities," she added. "It's not only the town of Vernon that's been affected. It's our entire region."

O'Donnell also detailed the town's recent courtship of a natural gas-fired power plant — a work-intensive process that ended when energy giant Kinder Morgan suspended its controversial plans to build a gas pipeline nearby that could have supplied the plant.

"Now what do we do?" O'Donnell said. "We're back to square one."

Several days after the conference, O'Donnell said she hoped she successfully translated the experiences of a small town for a national audience. Recounting the tone of the summit — "a sense of urgency" was a common theme — O'Donnell also found herself wondering why the nuclear industry has arrived at such a critical juncture.

"You hear them saying the same things that we've said here in Vernon for a number of years," she said. "It makes you stop and think: How did this happen?"

A video of the full summit is available at the Department of Energy's Gateway for Accelerated Innovation in Nuclear website.

'TOXIC STRESS' STRIKES AT HOME, SCHOOL AND BEYOND, EDUCATORS TOLD

TIFFANY DANITZ PACHE

An expert on the way trauma at home also hurts children in the classroom encouraged Vermont educators to build a coordinated program to help affected students.

Lynn Dolce spoke recently about the growing problem of “toxic stress” before more than 250 school superintendents, special education directors, and state employees who work in education and health.

kids

A group of children in Montpelier. File photo by Jasper Craven/VTDigger

“This is not a mental health issue, this is a public health issue,” said Dolce, director of foster care mental health at the San Francisco Department of Public Health.

Dolce urged school leaders at the spring conference of the Vermont Superintendents Association and Vermont Council of Special Education Administrators to consider building a “trauma informed educational system” that involves teachers, school staff and the community.

According to experts, schools and early education centers in Vermont are dealing with higher levels of children experiencing toxic stress at home, which inhibits their ability to learn.

“Thirty percent of the calls to (the Department for Children and Families) are coming from educators,” Dolce said. She added, “Since 2014, there has been a 33 percent increase in children going into custody in Vermont. Sixty-eight percent of those are under 6 years old.”

The problem has been getting worse, according to Sean McMannon, superintendent at the Winooski School District, who said superintendents report a growing number of students in families facing poverty and addiction.

In Winooski about 35 percent of the students are refugees or new Americans who have been forced to flee their homes due to war, persecution and natural disaster. There is also a high number of families living in poverty. Eighty percent of Winooski students qualify for the federal free and reduced-price lunch program — an indicator of poverty.

McMannon described a first-grade classroom with 16 students: Three children are identified as having special needs due to behavioral and learning challenges; five students are not native speakers of English; and 12 students qualify for free or reduced-price lunch.

“That is challenging for any teacher,” he said.

Sean McMannon, superintendent of the Winooski School District.

Sean McMannon, superintendent of the Winooski School District. File photo

While McMannon praised his teachers for doing an “incredible job” creating a caring environment, he said the work takes a toll on the teachers and staff trying to help. He created a wellness program several years ago to help lessen staff burnout.

“What I hope we can take away from this is a focus on what trauma is and how it affects not just the children, but the staff,” McMannon said.

The overwhelming attendance at the conference is testament to the need in Vermont, according to Jeff Francis, executive director of the Vermont Superintendents Association.

The two organizations surveyed their membership to prepare this year's conference, and superintendents and special education administrators independently urged organizers to focus on toxic stress, according to Francis. "Not only because of the effect of trauma on schoolchildren but also the effect trauma and stress of the children have on the adults working with them," he said.

Secretary of Education Rebecca Holcombe was present to lend support and work with superintendents on an issue that she said is extremely important to the Education Agency.

In Vermont, 20 percent of children have experienced enough adverse events in their lives that it affects their ability to function in school, according to a conference presentation.

Toxic stress is the result of traumatic events that children are exposed to, including neglect, abuse, a drugged or alcoholic parent, violence or extreme economic hardships. The child lives in a constant fear that doctors call a "toxic stress response."

Stress hormones are released constantly and change the way the brain is wired, according to those who have studied it. That is said to lead to learning problems, behavior issues, teen pregnancy, substance abuse, diabetes, poverty and other health concerns.

"Trauma creates a fragmentation in our neurobiology, and we cannot integrate what is happening in front of us and our actions. We are not thinking. We are just surviving," said Dolce. She added, "If this is chronic it has lasting health effects."

The Adverse Childhood Experiences study measures 10 types of childhood trauma. One in 8 children in Vermont have experienced three or more types of adverse family experiences; that is about 800 classrooms of 20 children, according to Vermont data collected for the National Survey of Children's Health and presented to the crowd.

Heather Freeman, special education director in Orleans Southwest Supervisory Union, said the schools are not set up to respond to the problem. "We have been organized for individual locales, and it is not working. We are isolated," Freeman said.

Orleans Southwest Superintendent Joanne LeBlanc agreed: "Our schools are not equipped to deal with the therapeutic side of this. We are educators." She said it is a community issue.

"If we don't build a system to address the needs of the youth and support the community we will still have the problem," she said.

Dolce talked with participants about using a trauma lens when teaching. That means understanding how trauma affects the brain and what might trigger unwanted behavior. Teachers working from this perspective will see the student's behavior differently and better help the child cope, she said.

In a San Francisco school Dolce worked in, small children were losing control when the metal feet of chairs scraped the floor as they were pulled from a table, because the children associated that sound with gunfire, she said. The solution was to put tennis balls on the feet of each chair.

Teaching schools are not currently instructing educators in trauma, according to Dolce. She said the curriculum does not include child development or behavior management. "It is important for schools of education to look at this research and bring it into child development and neural development so that (educators) can understand how the brain works from day one," she said.

Vermont's Innovative Elder Care Program, SASH, Cited As A National Model

NINA KECK

Vermont's population is aging, and that demographic trend has put new pressure on Medicare spending. It's also highlighted the need to improve care for older Vermonters. A unique program that links health care and other services to affordable housing complexes in Vermont may be part of the solution.

Because the program is sustainable and uses services and infrastructure already in place in many communities, federal health officials believe it may become a model for other states.

But before we get into the specifics of the program, let's throw out some numbers.

In Rutland, A typical trip to the emergency room costs about \$1,500. Meanwhile, a one-month stay in a Vermont nursing home will run about \$9,000.

Older adults frequent both ERs and nursing homes more than they need to, say health experts, often because of issues that could be taken care of at home or in a doctor's office.

Just ask Karyn Crossman. She's a coordinator for a nonprofit called SASH, which stands for Support And Services At Home. "I worked before as a registered nurse," she says. "But I choose to do this."

"This" is making house calls on 100 clients who live in Templewood Court, an affordable housing complex in Rutland.

On this particular day, she knocks on Lloyd Piggrem's door. "Hi Lloyd! Oh, you got a new carpet. It looks great," says Crossman as she bustles in.

Piggrem, an 88-year-old who lives alone, greets her warmly. Last year, the former long-distance trucker visited the ER 19 times.

Sitting at his kitchen table, he shakes his head remembering how expensive it got. "I said, well, I gotta stop this," he says.

The hospital agreed, which is when SASH got involved. The program provides personalized coordinated care to help Vermonters such as Piggrem stay in their homes safely.

Crossman makes herself at home in Piggrem's tidy kitchen. "So, how are you doing?" she asks. She chats and laughs while recording his weight, checking a scab on his arm, taking his blood pressure and going over his upcoming medical appointments.

Over the past year, Crossman has gotten Piggrem set up with a local primary care doctor, a dermatologist and a cardiologist.

She's taught him to read food labels and watch out for sodium, which was playing havoc with his high blood pressure. "So, no more beef broth and no more tomato juice still, right?" she gently teases.

Karyn Crossman says part of her job as a SASH coordinator is to help educate her clients to read food labels. Lloyd Piggrem, for instance, has high blood pressure, so as much as he loves canned soups like clam chowder, Crossman says he should avoid them because of their high levels of sodium.

CREDIT NINA KECK / VPR

Crossman says getting clients to be more aware of their eating habits is challenging. But it's so important, she says, considering how many chronic conditions many of them have.

Another critical part of her job is helping clients like Piggrem stay on top of their meds. "One day last summer I came over and he was having a hard time putting his pills together," says Crossman. "And I looked at them and checked and I noticed that there were two Losartan in there. And I'm like, 'Oh my goodness, you're not supposed to be having two of these.' So that's when I figured, uh oh, there's issues here."

Crossman called the pharmacy and it now organizes and seals the dozen or so pills Piggrem takes into daily doses.

"One day I came over and he was having a hard time putting his pills together. So that's when I figured uh-oh there's issues here." - Karyn Crossman, SASH coordinator

"It's a lot easier," he admits. "If I forget something, they don't forget. She doesn't forget," he adds with a nod toward Crossman.

Since having visits from Crossman and other social workers, and using the blister pack medicines prepared by the pharmacy, Piggrem says he's rarely had to go back to the hospital.

"Not very often, no. If I go back at all it's because of an emergency," says Piggrem. "But it shows things have got better."

Better and less costly, according to an independent analysis by the U.S. Department of Health and Human Services and H.U.D., the Department of Housing and Urban Development.

Molly Dugan is the director of SASH, Support and Services at Home. The nonprofit works with affordable housing agencies and other groups to provide a variety of services to 4,300 clients across Vermont.

CREDIT NINA KECK / VPR

Molly Dugan, the Burlington-based director of SASH, says, "We are extremely excited by the results from our independent evaluator, which is showing a reduction in Medicare expenditures for our SASH participants of more than \$1,500 per person per year. That's compared to a similar group in the northeastern United States who were not participating in SASH."

SASH originated in Burlington in 2009 and has grown rapidly. About 4,300 Vermonters are now enrolled in all 14 counties. Medicare pays most of the cost, which is between \$700 and \$1,000 a year per person.

"We are extremely excited by the results from our independent evaluator, which is showing a reduction in Medicare expenditures for our SASH participants of more than \$1,500 per person per year." - Molly Dugan, Director of SASH

Dugan says SASH has grown quickly because it utilizes affordable housing agencies and services, such as visiting nurses, and councils on aging and mental health agencies that already exist statewide. "So the infrastructure is there," she says, "and services are provided where people live which makes it easier."

Many of their elderly and disabled clients are very isolated, Dugan says, so staff members can become like family. "The personal relationships SASH creates are invaluable," she adds.

Emily Rosenoff, a senior policy analyst with the U.S. Department of Health and Human Services, says the idea of providing health services and other supports where people live isn't new. But she says what makes Vermont's SASH program unique is it's been able to do it on a statewide level in a sustainable way.

"We're excited about this ... we really see SASH as a promising practice. That's why we've been evaluating it." - Emily Rosenoff, U.S. Department of Health and Human Services senior policy analyst
"We're excited about this," says Rosenoff. "HUD and HHS, we really see SASH as a promising practice. That's why we've been evaluating it." She says more data is needed to ensure the program can be sustained long term, but so far, she says the results they do have are encouraging.

In January, \$15 million in federal funding was made available to affordable housing providers nationwide to study ways to develop a model like SASH.

Molly Dugan smiles and says their phone has been ringing. "The interest is there, so now this is the next step in getting it replicated throughout the nation," she says. "There's nothing in this model that can't happen in another state."

Dan Feliciano To Challenge Hoffer For State Auditor

NEAL GOSWAMI

Former gubernatorial candidate Dan Feliciano plans to run for state auditor as a Republican.

Feliciano said Tuesday he is in the process of gathering the required signatures and plans to submit his petition to the Secretary of State's office by the Thursday deadline. Auditor Doug Hoffer, a Democrat and Progressive, has already filed for re-election.

As a business consultant, Feliciano says he has the necessary background to help state government improve its operations and finances by finding improvements. He said he decided to seek the office after people told him his background was well-suited for the position.

"My whole background is about change and driving change and understanding what the change factors are in government," he said.

Feliciano said he plans to bring more "visibility" to the office by focusing its efforts on the state's "strategic performance" and "financial performance."

"I really think the auditor position really needs to transition into a more proactive role in the bills that are coming up to identify the risks that are possible in the bills," he said.

In an interview, Feliciano emphasized that he thinks the auditor's role should be to ensure there are standards in place so that policies can be measured for success.

Feliciano says the state's elected auditor should have a background in health care and information technology. He said his work as a business consultant has given him deep experience in both by working with major health insurance companies. He said he has helped develop and deploy automated systems to adjudicate insurance claims.

"IT is here forever and it is here to stay and it's a way that government can scale itself and keep costs down. I believe the auditor needs to have an IT background," he said. "If we're talking about health care, health care, health care, I have an extraordinary background unparalleled by anyone in the state."

Hoffer, first elected in 2012, has won praise across the political spectrum for his performance as auditor. Feliciano said he plans to begin work on a strategy to campaign effectively against Hoffer.

"We're going to sit down and actually strategize that to really understand. It's going to be really about what the future role of the auditor ought to be," he said. "The auditor has to be a role that's more geared to identifying management risks proactively."

One example Feliciano gave was recent legislative debate around distracted driving.

"I started asking the question: 'Okay so what does handheld electronic device mean? Is that an e-cigarette? Is that a woman's compact mirror? Those are the kind of things that sound trivial but have a significant impact on the law and how it's implemented and how we measure and identify the success of the programs.'"

Feliciano ran for governor in 2014 as a Libertarian; he also ran a write-in campaign in an attempt to be a split Libertarian/Republican nominee, but was handily defeated by Scott Milne for the GOP nomination. In the general election, Feliciano won about 4 percent of the vote in a very close race between Gov. Peter Shumlin and Milne.

Since losing the 2014 gubernatorial election Feliciano said he has been "working quite diligently with the Republican party" and has served as the treasurer for the Essex Town Republican Committee.

"That's the best way I saw to go forward. They have a bigger machine. My platform, many people said, was very Republican in nature to begin with," he said. "I think most Republicans in Vermont have that Libertarian streak in them."

Feliciano said the switch was less a shift in his politics than it was a practical consideration.

"I think this state is in a financial crisis," he said, "both financially as well as in the health care world. And as I thought this through, I thought 'How could I help be the most impactful?' My intention was never to be a thorn in anyone's side. So I decided that if I can provide good feedback and input to the Republican party and they were willing to accept it, that would be a place for me to have a bigger impact, and not just stand on the sidelines and complain, but actively participate."

Vermont Republican Party Chairman Dave Sunderland welcomed Feliciano into the race Tuesday in a statement.

"Dan's professional background make [sic] him an ideal candidate for this position. Vermont Republicans are excited to work with him through November," Sunderland said in a news release. "With strong candidates up

and down the ticket, we will be well positioned to balance Montpelier and once again make Vermont an affordable place to live. Dan is a great addition to our team.”

COMMENTARY:

WILLEM POST: WOULD BUYING TRANSCANADA’S DAMS BE A FINANCIAL FIASCO?

Editor’s note: This commentary is by Willem Post, a retired engineer, who now writes about energy issues, currently specializing in energy efficiency of buildings and building systems. He is a founding member of the Coalition for Energy Solutions.

TransCanada purchased 13 hydro power plants on the Connecticut and Deerfield rivers from bankrupt USGen New England for \$505 million in 2005. Almost all of the plants are located in New Hampshire. All plants and their drainage areas are shown on an enlarged map.

The current Federal Energy Regulatory Commission (FERC) licenses of the Wilder, Bellows Falls and Vernon plants expire in 2018. The renewal process takes about five years.

TransCanada has offered for sale all 13 plants. The asking price, not yet stated, likely would be about \$600 million to \$800 million. Till now, TransCanada has received no interest from a private buyer. However, the state of Vermont has begun a study.

Below is discussed the Wilder Dam Hydro Power Plant, as it is typical of most dams. As part of relicensing, the Connecticut River Management Plan recommendations for Wilder Dam likely would alter operations that likely would reduce annual revenues and profits.

(See VTDigger: McClaughry: Public Power — Another Costly Big Government Headache? (commentary); Shumlin Forms Working Group to Explore Purchase of Transcanda Dams)

Wilder Dam Hydro Power Plant

Wilder Dam, located between Hartford and Lebanon, has three turbines, one on the Vermont side of the river, and two on the New Hampshire side; they were installed in 1950; total capacity 35.6 MW; (2) 16.2 MW units, (1) 3.2 MW unit. License expires in 2018

Design flow capacity: 162,000 cubic feet per second, equal to the flow during the 1927 flood

Largest river flow since 1950: 55,000 cubic feet per second

Fish passage, \$40 million, completed 1987

Active river area stretches about 46 miles upstream. See [here](#) and [here](#).

Wilder Dam has a useable storage capacity of 13,350 acre-feet, based on a 5-foot maximum drawdown. It generated an average of 153,738 MWh per year during the 1982-2011 period; $CF = 153738 / (35.6 \times 8760) = 0.49$. Average energy generation is 12,809 MWh per month, and varies from a low of about 8,500 MWh in August, to a high of about 26,000 MWh in April.

Design flow through the turbines is 12,700 cubic feet per second for rated output of 35.6 MW. Annual average flow is 6,260 cubic feet per second. During typical energy generation, the water releases vary between the required minimum flow of 675 cubic feet per second and the design flow of 12,700 cubic feet per second.

Maximum allowed change of water elevation to minimize riverbank erosion is 5 feet, per FERC license; it is less, for recreational purposes, during summer.

What Is the Dam Worth?

Revenue = 153,738 MWh per year x \$0.07 c/kWh, annual average wholesale peak rate = \$10,761,660 per year. After subtracting several million for property taxes; ordinary operation and maintenance/staffing expenses; insurance; upgrades and replacements; plus several million for debt service there would be next to nothing left over as profit for private investors.

If, as part of FERC relicensing, additional water level and flow restrictions are imposed, the plant's revenue would decrease and its profits may decrease to zero, or less, i.e., the dam would be worth near nothing. That likely is the reason no private buyer has shown any interest in buying the dams.

Plant Operation

The water level upstream of the dam is built up during off-peak hours and drawn down, up to 5 feet, during peak hours. The timing and quantity of the water releases depend on river flow conditions and electricity wholesale prices.

During the period of sustained high flow, usually March, April and May, plant energy generation is continuous, and peaking operations are not used. This is a period of maximum energy generation and maximum revenue and profits. See here page 39.

Daily fluctuating water levels are a particular concern regarding the Wilder Dam impoundment. There are many causes of riverbank erosion. The primary cause is natural scour.

During about nine months of the year, the plant is operated as a "peaking" plant, based on wholesale price signals, to maximize revenue and profits from a limited water supply. Prices go up, energy generation is increased; prices go down, energy generation is decreased. TransCanada operates the other 12 plants in a similar manner.

Based on the above, these plants have very limited use for year-round peaking, filling-in, and balancing variable wind and solar energy, as such operation would significantly reduce its revenues and profits, which presently are maximized by operating during peak hours, based on price signals.

Wilder Dam FERC License Expires in 2018

In preparation for its next FERC license, TransCanada is beginning the five-year process of gathering information about the dam and the region it influences. River communities, citizens and organizations, such as the Hanover Conservancy, will have opportunities to participate in the relicensing process, helping to shape the management of the dam and the river for the next 30 to 50 years.

As a "daily peaking" plant, Wilder Dam raises and lowers the water level in its impoundment during energy generation. Whereas Wilder Dam's current FERC license allows water levels upstream of the dam to fluctuate by as much as 5 feet (from an elevation of 380 to 385 feet above mean sea level), the water level usually rises and falls within a narrower range. During the summer, the plant operates within narrower limits to accommodate recreational uses.

Wilder Dam Impoundment

Wilder Dam impounds the river for 46 miles to Newbury and Haverhill. Because Wilder Dam impounds such a long section, water is released when high flows are expected. Public safety is a prime concern, and the company uses loudspeaker announcements when gates are opened, plus flashing lights and signs. The phenomenon known as “pond tilt” allows water levels to be very low near the dam, yet quite high some miles upstream. This occurs because it takes time for water to travel from the upstream end of the impoundment to the dam.

History of the Wilder Dam Site

Wilder Dam occupies the former site of Olcott Falls, a pair of natural falls, which were over 650 feet long with a 40 feet drop. A canal with locks on the New Hampshire side, built in 1810, allowed boats and rafts to pass around the falls. The first dam, built in 1882, was an 808-foot cribwork dam at the upper falls. A new concrete dam, just downstream, was built in 1927. Wilder Dam, built in 1950, about .75 mile below the cribwork dam, flooded both of the original dam sites.

Design of Wilder Dam

Wilder Dam is designed for flows up to 162,000 cubic feet per second, equal to the flow during the 1927 flood. Since the dam's construction, the largest recorded flow was only 55,000 cubic feet per second. The company uses vegetable oils for hydraulic lubricants in its machinery. The FERC license, issued 1978, requires an upstream and downstream fish passage facility (as do Bellows Falls and Vernon), which was installed at a capital cost of \$40 million in 1987.

“Black Start”

Usually, a hydro plant is capable of “black start” for providing energy to the grid, as Wilder Dam and others on the Connecticut River, did during the blackout of the Northeast in 1965. A small diesel-generator provides power to open the gates, allowing water to flow through them to produce power, first to re-start other power plants throughout New England, and then for users.

Influence of Wilder Dam

The construction of Wilder Dam resulted in several benefits to the river and its corridor. It provides energy without using fossil fuels, and contributes to the tax base of the towns in which it is located. By inundating tributary mouths and other low-lying areas, the dam created ecologically rich backwaters and wetland areas such as Wilder Wildlife Management Area in Lyme, the Ompompanoosuc flats in Norwich, and Reed's Marsh in Orford, which provide habitat, especially for waterfowl, warm water fish, and other wildlife. The flatwater impoundment upstream of the dam provides deeper water for power boating and other forms of recreation, which was not possible until the dam was built, although the dam itself forces paddlers to portage their craft. Local people recall it was possible to wade across the river from Bradford to Piermont before the dam was built. The dam also provides ways to influence flooding, ice breakup, and flows in time of drought.

Pine Park on the Connecticut River in Hanover

However, when a dam creates an impoundment, it alters the natural character of the river and changes the pattern of flow, so that the river behaves more like a lake. Water temperatures increase as a result of the greater surface exposure to sunlight, leading to reduced dissolved oxygen and reducing habitat quality for trout and other cold-water fish. The fish population shifts to warm-water species, and walleye, perch and bass now inhabit the warmer water of the Wilder Dam impoundment, using the shallows of tributary setbacks for spawning. Nutrients and contaminants may accumulate as they are not as quickly flushed, and some sediment and toxic substances may settle out in the quieter water. Because the dam can alter patterns of flooding and sediment deposition, some floodplains no longer function as before, although they are still essential.

Water Level Fluctuations and Erosion

Daily fluctuating water levels are a particular concern regarding the Wilder Dam impoundment. There are many causes of riverbank erosion. The primary cause is natural scour. Rapidly changing water levels can cause pressure imbalances at the water-saturated bank face, causing water to seep out of the bank, carrying small particles of soil with it. This is called "soil piping," and it can contribute to bank collapse. Water level changes also magnify the area of riverbank face that is exposed to erosive wave action. The second cause is water level fluctuations from operations at Wilder Dam, as determined by the U.S. Army Corps of Engineers.

Eroding Riverbanks in the Wilder Dam Impoundment

An Upper Valley River Subcommittee member has recently discovered a disturbing feature of some parts of the Hanover riverbank in the Wilder Dam impoundment, where even heavily forested banks have been undercut, forming cavities that reach back five to six feet. As these cavities remove physical and nutritive support for the trees, they could result in bank failure. The cause of these cavities, thought to be primarily wave action, deserves investigation, particularly because of the high economic and aesthetic value of the riverfront in this region.

Riverfront landowners and other observers have reported in recent years, i.e., after TransCanada acquired the dams, the level of the Wilder Dam impoundment appears to show more pronounced variation than in earlier years, with higher highs and lower lows, and more rapid draw-downs. This creates concern for riverbank stability and sedimentation. TransCanada is required to operate within the terms of the license, raising and lowering the water level within limits, but changes in operation of the plant seem to be exploring the full range of allowable limits, rather than the narrower ranges of earlier years. The license does NOT specify a maximum "ramping rate," i.e., how quickly the impoundment water level can be raised or lowered.

Connecticut River Management Plan's Recommendations for Wilder Dam

The FERC should:

- Specify a "ramping rate" in the next operating license, to reduce soil piping in the riverbanks of the impoundment and to minimize negative effects on aquatic and riparian habitat. Restricting the ramping rate likely would reduce revenues and profits of the plant.
- Include a provision for emergency gate operation to enable a "black start" to provide immediate power, in case of a blackout.
- Assess possible effects of upstream sediment buildup, and the extent to which it has affected flood storage capacity.

- Require TransCanada to maintain discharge at run-of-river levels during periods of low flow to protect downstream aquatic life. Maintaining such discharge levels likely would reduce revenues and profits of the plant.
- Allow participation by local citizen groups in the relicensing process.

JEB SPAULDING: COLLEGE AFFORDABILITY SHOULD BE A FRONT BURNER ISSUE

Editor's note: This commentary is by Jeb Spaulding, who is chancellor of the Vermont State Colleges.

Of the 6,000 or so Vermonters about to graduate from high school, more than 2,000 are unlikely to further their education after June. They will join a growing cohort of young Vermonters who lack the credentials necessary to succeed in our economy. In fact, Vermont has the lowest college enrollment rate in New England.

More troubling is that less than 40 percent of our economically disadvantaged students continue on to college. A recent study by the nonprofit Education Trust found that, nationally, 80 percent of young people from middle class families earn bachelor's degrees by age 24, versus only 11 percent of students in the lowest income quartile. The poverty rate is twice as high for those with only a high school diploma compared to a bachelor's degree. Their median income is \$11,000 less, their health outcomes are worse, too many require a lifetime of public assistance, and the odds that their children will pursue college are considerably lower.

The best way to combat the growing income and opportunity disparity in Vermont would be to significantly increase the number of Vermonters pursuing education after high school. Harvard's Robert Putnam asserts that the dividing line between the haves and have-nots is increasingly a college education. Higher education is the surest escape route from poverty.

Helping many more Vermonters pursue higher education is an economic imperative for the state. A 2013 Economic Policy Institute study found that one of the most important ways to boost a state's economy is to raise the education level of its citizens. It concluded, "states that have educated workforces have stronger and higher wage economies than those that don't."

The status quo in higher education is leaving too many behind, at great expense to our economy, our communities and individual Vermonters.

Thankfully, the state has agreed upon a critically important goal to significantly increase the percentage of Vermonters with a postsecondary degree or meaningful credential over the next decade. The Advance Vermont initiative seeks to boost to 70 percent the number of Vermonters with meaningful post-secondary credentials and degrees by the year 2025. To succeed in reaching that goal, we will need commitment and aggressive action by many parties.

The Vermont State Colleges stand ready to do our part. As a group, Castleton University, Community College of Vermont, Johnson State College, Lyndon State College, and Vermont Technical College enroll more Vermonters than all of the other colleges and universities in Vermont combined. We are the extension of the public school system into the postsecondary years and offer an exceptional education at a very reasonable cost.

Like the public schools, we enroll a diverse student population, from high school valedictorians to students who have struggled in life and in school. Half of our students are the first in their family to go to college and we have a much higher percentage of students from low-income families than most other colleges. Many more of our students require a higher level of academic support and counseling in order to graduate than at other institutions of higher learning.

We are increasing our capacity to provide workforce education programs to employers around the state.

The Vermont State Colleges will continue to aggressively take steps to limit our cost of delivery and target available funding to things that contribute to a high quality educational experience for our students.

If we are to succeed in making it possible for all Vermonters to go to college, we must confront the clear connection between low state support for public higher education and low college enrollment rates. When state support is low, tuition is high, students take on more debt or don't go to college, and increasingly counterproductive cost cutting becomes unavoidable at our public colleges. According to The College Board, Vermont has the second-highest in-state tuition at four year public institutions in the country. We are the 47th out of 50 in terms of state support for higher education.

The Legislature's decision to increase state funding to the Vermont State Colleges for the first time in years indicates growing recognition of the need to make college affordability a front burner issue. We need to build on that recognition.

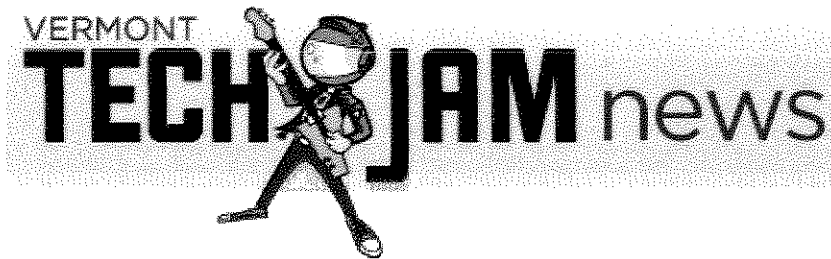
Vermont is at a turning point. It is time to recognize that post-secondary education is critical to our economy. It is time to agree that it is unacceptable that 40 percent of our high school graduates do not go on to college. The status quo in higher education is leaving too many behind, at great expense to our economy, our communities and individual Vermonters. We need to come together and provide an open door to post-secondary education for all who wish to secure a better future. We need to break through the dilemma of affordability caused by low state support, if we want to make any headway on closing the opportunity gap that is growing in our state.

Miller, Lawrence

From: Vermont Tech Jam <yourfriends=sevendaysvt.com@mail181.atl81.rsgsv.net> on behalf of Vermont Tech Jam <yourfriends@sevendaysvt.com>
Sent: Monday, May 16, 2016 7:24 PM
To: Miller, Lawrence
Subject: Pwnie Express to Expand in Boston and Burlington; Job Fairs in South Burlington, Vergennes

Cybersecurity firm Pwnie Express plans to expand after raising \$12.9 million in Series B funding.

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Monday, May 16, 2016

EVENT



Video: International Drone Day

Video journalist Eva Sollberger interviewed drone operators and enthusiasts gathered at Bolton Valley for Vermont's first International Drone Day celebration. This episode of "Stuck in

BUSINESS



Pwnie Express Works Its Boston-Burlington Connection

Boston-based Pwnie Express, a cybersecurity firm with Vermont roots, just raised \$12.9 million from investors, and is

Vermont" offers a drone's eye view of the festivities.

[Read more](#)

poised to grow in both Boston and Burlington.

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TECH NEWS

VTel Built Out Wireless System in Chittenden County

VTDIGGER.ORG, 5/15/16

The Vermont Telephone Co. got millions in federal grant money to deliver broadband access to disconnected rural Vermonters, but it built some of its towers in heavily populated areas already served by multiple competitors.

Why Does Google Think Vermont is in Morristown?

SEVEN DAYS, 5/11/16

Ask for driving directions from any American city to Vermont, without entering a specific address, and Google Maps will direct you to a wooded area near the end of Fairwood Parkway in Morristown. WTF?

For One Vermont Man, Sequencing His Whole Genome Solved a Life of Pain

VERMONT PUBLIC RADIO, 5/12/16

Seventy-three Vermonters volunteered to have their genomes sequenced through a pilot study at the University of Vermont, including one man who used the information to pinpoint the cause of his constant pain.



Job Fairs in Burlington and Vergennes

More than 60 employers will be recruiting at the third [Vermont Career Connections job fair](#) on Thursday, May 19, at the Sheraton in South Burlington. On Friday, May 20, UTC Aerospace Systems invites job seekers to apply for [numerous open positions](#) at its facility in Vergennes.

[Read more](#)



Healthcare Innovators Show & Tell

Local designers, technologists, health practitioners and community planners present five-minute lightning talks at this semi-regular gathering of Burlington-area health care innovators. Thursday, May 19, at VCET @ Burlington.

[Read more](#)

Featured Tech Events

[Windsor Linux Users Group](#)

WinCycle, Windsor. Tuesday, May 17.

[Digital Rights and Responsibilities Workshop](#)

Vermont College of Fine Arts, Montpelier. Wednesday, May 18.

ADVERTISEMENT

Burlington Data Scientists

Meetup

Main Street Landing Performing

Arts Center, Burlington.

Wednesday, May 18.

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- Software Implementation Specialist, VIP
- Information Technology Systems Manager, Lamoille North Supervisory Union
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Burlington College to shut down

May 27

vermontbiz.com

Burlington College announced today that it will discontinue its academic programs as of May 27, 2016, because of its ongoing financial struggles. In the statement below, the college said its lender has pulled out and acknowledged that it would likely lose its accreditation this summer. The college began as a mostly film-related institution in Burlington's Old North End before buying the former Catholic Diocese headquarters in 2010 and moving the college farther up North Avenue. However, it could never reconcile the cost of that move.

VTel built out wireless system in Chittenden County

vtdigger.org

The state expected VTel to bring broadband to unserved communities in Southern Vermont and the Northeast Kingdom. VTel has permits for at least 28 antennas in highly

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GMO labeling law provision to be delayed

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Language in the budget postpones a part of the GMO labeling law that allows Vermonters to take private civil action.

GMP's Mary Powell named one of Fast Company's 100 Most Creative People in Business

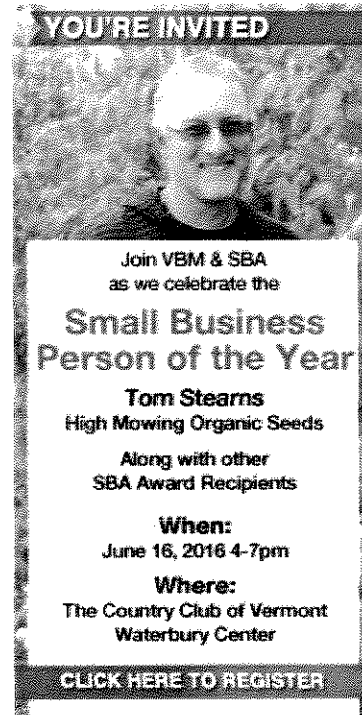
vermontbiz.com

Fast Company today announced its annual ranking of the 100 Most Creative People in Business for 2016. Green Mountain Power CEO and President Mary Powell was selected to be on the list for her transformational leadership, helping customers transition away from the traditional grid. The magazine cited GMP's innovation work, becoming the first utility to offer customers the Tesla Powerwall battery. Powell is No. 32. The No. 1 spot on the list this year is Lin-Manuel Miranda, the composer, lyricist, and star of Broadway's Hamilton.

Phoenix Books acquires Misty Valley Books in Chester

vermontbiz.com

The owners of Phoenix Books, an independent bookstore with locations in Essex, Burlington and Rutland, have purchased Chester's Misty Valley Books. Michael DeSanto and Renee Reiner met with Lynne and Bill Reed - who bought the Chester landmark in 2001 - for the closing this morning. Terms of the acquisition were not disclosed. "Twenty-one years ago," says Reiner, "as Mike and I embarked on this adventure, we considered buying Misty Valley Books from the original owners, Dwight Currie and Michael Kohlmann. So it feels like we've come full circle.



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Champlain College honors graduates, rocks with Grace Potter and Katherine Paterson

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CSJ honors graduates at 57th commencement

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Humanitarian leader Burkle shares formula for satisfying service at 109th Saint Michael's commencement

vermontbiz.com

Southern Vermont College celebrates 89th commencement

vermontbiz.com

Politics/Government

Vermont Tax Dept offers help, to waive penalties for some tax return errors

vermontbiz.com

The Vermont Department of Taxes has learned of some errors in the coding of Vermont 2015 tax year personal income tax software impacting some taxpayers who itemized their deductions. The department is working with software vendors and tax preparers to ensure that affected taxpayers receive assistance in filing amended returns and paying any additional taxes. The department is also waiving interest and penalty for amended returns and payments received on or

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📅 Matt Dunne pushes transparency and ethics agenda | Vermont

before June 30, 2016. The department's internal analysis suggests that products from five vendors had software glitches, causing as many as 19,000 taxpayers to file erroneous 2015 returns. The additional tax due ranges greatly, but averages about \$160, for a total of about \$2 million.

Business Magazine[[see more](#)]5/13/16 12:44PM

Net income of Gaz Metro's GMP, VGS falls 8.1 percent in Q2 2016 | Vermont Business Magazine[[see more](#)]5/13/16 11:35AM

Democratic Candidates Urge Party To Return Money From Alleged EB-5 Fraudster

VPR

The alleged fraud involving developers in the Northeast Kingdom has put new scrutiny on donations to the Vermont Democratic Party. The party's three candidates for governor now say the VDP should give up the contributions it received from the man at the center of the scandal.

FEC threatens audit of Sanders campaign donations

[vtdigger.org](#)

Federal regulators cited eight violations and said the campaign has failed to provide necessary details regarding a number of campaign expenditures.

Progressives Won't Endorse a Democrat in Gubernatorial Race

Seven Days

Vermont Progressives opted Saturday not to endorse any of the Democratic candidates for governor. Progressives are still regretting their support of Democrat Peter Shumlin in the gubernatorial race in 2010, when he first won the office.

Agency of Agriculture files RAPs for water quality standards

vermontbiz.com

On Friday, May 13, 2016, the Vermont Agency of Agriculture, Food and Markets (VAAFAM) filed the Required Agricultural Practices (RAPs) Proposed Rule with the Vermont Secretary of State. This filing represents the start of the formal rulemaking process during which the public will continue to consider the strengthening of agricultural water quality standards for Vermont farms. A public comment period on the Proposed Rule will be open until July 7, 2016, with five public hearings on the Proposed Rule scheduled for the end of June.

Advocates make progress on turning new lens on state budget

vtdigger.org

The Vermont Legislature has agreed to call for more specific budget projections sought by human services activists hoping to stimulate public discussion on spending priorities.

Mike Smith: Trump the unifier?

vermontbiz.com

Now that Donald Trump is the presumptive presidential nominee he, and his supporters, are seeking to unify the Republican Party. But "unification" has a very different meaning to Trump than it does to many Republicans, especially those seeking election. For Trump, a unified party is one that falls in line behind him and supports his positions. After all, in his view, he is now the leader of the party and the Republican Party is there to serve him.

Hoffer: EB-5 and the problem of faith

vermontbiz.com

The unfortunate situation with the EB-5 program presents an opportunity to reflect on the State's approach to economic development. Among other responsibilities, the State

Auditor's office examines various programs to determine whether they achieve the goals established by the legislature. That is, are we getting our money's worth?

Governor Shumlin highlights
3rd annual Vermont Career
Connections event May 19

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Subject: MEDIA CLIPS FOR MONDAY, MAY 16

VTDIGGER:

UVM ENERGY FUND THAT'S FUELED BY STUDENT FEES SITS DORMANT CORY DAWSON

When Jack Hanson, a UVM senior who is president of one of the many environmentally focused student clubs at the school, went looking for money so club members could attend a solar panel installation class, the source seemed obvious.

Hanson says he and his club, the Renewable Energy Network, went to the Clean Energy Fund, a money pool they had used before. The fund was set up in 2008 after a massive student effort ultimately gained approval from the board of trustees. The trustees authorized the fund to take \$10 every semester from each student — bundled in a comprehensive fee charged to every medical, graduate and undergraduate student — and in turn pay for campus sustainability projects.

Budget documents show that over the years the Clean Energy Fund has supported the installation of solar panels on UVM buildings, brought speakers like Al Gore to campus and helped students build a hybrid car from scratch, among other things. By the end of the 2014-15 fiscal year, the fund had taken in \$1.6 million and expended \$1.2 million.

Yet since May 2015 the fund has been under review by the university and hasn't supported any new projects.

Its status has prompted the Renewable Energy Network to question whether the fund is remaining true to its founding principles.

"The leadership is no longer comprised of students and much of the funds, taken from student tuition, are sitting idly," the group wrote to the fund's leaders in a Nov. 10 email.

A draft review of the fund by UVM professor and public policy researcher Richard Watts found that roughly 20 percent of the Clean Energy Fund money has been spent administering it — primarily by students — despite a 10 percent limit on administration costs in the founding documents.

Richard Cate, the university's vice president for finance and treasurer, disputes the finding. He said student time isn't considered an administrative expense at UVM.

"In the case of the Clean Energy Fund," Cate said, "what we do classify as administrative falls well below the 10 percent limit established by the fund's founding documents."

Although the fund has stopped taking new proposals from students, it hasn't stopped collecting their money — or paying for its administration. Currently \$585,000 of student money sits in its coffers, according to Cate. When students come back to campus in the fall, the fund will get another quarter million for that semester.

Gioia Thompson, director of the Office of Sustainability, which oversees the fund, was unavailable for comment due to a long-term illness, according to a university spokesperson. Her deputy, Mieko Ozeki, left in late April for a new job. University officials said the Clean Energy Fund is in transition and will eventually restart under a new office.

STUDENT GROUP ASKS FOR MONEY

Hanson's club, the Renewable Energy Network, connects students with professionals in the renewable energy field. It gets speakers to come to its events almost weekly. Oftentimes, these speakers will use the events to recruit. For example, club alumni work at companies like SolarCity and Tesla.

Hanson and his 400-member club submitted to the CEF a funding request for a proposal that would give students access to a solar panel installation course at Vermont Technical College — a class UVM doesn't offer.

A committee vets the projects that are put forward for funding and works with applicants to refine them, then sends a work plan to Cate, who has the final say.

After months of reworking the proposal at the request of the fund committee, the club didn't get the \$12,500 it was seeking.

Frustrated, club leaders wrote to the committee Nov. 10:

"I think we can agree that a quarter of a million dollars accrued (each semester) is too much money to be left sitting around. We have ideas and we are ready to act on them. Please, let's work together to achieve what the CEF was intended to be."

Eventually they went up the administrative chain and took their concerns to Cate, who heard them out. He paid for their proposal out of his own discretionary fund, he said.

"I thought it was a worthwhile project, and it wasn't that much money, so I told them to go ahead and I would fund it by other means," Cate said.

NO FIRM TIMETABLE FOR RESTART

Cate said he has rarely denied a project proposal that has come across his desk from the fund. Cate said that during the time the Renewable Energy Network was going through the proposal process, he had put the energy fund under review, in part because of the loss of oversight with Thompson's illness and a change in her duties.

"It's a transition time," he said. "This past year, we've been thinking some of the infrastructure needs to be changed a bit."

The fund is going to be moved next semester, Cate said, and will most likely fall under the Socially Responsible Investing Work Group. Responsibility will be transferred to the university controller, Claire Burlingham, one of Cate's deputies.

The review of the fund is waiting on Thompson to complete, Cate said, but due to her health they can't say exactly when that will be. Cate said he hopes to have the fund back up and running next semester. The work Watts completed is "one element" of the review process, Cate said.

Hanson and the Renewable Energy Network were previously awarded \$5,000 from the fund, and Hanson said he has trouble grasping why no money is available now.

"I understand they are under review, but we didn't get why that prevented them from granting a proposal from an established club," Hanson said. "We had already proven we're using the money for its intended use."

"This is what the fund is supposed to do," he added.

SPECIAL REPORT: VTEL BUILT OUT WIRELESS SYSTEM IN CHITTENDEN COUNTY

ERIN MANSFIELD

LUNENBURG — It looks like the middle of nowhere up here. But there's a broadband signal on the main drag through town, and if you head about five miles up a dirt road you'll see why.

At the top of Tug Mountain Road, next to a red-roofed house, there is a tower that emits 4G/LTE signals, making it possible for residents of this town of 1,300 to sign up for service through VTel Wireless, buy a router, and enjoy high-speed Internet in their homes.

While some residents of Lunenburg enjoy a strong signal, more than 4,000 households in Essex County depend on VTel Wireless service for broadband access, and there is no evidence, based on public documents, that shows everyone in this remote region of the state is being served.

Broadband access is not just a problem in Essex County. Residents in Windham, Windsor and Orange counties who rely exclusively on VTel have complained to the state, lawmakers and the media that they can't get service to their homes and businesses.

Telecommunications companies say it's too expensive to bring service to sparsely populated areas without government subsidies. In response, the U.S. Department of Agriculture's Rural Utilities Service stepped in with grants and loans for companies that proposed expanding service to rural communities.

A large chunk of that funding came to Vermont. But even with government subsidies, state officials say the buildout of broadband infrastructure in certain rural areas in Vermont has been inadequate.

In 2010, the Rural Utilities Service awarded Springfield-based VTel \$116 million to provide broadband to unserved communities in the Northeast Kingdom and Southern Vermont. Michel Guite, the CEO of VTel, said in an email last week that the company serves more than 250 towns in Vermont, and "has been massively transparent in all ways, regarding its (federally-funded) project and funding, as have all (U.S.D.A.) recipients."

But Guite has declined to provide information to the state, lawmakers and the media that would show which addresses receive a strong signal through the VTel Wireless network. "We do not provide this data to anyone, friends included," he told state regulators in March.

Documents from the state show that between 2011 and 2016, VTel Wireless received permits for 137 towers and antennas in Vermont. At least 28 of those permits were for addresses in more populated areas, including the Burlington area, Montpelier, Rutland and other population centers where the Public Service Department says there is competition among wireless providers. VTDigger visited more than a dozen of the permitted locations in Chittenden and Grand Isle Counties where telecommunications equipment had been installed on poles, towers, rooftops and farm silos.

Rep. Laura Sibilila, I-Dover, said Friday that VTel didn't prioritize rural areas, that "hardly any" of her constituents in Windham County are able to access service from VTel, and that the infrastructure that is in place provides "very spotty" service.

Sibilila said she can't personally get service through VTel at her house, and she now wants to determine if other companies will bring wireless broadband to her constituents.

The Department of Public Service has nominal regulatory authority over broadband companies because of federal pre-emption laws, and consequently the state could not stop permits from being issued in more populated areas, according to Jim Porter, the state director of telecommunications and connectivity. Porter suspects as many as 60 other, smaller antennas could have been built throughout the state without his knowledge.

"VTel, certainly it appears, has built a statewide network ... and certainly from my perspective, I'm not interested in towers that serve Burlington and Shelburne," Porter said. "VTel did what everybody else has done, which is build where you've got dense population and lots of competition."

Three years ago, the department made its own map, and derived a ratio of which permits were awarded for towers within the planned territory, as originally proposed by VTel, and which ones were awarded outside of the planned territory.

"It was like 2 to 1," Porter said.

While state officials are unhappy with VTel's wireless rollout, the USDA Rural Utilities Service is satisfied that VTel fulfilled its mandate. In an email, a USDA spokesperson said VTel "complied with the terms" of the award, "has built out 131 of the 134 wireless towers proposed, and was granted permission to forego construction of three towers."

ADVOCATES MAKE PROGRESS ON TURNING NEW LENS ON STATE BUDGET

KEVIN OCONNOR

The Rev. Debbie Ingram recalls when the Vermont Interfaith Action coalition of religious congregations first proposed a simple if not scintillating way to help people squeezed by income inequality: Why not urge state leaders to tally up a budget that, for debate's sake, reveals the real cost of delivering the public services the state has committed to, rather than just begin annual negotiations with an already pared-down plan?

"Nobody else was fighting this fight, so it's hard to know when you get started what's going to happen," says Ingram, the coalition's executive director. "We were hopeful. We are people of faith."

Perhaps that's why, paying only for postcards and phone calls, the coalition was able to persuade the Legislature this month to call for more specific cost projections it hopes will stimulate public discussion on spending priorities.

Vermont Interfaith Action, teaming with the nonpartisan, nonprofit Montpelier-based Public Assets Institute, first called for the release of a fiscal forecast known as a current services budget a year ago as part of its Building Vermont's Moral Economy campaign.

When spiritual leaders met last fall with Gov. Peter Shumlin and members of his administration, they found officials initially more reticent than receptive to the idea. State budget writers eventually offered a page of the most basic projections upon unveiling their proposal in January. But, as each side would learn, all were working with a different definition of what was wanted.

"A current services budget," state officials wrote in an attached footnote, accounts for such factors as inflation, expected changes in the number of people using a program or benefit, ongoing formula-based adjustments and collective bargaining agreements.

But campaign organizers were concerned that definition didn't consider any recent cuts to programs caused not by decreasing demand but by a shortage of funding. They point to Washington, D.C.'s Center on Budget and Policy Priorities and its report "The Current Services Baseline: A Tool for Understanding Budget Choices."

"It could be problematic to establish a current services baseline right after a recession, when current expenditures are well below the level required to adequately serve residents," the report says.

Campaign organizers asked legislative leaders to expand the state's definition of "current services budget" to include all the resources required to fulfill the obligations it has taken on.

"We're looking for numbers that reveal the cost of fully funding what the state has committed to in statute," Ingram said this winter. "We'd appreciate a fuller picture of where we're falling short."

In response, the Legislature agreed this month to address the request, as seen on page 63 of its just-adopted 128-page fiscal year 2017 state budget.

"The governor shall develop and publish annually for public review as part of the budget report a current services budget, providing the public with an estimate of what the current level of services is projected to cost in the next fiscal year," it begins.

Lawmakers added a list of specific projections they want, including those for:

Child care funds so they adequately line up with current market rates and federal household poverty levels.

Reach Up assistance for low-income families with children.

Maintenance of all current roads and bridges.

Retirement pensions and other post-work benefits for state employees and educators, including any currently unfunded amounts.

The property transfer tax money required by statute to go to the Current Use Administration Special Fund, the Vermont Housing and Conservation Fund, and the Municipal and Regional Planning Fund.
Workers' compensation and state liability, medical and dental insurance money.

"Other non-major enterprise funds and internal service funds where deficits exist in excess of \$1,500,000, including: Vermont Life Magazine; the Copy Center Fund; the Postage Fund, the Facilities Operations Fund, and the Property Management Fund."

Campaign organizers are hopeful they're interpreting the expanded definition the same way state officials see it, but nevertheless want to meet with them to confirm the specifics.

"Eventually we would like to see the entire budget laid out in a detailed way," Ingram says. "But we think this is a step in the right direction."

"What the bill really does," adds Paul Cillo, president of the Public Assets Institute, "is to provide more clarity."

The Shumlin administration, which will depart when the governor does in January, says it will follow the mandate as it prepares figures later this year to pass on to whoever is elected in November.

"It will help bring more transparency into the current and future state financial obligations," says Andy Pallito, commissioner of the Department of Finance and Management.

Campaign organizers stress they aren't expecting the Legislature to ultimately approve whatever financial figures are projected, but instead hope the numbers shed light on the extent of demand and spark discussion on what could and should be done.

"Our hope is legislators will see this information as valuable as they're making difficult decisions," says Ingram, who is running for state Senate in Chittenden County — a bid she stressed was as a private citizen outside her nonpartisan role with the interfaith coalition. "Our goal is to have an open, honest and robust discussion of what our priorities are and how we can best meet them."

MARGOLIS: THE VOTERS NEED TO GET OVER THEMSELVES

JON MARGOLIS

(Editor's note: Jon Margolis is VTDigger's political columnist.)

Touchy, touchy.

This presidential campaign is in a huff.

Or, more precisely, many voters are in a huff over the campaign. They are taking it personally.

A big mistake. Politics is not personal.

Not that there's anything new about voters getting emotional on behalf of the candidate they support and even more emotional against the one they oppose. In this country, such fervor goes back at least to the time John Adams ran against Thomas Jefferson. That was in 1800.

But the fervor does seem more intense this year, and it's not hard to see why. There is, to begin with, the matter of Donald Trump. Some of Trump's supporters are so devoted to him that they throw punches at anyone around them who does not share their inclination.

The Republican anti-Trumpers are just as ardent, if less physical in how they display their ardor. They are more likely to take to Twitter — #neverTrump seems to be a common hashtag — or to fulminate on cable TV news programs.

Passions run at least as hot on the Democratic side, though not as evenly. There are Hillary Clinton supporters who don't think much of Sen. Bernie Sanders. There are many more Clinton supporters who think even less of some of Sanders' most ardent enthusiasts. "Smug, self-righteous twits" is one of the gentler (and printable) terms used to describe them.

But not thinking much of a candidate is far different from hating him, and very few pro-Clinton Democrats hate Bernie Sanders. They may find him a weak candidate. They may judge that he wouldn't be a good president. But they don't hate him.

Do Sanders supporters respond with similar equanimity?

They emphatically do not. Many of them flood the various social media platforms — not to mention Vermont coffeehouses, restaurants and saloons — with expressions of outright hatred of Hillary Clinton and promises not to vote for her in November.

Just how many is impossible to calculate. It's a minority. A recent CNN poll showed that Sanders supporters favored Clinton over Trump by 86 percent to 10 percent.

But if that's 10 percent of the Democratic base, it's not such a tiny minority, and the way some Sanders supporters talk, it's not certain that all those in that 86 percent majority will actually vote for Clinton, so deep is their antipathy toward her.

If what has happened in the past is any guide (and it is surely one guide), almost all of them will end up voting for Clinton if Sanders campaigns for her, which he probably will. It's in his interest to do so, and some of his supporters — including former members of his campaign staff (and possibly some present members) — are in the process of working out the best way for him to concede the nomination and support her.

But the discussions online and in person over what the pro-Sanders voters should and will do transcend the specifics of this year and this year's choices. They reflect something broader and deeper about contemporary American culture: the glorification of the self.

While some of the uncompromising anti-Clinton (or anti-Trump) voters mention some legitimate political reasons for their opposition, as many talk about what their vote would mean to them, to their perception of themselves as a certain kind of person with certain values and connections, as though voting had some kind of aesthetic or spiritual properties, as though choosing a candidate was like choosing a religion, an ethical standard, a way of life.

It isn't. Voting is not a personal act. It is — by definition — a political act. It's only purpose is to choose someone to fill the office.

In America, thanks to both our culture and our constitutions (winner-take-all elections; none of this proportional representation stuff) that almost always boils down to choosing one of two contenders. Either Smith or Jones will win.

And it's hard to imagine that there could be a single voter for whom either Smith or Jones would not be preferable — however minimally — on the basis of the policies Smith or Jones would support or oppose.

Which is the only basis that matters. Neither Smith nor Jones is running to be your friend, your philosophical guru, your role model. They're just going to help run the government. One of them is going to try to run the government in a direction more pleasing (or less objectionable, just another way of saying the same thing) to each voter.

But what if a voter who decides that Jones' policy positions are preferable to Smith's also finds Jones personally objectionable? Suppose the voter distrusts Jones, dislikes some of Jones' associates, is repelled by Jones' personality or appearance to such an extent that the voter feels voting for Jones would mean sully him- or herself?

This happens. When it does, there is but one honorable, patriotic, public-spirited, sensible thing to do: Sully yourself. Vote for Jones.

First of all, you're not inviting Jones to dinner. You don't have to associate with Jones. You're just helping send Jones to the White Houses, the Statehouse, the county courthouse, city or town hall. All these institutions have been sufficiently sullied for decades, if not centuries.

Besides, you're not important. The world is important, and the policies of governments have an impact on the world — on its wealth and poverty, its air and water, its schools and health care systems, its crime and punishment, its war and peace. The voter who thinks that what Jones does in office (and this applies whether Jones is running for president or select board) would likely lead to better outcomes for the world should vote for Jones, even if the voter thinks that Jones is a rat fink.

A vote is just a vote. It's just politics. It's nothing to get touchy about.

FEDS FOCUS ON RAIL FOR MOVING VERMONT YANKEE'S SPENT FUEL

MIKE FAHER

When it's time to remove spent nuclear fuel from Vermont Yankee, it appears likely that will happen via rail, not trucks.

That was the takeaway last week for local officials and plant administrators after meeting with a visiting team from the U.S. Department of Energy. That team was in town to begin planning for the eventual transport of 3,880 radioactive fuel assemblies stored at the Vernon plant.

There is still no national, permanent storage site for such material, meaning federal officials cannot offer a firm schedule for a fuel move. But those who sat down with Department of Energy representatives say they now know more about what to expect when it happens.

"They said rail is the way to go for us," said Joe Lynch, Entergy Vermont Yankee government affairs manager.

"They were very educational — very informative," Lynch said of the Energy Department team. "They bring a lot of expertise to this."

Vermont Yankee stopped producing power in December 2014, and its reactor was permanently defueled the following month. But all of the plant's spent nuclear fuel remains in Vernon because the federal government has not yet delivered on its statutory obligation to create a permanent storage facility for radioactive waste.

It's a nationwide problem that has led to legal wrangling and financial settlements between the federal government and plant owners who demanded reimbursement for the costs of storing and securing spent fuel. Entergy already has won a federal settlement of more than \$40 million for fuel storage costs at Vermont Yankee, and administrators are seeking further reimbursement from the Department of Energy.

The latest and furthest advanced plan for a large-scale nuclear waste repository — Yucca Mountain in Nevada — stalled five years ago. In writing about the issue recently, Department of Energy officials summed it up this way: "Previous attempts to develop long-term solutions for storage and disposal of this waste have resulted in controversy, litigation, protracted delays and ultimately a failure to address the problem."

There are hopes that a smaller-scale, interim storage facility might be developed. The Department of Energy in 2013 released a report calling for such a storage site, which would have "an initial focus on accepting used nuclear fuel from shut-down reactor sites" like Vermont Yankee.

Citizens groups in four New England states — including the Vermont Nuclear Decommissioning Citizens Advisory Panel — last year wrote a letter asking for congressional action on an interim storage facility for nuclear waste. And U.S. Rep. Peter Welch, D-Vt., said in February that he has seen signs of progress on that front.

No matter where the storage facility is constructed, the federal government must come up with a plan to get the fuel there. And that planning has begun, with Department of Energy representatives having traveled to more than a dozen shut-down nuclear plants to examine site conditions and available transportation infrastructure.

The first such federal survey of Vermont Yankee happened Tuesday through Thursday. An Energy Department spokesman didn't comment on specifics of the visit, nor did he say whether any decisions have been made about a transport method.

The Department of Energy has said it is considering specially designed rail cars, heavy-haul trucks and barges for moving spent nuclear fuel. But those who were involved in the Windham County meetings said the visiting team was particularly interested in assessing railroad access here.

Officials looked closely at the tracks near the plant as well as the rail corridor extending south into Massachusetts. The Federal Railroad Administration also participated in the review, said Tony Leshinskie, Vermont's state nuclear engineer.

"Overall, what they saw in the available infrastructure was very good," Leshinskie said.

In addition to meeting with Entergy administrators and Leshinskie, federal officials also sat down with Windham Regional Commission representatives and members of the Vermont Nuclear Decommissioning Citizens Advisory Panel. Kate O'Connor, the advisory panel's chairwoman, said rail was discussed as the "preferred method" for removing Vermont Yankee's fuel.

"The rail line here is really in good shape, and one of the other positive things about it is that it's so close to where the (nuclear fuel storage) pads are," O'Connor said.

Entergy's Lynch added that "we do have a couple of rail spurs that come into the (plant) site." Those haven't been used for some time but could be upgraded; the idea is that rail cars could be loaded at the plant site, eliminating the need to use any trucks here.

Specific transportation plans aside, locals said they appreciated having a chance to meet Energy Department officials face-to-face and ask questions about what is sure to be a complicated, high-security process.

Previously, Windham Regional Commission Executive Director Chris Campany had expressed concerns that his agency had not been part of early fuel-move discussions.

"It was a very informative meeting, and I feel like we're now in the loop," Campany said after he and the commission's transportation planner, Matt Mann, spoke with the Department of Energy team.

Officials said the meetings also included talk of the department's ongoing development of a "consent-based" process aimed at finding communities that might want to host a fuel storage site. The Energy Department has been gathering public suggestions on how best to approach consent-based siting; a regional public meeting on the topic has been scheduled for June 2 in Boston.

While some see the consent-based siting study as a sign of positive momentum, it also underscores the point that no one can say for sure when there might be a destination for Vermont Yankee's spent fuel.

Entergy's decommissioning plan says all of the plant's spent fuel will be removed by 2052. But some say it could take longer than that if federal lawmakers don't find and then fund a permanent fuel storage facility.

"There's a lot of factors that are out of control of the (Energy Department) people we met with," O'Connor said. "Ultimately, figuratively and literally, the buck stops with Congress."

BERNIE BRIEFING: SANDERS CONTINUES TO 'ROCK THE SYSTEM'

KEVIN OCONNOR

(Editor's note: "Bernie Briefing" is a weekly campaign-season look at how Vermont U.S. senator and Democratic presidential candidate Bernie Sanders is playing in the national media.)

One recent headline in the New York Post reads: "Resign yourself to the depressing reality: It's going to be Trump vs. Clinton."

"Clinton and Trump prepare for ugly election battle," continues a second in the Financial Times.

"Clinton v. Trump in the General Will Be Brutal," concurs a third in U.S. News & World Report.

Bernie Sanders has a different view — and he's communicating it in different ways.

"Don't let anybody tell you this campaign is over," he told supporters last week in Atlantic City, New Jersey, according to a Politico story titled, not surprisingly, "Sanders to Supporters: Don't Let Anyone Tell You This Is Over."

Moving on to "The Late Show with Stephen Colbert," the candidate found the television host struggling to dislodge a candy bar stuck in a backstage vending machine, as captured in a skit.

"It's a lost cause," Colbert said.

"It is not a lost cause," Sanders replied.

"What are you doing here?" the host asked.

"I don't take money from billionaires," the candidate answered, "but I do check every vending machine change slot."

Not finding change or candy, Sanders nevertheless continued.

"I think we've got a shot to win," he said. "It's a narrow shot. But we still have a chance to win a majority of the pledged delegates. We're gonna fight for every last vote, and at the end of the day, I hope and believe that we are gonna win this."

"But at a certain point, don't you have to say, 'I'm not going to get the thing that I want?'" Colbert asked. "Look at me, I'm never going to get my candy."

"You've got to believe," Sanders replied. "You can't give up on that contested confection. You've got to rock the system."

As well as the vending machine, which eventually spit out the stuck candy.

"Now," Sanders concluded, "how about we share that 100 Grand bar?"

But not everyone is so sweet.

"By hanging around, Sanders may be depriving Democrats of an opportunity to take back Congress," Dana Houle opines in a New Republic commentary headlined "The Sooner Bernie Sanders Ends His Campaign, the Better."

"It is Sanders's prerogative to remain in the race," Houle writes. "But exercising that prerogative makes it easier for mega-wealthy conservatives to spend hundreds of millions of dollars to lethally bludgeon both Clinton's candidacy and the progressive agenda to which Sanders has devoted his career. This is not solely about combating the grave threat of a Donald Trump presidency. It is also about the potential of a Democratic landslide and the progressive achievements that could follow."

A group of Sanders staffers and supporters is also making news by circulating a proposal for the candidate to exit the race after the final Democratic primaries June 7 and, rather than continue his fight through the party's convention July 25-28, create a national progressive movement to stop Republican candidate Donald Trump.

"Senator Sanders should proceed to lay out his plan to build an organization, completely independent of the Clinton campaign that will single-mindedly devote itself to educating Americans about the threat of right wing (some say fascist) takeover and the task of identifying and mobilizing voters to defend our democracy in November 2016 and beyond," reads a copy of the proposal obtained by Politico. "Call it Revolution 2016 or another name that best speaks to base and message and its focused task over the next 5 months might be to mobilize voters under 30 (with likely positive impacts on Senate and Congressional races)."

Sanders spokesman Michael Briggs is calling the draft plan "totally irrelevant" and told The New York Times, "This document is something that neither the senator nor anyone he works with has seen — we are focused on winning the Democratic nomination."

The candidate himself, preparing for primaries Tuesday in Kentucky and Oregon, was supposed to address the issue on his sole advertised Sunday news show appearance. But at the last minute, ABC's "This Week" instead showcased an exclusive report from the front lines of the U.S. fight against the Islamic State group.

As for the electoral battle? Stay tuned.

COMMENTARY:

AUSTIN DAVIS: DIVESTMENT CAN BE FIDUCIARILY RESPONSIBLE

Editor's note: This commentary is by Austin Robert Davis, who is policy and communications coordinator for 350Vermont.

As an advocate for divestment, I am concerned by the deeply flawed analysis of the issue in the recent commentary by state Rep. Robert Bancroft of Chittenden 8-3. Rep. Bancroft's portrayal of the subcommittee process, which my organization has been invited to engage in, clearly requires setting the record straight.

At the most recent gathering of the Vermont Pension Investment Committee (VPIC) subcommittee on divestment, four nationally and internationally recognized experts on fiduciary responsibility briefed the subcommittee members on the fiduciary risk of carbon-intensive investments. By and large, a conclusion was reached between the four experts and the members of the VPIC subcommittee that divestment may indeed be consistent with the fund's fiduciary requirements. Of course, a thorough vetting process needs to be in place in instances such as this and advocates are working with the state treasurer and VPIC diligently to uphold that process in a manner that is fair, unbiased, and fiscally sound.

Adam M. Kasner of Domini Social Investments pointed out that Domini has excluded companies such as British Petroleum for risk related reasons. This practice was questioned by fellow investors until BP came under fire for their disastrous oil spill in the Gulf of Mexico. As fiduciaries, pension boards need to have a longitudinal approach that protects pensioners who have been vested in the system for years — as well as those just entering. This position is just one example of how divestment falls under the definition of fiduciary duty.

The committee also heard from other experts who conveyed that it is widely accepted that environmental and social governance decisions are material when making investment decisions — in fact, the culture of investment has changed so that environmental and social governance concerns are often indicative of asset volatility.

As fiduciaries, pension boards need to have a longitudinal approach that protects pensioners who have been vested in the system for years — as well as those just entering.

Furthermore, Rep. Bancroft misses the mark when it comes to Employee Retirement Income Security Act (ERISA). His quotes on the matter are limited and ignore important aspects of the changing definitions. At the end of 2015, the Department of Labor purposely revised their definition of fiduciary responsibility for ERISA. Department of Labor ERISA rules, which Labor Secretary Thomas Perez summarized in one simple statement: "all other factors being equal it's perfectly acceptable for ERISA plan fiduciaries to consider the social impact of their investments." By taking into accordance the changes in both global economics and investment strategy, environmental and social governance is now firmly ensconced within the umbrella of fiduciary responsibility.

Secondly, Rep Bancroft alleges that "fossil-fuel divestment would cost the Vermont state pension fund \$10 million per year in lost returns and \$8.5 million in transactional costs which can never be returned." Again, Rep. Bancroft shows that he is behind the times here, as these numbers have consistently been refuted. The numbers that the representative cites are years old and from a study that follows through a hypothetical dumping of energy sector assets in an imprudent timeline, virtually overnight, a course of action that no one would advise. Typically, informed discussion around divestment involves the controlled shedding of risky energy investments over a window of time.

Finally, it is particularly interesting that Rep. Bancroft referenced the Fischel Report, a piece of “research” 100 percent funded by the Independent Petroleum Association of America. Divestment Facts, which is funded by the IPAA, has been a vocal advocate against divestment in Vermont, and has been present at every Vermont Pension Investment Committee meeting. The representative’s commentary includes a link to their website. IPAA’s study couches its arguments in hypothetical situations, based solely on timelines when fossil fuel investments were performing well, and does not take into consideration the changing market economy for fuel into a future of stricter regulations, rising global temperatures, and world-wide agreements to cut carbon usage.

With all due respect to the representative, and his training as an economist, it seems as though he is trying to assert an outcome before due diligence has been done. The state treasurer, labor leaders and advocates for divestment have come together to fully give divestment its due diligence.

As we build towards this consensus, I think we would all appreciate Rep. Bancroft’s participation should he choose to learn about the work currently being done in Vermont. Furthermore, I encourage readers to learn these things for themselves, by engaging in this issue with parties already in the discussion and the recently established public process as opposed to reading headlines.

As Vermonters our best works comes when we come together and build on what we can all agree we would like to see in the future, in this case, a healthy pension fund and livable planet for years to come.

DON KEELAN: TIME FOR SHUMLIN TO STEP DOWN

Editor’s note: This commentary is by Don Keelan, a certified public accountant and resident of Arlington. The piece first appeared in the Bennington Banner.

Now that the Vermont state legislators have left Montpelier, Gov. Peter Shumlin should give serious consideration to joining them as well. It is time for him to step down and turn over the reins of his office to the lieutenant governor.

The governor, who had only been in office seven months before having to confront the devastation to Vermont from Tropical Storm Irene, today, eight months from when his term expires, has to contend with the greatest financial fraud ever perpetrated in Vermont.

If the allegations in the recently filed SEC 52-count civil indictment against the principals of Q Burke and Jay Peak ski resorts, as well as AnC Bio research facility, all in the Northeast Kingdom, are to be proven, the Shumlin administration has presided over a financial fraud of historic proportions.

Over the past eight years, \$200 million was misappropriated from 700 foreign investors from 74 countries. This alleged fraud is massive, and it all took place under the watch of our governor and his appointed secretaries at the Agency of Commerce and Community Development. The investors were assured that the state agency was auditing the companies they had invested in – not the case.

If the governor wishes to take the “high road,” he should step down now. To wait until January will only place the state’s affairs in greater danger of spiraling downward.

The financial, emotional and physical damage from this historic fraud follows so many other financial and policy debacles that the Shumlin administration has experienced these past five and half years.

In December 2014, VTDigger went public, to the administration’s consternation, that the governor’s pet project, the state’s planned takeover of the health care insurance industry, was an abject failure and was to be abandoned, at a cost to the state of tens of millions of dollars. It is also interesting, that in the summer of 2015, the governor was furious at the editor of VTDigger for revealing the SEC investigation.

The millions wasted on the aborted universal health care scheme pale next to what has been invested in the governor's response to the Affordable Care Act, Vermont Health Connect. Hundreds of millions of dollars from the federal and state treasury have been spent to date in what can be described, at best, as a partially working state-run health care insurance program.

It is no mere coincidence that the governor's chief of health care reform was, in 2012, the head of the Agency of Commerce and Community Development.

It has been widely reported that the governor's campaign was, in part, financed by contributions from the Northeast Kingdom principals. This comes at a time when there is a debate brewing as to who initiated the planned destruction of emails, some of which pertained to former administration employees, one of whom left and joined the Northeast Kingdom companies of Ariel Quiros and Bill Stenger.

If the governor wishes to take the "high road," he should step down now. To wait until January will only place the state's affairs in greater danger of spiraling downward. His successor will not only have to deal with the massive tragedy in the Northeast Kingdom, but also with the ongoing major glitches in the Vermont Health Connect, the repercussions from the Act 46 school consolidations, the state's continuing battle with heroin addiction – crime and deaths from overdoses. It is no secret, many of the governor's appointed agency and department heads have left or are planning to leave Montpelier soon.

Gov. Shumlin, no one is saying that you had anything to do with what Mr. Quiros and Mr. Stenger have alleged to have done. Nevertheless, the collateral damage from the fallout has seriously wounded you and your administration, and has seriously tarnished the reputation of Vermont as a safe place for financial investment. It is time to turn over the office of governor and head home to East Montpelier and continue to make amends with your neighbor, Jeremy Dodge.

STEVEN LETENDRE: BENEFITS AND COSTS OF GOING SOLAR

Editor's note: This commentary is by Steven Letendre, Ph.D., of Middletown Springs, who is a professor of economics and environmental studies at Green Mountain College.

Given our communities' strong environmental values, it's no surprise to most Vermonters that solar power is a growing trend in our state.

Public policy drives the benefits and costs homeowners, farmers, schools, towns and businesses will realize when they invest in solar power. The successful growth of Vermont's clean energy economy, similar to many other states across the nation, has been made possible through favorable net metering rules. Current rules require utility companies to purchase solar-generated electricity from net metered system at the retail rate that all Vermonters pay plus a "solar adder," which depends on when the system was installed and its size.

The Vermont Public Service Board (PSB) is currently in the process of revising the state's net metering rules. The current proposal would reduce the value of net metering payments and vary them depending on the location and size of any new solar power projects. It's important that the PSB consider the full range of benefits that renewable energy projects bring to Vermonters when deciding how to appropriately revise the state's net metering rules. If we as a state want to encourage renewable energy, we must ensure that Vermonters are appropriately incentivized to make the investments necessary for solar power, and the net meter rates are an important part of that calculation.

Solar creates many benefits for the grid including delivering power during summer months when the price of wholesale electricity is high driven by peak power demand for air-conditioning. The distributed nature of solar reduces energy losses from the point of production to consumption and often eliminates the need to invest in upgrades to the distribution network saving ratepayers real dollars.

The PSB should acknowledge the economic development and job benefits of in-state generation, including solar, when considering revisions to net metering rules.

The traditional centralized nature of our power grid leaves it vulnerable to frequent and prolonged outages, especially during weather related events, which are increasing due to climate change. Distributed renewable net metered energy generation can increase grid resilience and in the future will enable the development of local “micro-grids” to enhance the health and safety of all Vermonters when faced with a prolonged grid outage. Green Mountain Power is developing this concept through their Stafford Hill solar plus storage project, which will provide critical power for an emergency shelter at Rutland High School.

Net metered solar systems can help to reduce electric rates in the longer term through the price stability that results when solar investments are supported with appropriate net metered rates. While the price of electricity can fluctuate sharply from month to month and year to year due to volatile natural gas prices, the primary fuel used to produce power in New England, in-state generation can protect Vermont utilities and ratepayers from price volatility. Furthermore, the benefits of solar energy go beyond those associated with the costs of producing and delivering grid power. Top among these are the benefits of using a zero emissions source of energy to support regional and national efforts to improve air quality and address climate change.

Current proposals to revise Vermont’s net metering rules impose a financial penalty to households, community projects and local businesses that choose to retain their Renewable Energy Credits (RECs). Without retaining the RECs, the owner of the solar array is not allowed to claim that they are using renewable energy. Why should I be compensated less if I choose to retain the RECs than my neighbor that chooses not to? We are both investing to support a clean energy future for the state and the nation.

Another important value that should not be overlooked is the local jobs and economic development that Vermont experienced as the renewable energy has grown in recent years. The 2015 Vermont Clean Energy Industry Report found that the clean energy sector supports at least 16,231 jobs in the state, representing 5 percent of Vermont’s workers. The large majority of these jobs are in installation and maintenance jobs that cannot be sent overseas. Changes to net metering rules could significantly impact the future growth of Vermont’s clean energy economy and the families supported by clean energy workers. Electricity purchased from out-of-state sources may be less expensive than solar energy generated in Vermont; however, the dollars spent on out-of-state generation leave Vermont likely never to return. The PSB should acknowledge the economic development and job benefits of in-state generation, including solar, when considering revisions to net metering rules.

Net metering should not be misunderstood as a “subsidy” to solar homeowners. It is the way that utilities and non-solar ratepayers value Vermonters’ personal investments (which can be tens of thousands of dollars) for the numerous benefits their investment in clean energy provides to the grid and to society. Recent economic studies in New England found that the holistic value of net metered solar systems equate between 29 to 34 cents per kWh. By comparison, the latest rates proposed by the Public Service Board range from 12 to 16 cents per kWh considering proposed REC penalties and depending on the location of the project – representing a 20 percent to 50 percent reduction from current Vermont net metering rates.

The public expects that state regulators will weigh all the numerous values that solar delivers when determining the amount utility companies should pay for net metered power. Vermonters have a strong ethic of independence and environmental stewardship. Solar energy provides a real opportunity for communities across Vermont to demonstrate these long-held values. Numerous towns have already taken control and embraced solar energy to power their communities using an abundant and clean source of energy — the sun, let’s enable more of our Vermont neighbors to do the same with a strong net-metering program.

Miller, Lawrence

From: Gray, Laura
Sent: Sunday, May 15, 2016 7:12 AM
To: Gray, Laura
Subject: MEDIA CLIPS FOR SUNDAY, MAY 15

WCAX:**Missing sex offender is back behind bars**

By WCAX News

WHITE RIVER JUNCTION, Vt. - A missing sex offender is back in police custody.

Investigators say Dale Adams Jr. was rearrested at the edge of downtown White River Junction Saturday afternoon.

The Perkinsville man had not been seen since May 6th when he left his approved residence and police were concerned he could re-offend.

BURLINGTON FREE PRESS:**Vt. contractors funnel money to politicians**

April Burbank

Once a company has signed a contract to do business with the state of Vermont, that company is barred from giving gifts and money to state officials.

But contractors still funnel money into the pockets of politicians — in the form of campaign contributions, which are fully legal.

A Burlington Free Press analysis of campaign finance and contract records illustrates the comfortable intersection of business and politics, where state officials solicit contributions from companies that benefit from state activities.

Companies doing business with Vermont, along with their presidents and other related individuals, contributed at least \$29,000 to four successful statewide candidates in the 2014 election. No state agency monitors these contributions.

In the 2014 election alone, Attorney General Bill Sorrell took a maximum \$2,000 donation from a Pennsylvania law firm that was under contract with his office.

An Atlanta-based insurance consultant and her company boosted Gov. Peter Shumlin's re-election campaign with a combined \$4,000 contribution while the company was working under an open contract with the Department of Financial Regulation, which reports to the governor.

And Ariel Quiros, the Florida businessman recently accused of defrauding investors in the Northeast Kingdom,

gave Shumlin multiple contributions despite owning a company that was contracted to operate a Vermont state airport.

Politicians and contractors deny any suggestion of unethical behavior.

"We don't perceive it as a conflict," said Joe McNeil, whose law firm McNeil, Leddy & Sheahan gave Shumlin \$1,000 in 2014 while working to negotiate the state employees' contract.

"It'd seem that in a state as small as Vermont, if political contributors were eliminated from consideration from open bid competitions, the state might be disadvantaging itself," McNeil said. McNeil said the firm gives contributions to politicians who represent "the values that we share."

Some observers have called for a state ethics law that would prohibit campaign contributions from state contractors.

"You need not prove actual corruption to be concerned about the appearance of corruption," said Paul Burns, who has pushed for greater restrictions on contractors' contributions as executive director of the Vermont Public Interest Research Group. Burns is married to Alyssa Schuren, who is the commissioner of the Vermont Department of Environmental Conservation under Shumlin.

"Most people believe it's just wrong for campaign contributions to grease the skids for future contracts," Burns added.

The United States has prohibited federal contractors from contributing to political candidates for the last 75 years. Other states, such as Connecticut and West Virginia, have followed suit.

Vermont restricts campaign contributions from state contractors in only one election — the office of state treasurer.

Since 1997, Vermont has prohibited investment services firms who contract with the State Treasurer's Office from contributing to any candidate's campaign for state treasurer. State treasurers are also prohibited from awarding contracts to any firm that has given a campaign contribution within the previous five years.

Vermont legislators labored over an ethics bill this session and ultimately failed to enact any law to guard against the appearance of improper relationships with state contractors in the governor's race and other elections.

The Senate Government Operations Committee questioned whether such a restriction was necessary. Members worried that prohibiting state contractors from contributing to political campaigns would cut too many people out of the political process.

Sen. Joe Benning, R-Caledonia, who holds a state contract as a criminal defense attorney, suggested that Vermont's system of required disclosure campaign contributors is sufficient.

Buy Photo

Sen. Joe Benning, R-Caledonia, right, debates state contract ethics with Sen. Anthony Pollina, P-Washington during a committee discussion on March 29, 2016. (Photo: FREE PRESS FILE)

"If I'm the opponent of candidate X, I can always say, 'Look who they're getting their money from,'" Benning said. "But there's probably a sizeable proportion of our population that has some kind of contract with this state in some form."

The Legislature's hesitance means that as Vermont elects a new cadre of statewide officials — races for open seats in November include governor, attorney general and lieutenant governor — money can continue to flow both ways.

Shumlin in the middle

The governor has joined the chorus of people calling for restrictions on state contractors' campaign contributions — but that did not stop him from accepting those contributions in the past.

"Campaign contributions have absolutely nothing to do with the decisions the governor makes in his position as governor," said Shumlin spokesman Scott Coriell, who declined to make the governor available for an interview.

"I can't remember an instance when the governor was involved in a contracting process," Coriell said.

Shumlin said at a news conference this year that state contractors should not be allowed to contribute to statewide candidates in Vermont.

"He's been a strong supporter of stronger campaign finance laws," Coriell said, "and has been his entire political career."

In 2014, Shumlin accepted approximately 18 contributions from businesses that held open state contracts under his executive branch of government.

Rebecca Belanger-Walkins and her Atlanta-based company Examination Resources LLC boosted Shumlin's re-election campaign by maxing out their contribution limits of \$2,000 each.

At the time, Belanger-Walkins was working under an ongoing \$75,000 contract with the Department of Financial Regulation to perform market conduct reviews of insurance companies.

When contacted by email, Belanger-Walkins said she'd never spoken with the governor about the contract.

"I supported Governor Shumlin because I got to know him and supported his efforts for Vermont," Belanger-Walkins said.

Shumlin also took a \$2,000 contribution from FairPoint Communications, which was working under multimillion-dollar contracts with the state Department of Information and Innovation.

"We comply carefully with bidding rules," said FairPoint spokeswoman Angelynne Beaudry, "and are confident that when we are awarded contracts it is because of the merit of our bid."

Others who contributed to Shumlin's re-election campaign in 2014 included several individuals closely associated with state contractors, including David Blittersdorf of AllEarth Services and Michel Guite of

Vermont Telephone Company.

Shumlin, who is not seeking re-election this year, accepted contributions from state contractors because he would not "tie one hand behind his back," according to his spokesman.

Legal contributions

Records show that in the last election cycle, Attorney General Sorrell drew campaign support from law firms across the country, including a maximum \$2,000 contribution from one group that was working under a contract with Sorrell's office.

The Vermont Attorney General's Office signed a contract with the law firm Kessler, Topaz, Meltzer & Check in August 2013.

Under the agreement, the Pennsylvania-based law firm would pursue legal claims against Bank of America and U.S. Bank National Association for mortgage backed securities losses by the Vermont Pension Investment Committee.

Kessler, Topaz, Meltzer & Check would receive 15 to 17 percent of any recovery in the lawsuit. This contract is known as a contingency-fee contract. Vermont pays nothing if the lawsuit fails to secure a recovery.

The law firm also signed a second contract to monitor class action securities litigation on behalf of the Vermont Pension Investment Committee and Sorrell's office.

About one year later, while both contracts remained open, Kessler, Topaz, Meltzer & Check pitched in \$2,000 for Sorrell's re-election campaign in September 2014.

All state contracts prohibit gifts to state officials. Companies agree they will not "give title or possession of any thing of substantial value (including property, currency, travel and/or education programs) to any officer or employee of the State during the term of this Agreement."

Sorrell, who has been Vermont's attorney general since 1997 and whose office reviews state contracts, was initially unaware of the "no gifts" rule when asked by a reporter.

"I didn't think I did anything wrong," Sorrell said. "I duly reported the contribution."

The "no gifts" clause has never been applied to political campaign contributions, said Assistant Attorney General Jacob Humbert, who researched the question.

Neither the Attorney General's Office nor the Agency of Administration consider campaign contributions to be "gifts," Humbert said.

Campaign contributions are already heavily regulated under Vermont law, Humbert said, and barring them from state contractors would raise concerns about free speech. Therefore, Sorrell was free to accept a contribution from the law firm doing business with his office.

"The fact of a campaign contribution won't have anything to do with our contracting with them," Sorrell said in a telephone interview. In fact, Sorrell said his office was unhappy with Kessler, Topaz, Meltzer & Check's

performance and would discontinue the relationship.

Sorrell is not seeking re-election this year and said he was glad to be done with the work of asking for political contributions.

Darren Check, who signed the contract with Sorrell's office on behalf of Kessler, Topaz, Meltzer & Check, did not respond to messages seeking comment.

State Auditor Doug Hoffer, another Democrat who won re-election in 2014, said he steers clear of taking money from KPMG, the one contractor that conducts audits for his office, and avoids other potential conflicts of interest.

"In any case, I would never accept campaign contributions from an entity with whom we do business, or those that might bid on the contract in the future," Hoffer said in an email.

Hoffer took a \$200 contribution from Blittersdorf of AllEarth Services, which had a contract with a separate state office at the time where Hoffer had no oversight. A spokesman for Blittersdorf's company said he was unavailable for comment.

The state auditor said Vermont should discuss the issue of contractor contributions, but he'd leave the decision to the Legislature and attorney general.

Silencing business?

Businesses balk at the idea of being excluded from making political contributions.

Guite, the president of VTel, said he gives to "anybody good" who calls to ask him for campaign help.

"My heart goes out to politicians who call me and say, can I have some money?" Guite said in a telephone interview. "I hardly ever say no."

Guite insists he pays no attention to VTel's business interests when evaluating candidates for a possible contribution.

"Not at all — not in the least," said Guite, who said he was unaware that VTel Data Networks had a state contract when he gave to Shumlin's 2014 campaign.

Guite said it would be unfair to limit campaign contributions from utility companies who do business with the state. However, Guite was open to restricting campaign contributions from other types of state contractors, depending on the relationship.

"If they're collecting cash from you and it's resulting from personal connection, then I think that should be excluded," Guite said.

Debra Lee Ricker, president of WorkSafe Traffic Control Industries, has held contracts with Vermont since 1985 under Democratic and Republican administrations.

She sees no problem with contributing to political campaigns, as she did in 2014, when WorkSafe gave \$1,000

to support Lt. Gov. Phil Scott's re-election.

Ricker said Scott is an old schoolmate and a personal friend. WorkSafe wins state contracts by submitting the lowest bid, she said.

She said it would be unfair to restrict state contractors from giving money to candidates.

"You have to give your voice up to do business?" Ricker said.

The sentiment echoed with another one of Scott's campaign donors, Firetech Sprinkler Corp. in Colchester.

Vice President Debbie Winters said she saw no problem with giving \$500 to Scott's campaign while holding a contract with the state Military Department.

"There are enough checks and balances built into how the state bids their projects," Winters said. "The process is very open."

Scott, who took contributions from a number of state construction contractors in 2014, said he's proud of his support from Vermont businesses and "ambivalent" about restricting money from contractors.

Scott is influential in his position as the state's top-ranking Republican, but his office has little to no authority over the award of state contracts.

"I do think that we have an incredible amount of business in Vermont, small businesses, that want to voice their opinions," said Scott, who is now running for the Republican nomination for governor.

He asked whether other types of companies doing business with the state — such as companies regulated by the state, and the lobbyists who represent them — would also be barred from giving to campaigns.

"It just shows the level of difficulty in drawing that line," Scott said.

Where the line is drawn

Elsewhere in the United States, restrictions on state contractor contributions have been borne of scandal.

The federal government prohibited contractors from contributing to political campaigns in 1940 after reports that Democratic party representatives had visited contractors, urging each one to buy \$250 souvenir books "in proportion to the amount of Government business he had enjoyed."

The story, which is recounted in the congressional record, was cited by U.S. District Court Judge Merrick Garland when he upheld the ban on contractor contributions in 2015.

Connecticut passed a suite of campaign finance reforms in 2005 after Gov. John Rowland went to prison over allegations that he had accepted tens of thousands of dollars in gifts from state contractors.

Now Connecticut has banned campaign contributions from corporations, as well as principals at companies that hold state contracts of at least \$50,000. Campaigns ask their contributors to certify that they are not state contractors.

"Overall, most contractors and lobbyists don't like to have to give to campaigns, so they're kind of free from having to give those contributions," said Michael Brandi, executive director of the State Elections Enforcement Commission in Connecticut. "The culture and the debate at the state capitol has changed."

Connecticut makes up for the lost money with a popular public financing system, which also limits the size of contributions that politicians can raise.

Brandi believes that it's more important to stop corruption and the appearance of corruption — given Connecticut's history — than to allow contractors to give money.

"If they want to get out and speak, they're certainly able to do that," Brandi said.

Connecticut's "pay-to-play" law, which bans political contributions from contractors, was upheld as constitutional in federal court in 2008.

About this report:

The Burlington Free Press analyzed campaign finance records for the six incumbent candidates for statewide office in 2014: Gov. Peter Shumlin, Lt. Gov. Phil Scott, Secretary of State Jim Condos, Attorney General Bill Sorrell, Treasurer Beth Pearce and Auditor Doug Hoffer. All six candidates won re-election. Campaign contributor names were compared against an electronic list of all state contractors provided by the Agency of Administration, then narrowed to include only those state contracts that were open at the time of the campaign contribution.

Emin Alicic, a student at Burlington High School, contributed reporting.

Because of variations in company names, and contributions under personal names, there may be additional contributions connected with state contracts in 2014 that did not show up in this data analysis.

Drug makers told to explain price hikes

DAVE GRAM

MONTPELIER - Vermont is poised to become the first state requiring drug companies to explain their price increases, and Bob and Deborah Messing think that's a good idea.

The Messings live in Montpelier and are in their early 70s. She's on Orencia, a Bristol-Myers Squibb product, for rheumatoid arthritis. He recently finished a course of Harvoni, made by Gilead Sciences Inc., to treat hepatitis C.

Both drugs are expensive, though for people of the Messings' modest income, big manufacturers' discounts and state assistance make their costs manageable. Harvoni lists at \$1,125 per pill, or \$94,500 for a 12-week course of treatment. Orencia's list price tops \$3,000 a month.

The Messings say they're mystified by the high prices and worried about what would happen if either the discounts or state assistance disappeared.

"Then you're faced with these wildly expensive costs," Deborah Messing said.

This July 9, 2015, file photo shows the headquarters of Gilead Sciences in Foster City, Calif. After Gilead acquired the developer of Sovaldi, the the price of the medication increased significantly. (Photo: AP)

Drug prices have been a big issue nationwide, highlighted by Martin Shkreli, a boyish-looking, early-30s executive dubbed "Pharma Bro." He was CEO of Turing Pharmaceuticals when the company acquired rights to make Daraprim, which has been on the market since the 1950s and is used to treat a life-threatening parasitic infection. Turing raised the price from \$13.50 to \$750 per pill.

At a U.S. Senate Finance Committee hearing in March, Sen. Bob Casey, a Pennsylvania Democrat, called that move "pure evil."

Bob Messing pointed to a Harvoni predecessor, also made by Gilead: Sovaldi. Information gathered by the U.S. Senate Finance Committee in 2014 showed that the company that developed the drug, Pharmasset Inc., projected its price at \$36,000 for a 12-week course of treatment. After Gilead acquired Pharmasset, the price jumped to \$84,000.

Drug companies often counter that research and development of new medicines is costly, a view that got some support last month in a Boston Globe op-ed by Dr. Jeffrey S. Flier, dean of the Harvard Medical School.

"New drugs require expensive research and development under tight regulatory oversight. The cost of developing a single new drug may exceed \$2 billion when including the cost of failures," Flier wrote.

Vermont state Rep. Christopher Pearson, a member of the Vermont Progressive Party from the state's largest city, Burlington, and a key supporter of the legislation, noted prescription drugs often sell for far less in other countries and offered another reason for high prices: the inability of Medicare and Medicaid to negotiate better prices under federal law.

Priscilla VanderVeer, spokeswoman for the Pharmaceutical Research and Manufacturers of America, said Vermont is the first state to see a transparency bill pass both houses of its Legislature.

If the governor signs the bill, which is likely, it wouldn't be the first time one of the nation's smallest states in both size and population has taken on big business. Vermont in 2007 passed a law to restrict prescription "data mining" by companies that track doctors' prescribing habits and sell the information to drug companies, but the U.S. Supreme Court shot it down in 2011. The food industry so far has failed to block a Vermont law to require labeling of genetically modified food that is set to take effect July 1.

Several other states, including New York, Pennsylvania, Massachusetts, California and Virginia, have had drug-explanation measures like Vermont's under consideration this year and in 2015. A California ballot initiative in November would go further by requiring state agencies to get drugs for the same prices as the Veterans Administration, which is not affected by the no-negotiations rule.

The Vermont bill calls on state health care regulators to develop an annual list of up to 15 drugs that have seen the biggest price increases. Their manufacturers would then have to justify the increases to the attorney general's office.

Gilead's media office did not immediately reply to an email seeking comment Thursday.

VanderVeer called the Vermont legislation misguided and said drugs actually control health care costs by helping patients avoid hospitalizations and more expensive procedures.

"Instead of passing legislation that makes a political point, we believe the Legislature should have focused instead on giving patients and families what they actually need: predictable and accessible information about the out-of-pocket costs they will face and enforceable, common-sense rules ... that remove barriers to receiving care," she said in a statement.

The bill's likely longer-term problem for the pharmaceutical industry is in legislative findings near the top: "Transparency is typically the first step toward cost-containment," it says.

Short of that, backers in Vermont said they want to light a fire under Congress to act on drug prices.

Rep. Peter Welch, D-Vt. speaks on Capitol Hill in Washington. Welch said in May 2016 that Congress did not appear likely to soon take action on sharp increases in drug prices, but was glad to see Vermont take the lead on the issue. (Photo: AP)

Rep. Peter Welch, a Democrat and Vermont's lone congressman, said this week that Congress did not appear likely soon to do so. He added that he was glad to see Vermont take the lead on the issue.

States taking action "will be a boost to my efforts down here," Welch said, adding that governments have a big stake.

"Why can't the state say to the pharmaceutical companies selling the drug, 'Hey, if you're going to hammer us with a 50 percent price increase, we want to know why'."

Treat body cam videos like the public records they are

AKI SOGA

The administration of Mayor Miro Weinberger squandered an opportunity to demonstrate how a truly transparent government works by throwing up obstacles to the free public access to body cam videos of a police-involved shooting death.

The first red flag was the awkward handling of the videos beyond what would be required of other public records.

Burlington police released edited footage from the March incident by emailing links to news outlets from the department's YouTube account. The clips were posted with privacy settings that made them very difficult to find without knowing the exact URL of each individual video. There is no easy way to download or copy the police clips posted online.

Releasing videos that can only be viewed on You-Tube is like posting a stack of public documents behind glass in City Hall. The public can see them, but never take possession. The information remains firmly in the hands of government.

The videos do contain very disturbing images, including the last moments of the victim, 76-year-old Ralph "Phil" Grenon of Burlington, a man apparently in the midst of a mental health crisis.

Absolutely not. The senator knows that, and the more he pretends to not know it, the more we'd like to see those communications

CAL RECORD:

Editorial: Studies Bad For Health

The final report is in from Montpelier, and from it we regrettably learn that our legislature has staggered back, yet again, to the dry hole of health care reform and chucked several hundreds of thousands of dollars into it.

According to VTDigger.org, "Lawmakers included language for studies of Dr. Dynasaur 2.0 and universal primary care, and for the creation a Health Research Commission. The commission did not receive funding in the budget bill, H.875, but the Dr. Dynasaur study received \$100,000 in state funding, matched with federal dollars. The budget includes language to require the Agency of Administration to do a no-cost literature review of implementing universal primary care."

These appropriations, initially rejected by the Senate Appropriations Committee, were pushed back into the FY17 spending bill by a Democratic House, at the frenzied urging of various government health care lobbyists whose support is vital to a left wing Democratic majority.

So now we will waste another \$200,000 trying to figure out how to include everyone up to age 26 in Medicaid, regardless of income. Even though Medicaid is now the biggest budget buster in each year's general fund appropriations bill. The Agency of Administration is required to do a "no cost review" of giving government primary care to everybody in the state, regardless of income. Both are ill-fated, partial single payer schemes.

Lawmakers gave another \$250,000 to study options for the Peter Shumlin's egregiously failed Vermont Health Connect.

We can solve the problem right now - no charge. Shut Shumlin's money-guzzling website down and join the federal exchange.

New studies, on top of wasted millions for old studies, look like gift from lawmakers to reward lobbyists who help keep them in office, and who continue to fuel the foolish liberal dream of a single-payer health care system. Earth to Montpelier: give it a decent funeral and for once allow the state's evaporating pool of taxpayers to keep a little bit of their hard-earned money.

Corrections Head: Prisoners May Come Even Without Town's Agreement

Taylor Reed

The Vermont Department of Corrections will not commit to respecting St. Johnsbury's wishes if the community rejects a legislative proposal to expand the local prisoner population by 56 inmates.

"If agreement is not reached, we will have to evaluate next steps," Corrections Commissioner Lisa Menard said Thursday. "It is premature to speculate on next steps...We are actively discussing an agreement."

Lawmakers and the Vermont Department of Corrections propose filling 56 empty beds at the Caledonia Community Work Camp in St. Johnsbury with inmates who committed offenses beyond work camp eligibility.

New inmates would be release eligible but held for lack of housing.

Vermont offered to give St. Johnsbury \$1 million to address blighted buildings if selectmen agree to more prisoners. Vermont will also boost an annual "readiness to serve" payment to St. Johnsbury from \$20,000 to \$50,000, and continue to provide the municipality a work camp work crew for community labor.

Despite Menard's comments Thursday, legislators have provided verbal assurances that St. Johnsbury will not be steamrolled with more inmates if selectmen reject the 56-prisoner proposal.

Vermont Sen. Peg Flory, R-Rutland, chairwoman of the Senate Committee on Institutions and a member of both the Joint Committee on Judicial Retention and the Joint Legislative Justice Oversight Committee, said Wednesday, "If they do not reach agreement, the state will not force additional prisoners into St. Johnsbury."

Rep. Butch Shaw, R-Rutland-6, a member of both the House Committee on Corrections and Institutions and the Joint Legislative Justice Oversight Committee, said the same.

"The town needs to be satisfied that this change of use is good for them," Shaw said Wednesday.

The controversial work camp issue arose in late January when Gov. Peter Shumlin announced plans to close it, and divert an estimated \$1 million in savings to a social program called "Step Up." The Vermont House Committee on Corrections and Institutions later proposed saving the camp by filling empty beds there.

The work camp has 112 beds but only about 50 prisoners. It adjoins Northeast Regional Correctional Facility, a prison.

Miller, Lawrence

From: Vermont Business Magazine <donotreply=vermontbiz.com@mail77.atl91.mcsv.net> on behalf of Vermont Business Magazine <donotreply@vermontbiz.com>
Sent: Monday, May 09, 2016 6:16 PM
To: Miller, Lawrence
Subject: enews | Deane Davis Award finalists named; Bell tolls on Legislature

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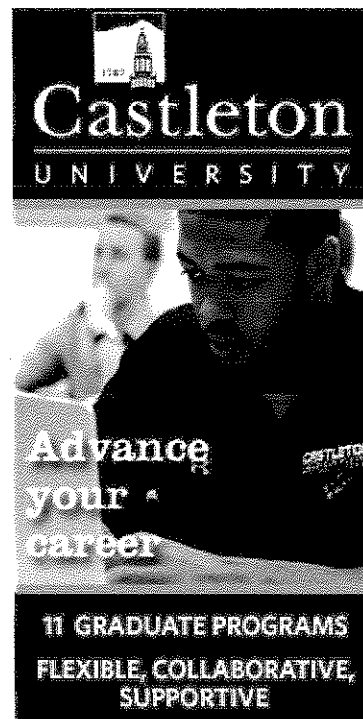


Black River Produce, PC
Construction, Vermont Mutual
Insurance named Deane Davis
Award finalists

vermontbiz.com

Vermont Business Magazine and the Vermont Chamber of Commerce select the three finalists for the Deane C Davis Outstanding Business of the Year Award: Black River Produce, PC Construction Company, and Vermont Mutual Insurance Group. One of these impressive finalists will be named the Deane C Davis Outstanding Vermont Business of the Year on Thursday, May 26 in an awards presentation ceremony that kicks off the 32nd annual Vermont Chamber Business & Industry EXPO. The award winner will be announced at 10 am in the foyer of the Sheraton Burlington Conference Center.

**Legislative action called 'major
milestone' for Burlington plans**



vt-digger.org

The provision makes two important extensions for the portion of Burlington's waterfront tax increment financing district where a \$220 million redevelopment of the Burlington Town Center mall area is planned.

SEC: Quiros wants asset freeze lifted to pay for luxury items

vt-digger.org

A few of the items include yacht club fees, personal assistants, leases on luxury vehicles, maintenance fees for a luxury condo in New York and storage for a military vehicle collection.

Legislature seeks to recoup \$2.6 million grant to VTel

vt-digger.org

The original Vermont Telecommunications Authority grant was for \$5 million, but the state cut it in half in May 2013 when it turned out VTel could not build as much as it had originally promised.

North Bennington residents file suit against Saint Gobain

vermontbiz.com

Bennington area residents and local Vermont attorneys have filed suit against Saint-Gobain for the effects of Saint-Gobain's contamination of their land and drinking water with hazardous PFOA.

Judge allows gasoline price-fixing lawsuit to proceed

WCAX

The class action lawsuit was filed last summer alleging RJ Vallee, Wesco, Champlain Oil, and SB Collins have worked together for years to keep gas prices artificially high.

AUCTION
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Black River Produce, PC

Construction, Vermont Mutual Insurance named Deane Davis Award finalists...

<https://t.co/wNpr5pZJnH2> 12:38PM

Smith: Time of our lives | Vermont Business Magazine

<https://t.co/BIKVCiQGOy> 12:50PM

Governor Shumlin's end of the session speech 2016 | Vermont Business Magazine

<https://t.co/aihaWtmtVN> 10:46AM

GlobalFoundries Fab 9 wins New England EPA award | Vermont Business Magazine

<https://t.co/9awwElojmF9> 12AM

UPCOMING Events for the week of May 8th

<https://t.co/qxu4klmKsH5> 03AM

Weinberger appoints Noelle MacKay CEDO director

vermontbiz.com

Mayor Miro Weinberger today announced the appointment of Noelle MacKay as the City's next Community & Economic Development Office (CEDO) Director. MacKay comes to the City of Burlington following more than 16 years of community development, land use planning, and economic development experience.

GMP: Lowell wind turbines to get radar-activated lighting

WCAX

Green Up Day collects over 50,000 bags of trash

vermontbiz.com

Bond Auto Parts acquires Smith's Auto Parts in Castleton

vermontbiz.com

GlobalFoundries Fab 9 wins New England EPA award

vermontbiz.com

Bennington Chamber, CAT-TV release second 'Bennington Made' episode

vermontbiz.com

Politics/Government

f



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UPCOMING Events for the week of May 8th ☺ [\[see more\]](#)5/8/16 5:03AM

Lawmakers Close The Books On The 2016 Legislative Session

VPR

For the last six years, the same four men have occupied the most powerful stations in Statehouse politics. Their era came to an end shortly after midnight early Saturday morning, when the Vermont Legislature closed the books on the 2016 session. And the building that lawmakers left this past weekend will be a much different place in 2017.

Leaders Say Farewell as Vermont Legislature Adjourns

Seven Days

At 12:18 a.m. Saturday, Speaker Shap Smith (D-Morris-town) gaveled out the Vermont House for the last time in his eight-year tenure. A moment later, Lt. Gov. Phil Scott adjourned the Vermont Senate just down the hall, bringing to a close his six years as its presiding officer.

Lawmakers use property tax surplus to buy down rates

vt-digger.org

The House prevailed on the rate, and the Senate held firm on lowering excess spending thresholds from 121 percent of the state average per pupil spending in 2014 to 119 percent in fiscal year 2020.

Energy Siting Bill Passes, But Doesn't Guarantee Peace

Seven Days

After four long months of angst-filled debate over a renewable energy siting bill, a group of wind-energy critics sat late Friday afternoon in the Statehouse cafeteria munching on not-very-fresh-looking turkey sandwiches.

Milne calls on Leahy to release

all EB-5 communications

vtdigger.org

The Vermont senator refuses to disclose emails and says he never traveled overseas to promote EB-5 projects.

Governor Shumlin's end of the session speech 2016

vermontbiz.com

Thank you. At a time in America where government is under attack, where some are arguing that we should simply leave people to fend for themselves, we are showing that our democracy is alive, well, and working for Vermonters. Because of your tri-partisan work since January we've passed legislation together that is worthy of the trust voters have placed in us.

Shumlin's Legislative 'Nothing Burgers'

vtdigger.org

Lawmakers said the governor's close election, dropping single payer and lame duck status made it more difficult for him to achieve his agenda.

The Biggest Issue In Departing ACLU Head's Tenure?

Government Surveillance

VPR

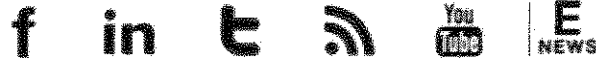
After serving as the head of Vermont Chapter of the American Civil Liberties Union for the past 12 years, Allen Gilbert will be stepping down this summer. Gilbert says the biggest issue during his tenure at the ACLU has been growing role of government surveillance in people's lives.

Budget and Tax Bills Pass Despite Republican Opposition

Seven Days

Secretary of State Jim Condos
to run for re-election

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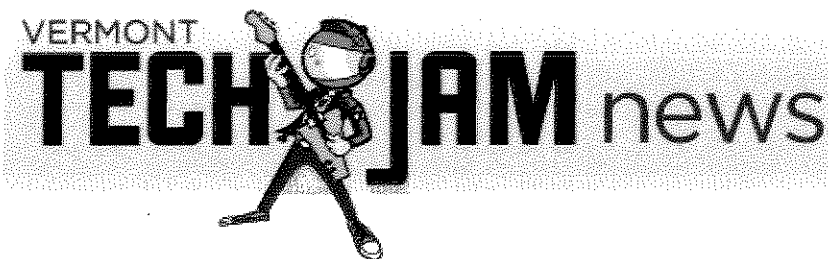
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Miller, Lawrence

From: Vermont Tech Jam <yourfriends=sevendaysvt.com@mail162.atl171.mcdlv.net> on behalf of Vermont Tech Jam <yourfriends@sevendaysvt.com>
Sent: Monday, May 09, 2016 5:12 PM
To: Miller, Lawrence
Subject: Visualizing Corrections Data in Tableau; Norwich Offers STEM Scholarships for Vermonters

How can dashboards help corrections officers identify and minimize threats?

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Monday, May 9, 2016

Spinoff Cycle

Did you start a local company after leaving another Vermont company or institution? The Kaufmann Foundation wants to hear from you. The Kansas City, Mo.-based nonprofit foundation is looking for ways to help strengthen the entrepreneurial ecosystem in the 802. If you've got 15 minutes, [share your feedback here](#) by May 30. Your comments will help them produce a white paper and policy recommendations.



— *Cathy Resmer*

MAKERS

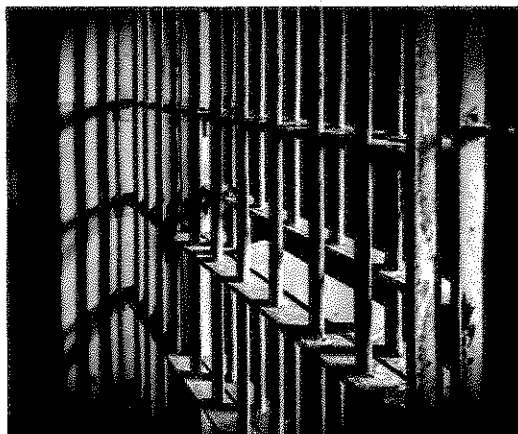
SOFTWARE



ChampBot Challenge Registration Open

It's not too soon to start thinking about how you'll win this year's ChampBot Challenge at the 2016 Champlain Mini Maker Faire in September. Ready to make a remote-controlled lake monster that can navigate obstacles and breathe fire? Brush up on the specs and contest rules.

[Find out more](#)



Correctional Facility Data in Tableau

How can dashboards help corrections officers identify and minimize threats? A business intelligence consultant for Abilis Solutions Corp. explains how Tableau's data visualization capabilities can be applied to a large, secure, mission-critical database. Wednesday, May 11, at VEIC in Burlington.

[Read more](#)

TECH NEWS

Norwich University and VSAC Team Up on STEM Scholarships for Vermont Students

NORWICH UNIVERSITY, 5/4/16

The nation's oldest private military college will begin offering up to 30 science, technology, engineering and mathematics scholarships to Vermont students each year.

Legislature Seeks to Recoup \$2.6 Million Grant to VTel

VTDIGGER.ORG, 5/8/16

VTel might have to pay back the state funding it received to extend cellphone service to 2,000 Vermonters if it doesn't meet its goal in the next year, according to new legislation passed by the state Senate.

City of Burlington and University of Vermont Selected for White House MetroLab Network

VTDIGGER.ORG, 5/6/16

Through a new partnership, the city of Burlington and UVM will collaborate on local research, and students will have a chance to see their work play out in a "real-world laboratory."

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Tuesday, May 10.
- [Upper Valley Mac Users Group](#)
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- [UTC Aerospace Job Fair](#)
UTC Aerospace Systems,
Vergennes. Friday, May 20.



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it — rather quickly and harmoniously. As always, some last-minute adjustments were required, so the final bills were not passed until late last week. But the basic work was finished more than a month ago, with some bipartisan support.

Passing the budget is no fun. It's grunt work. Like the rest of what the 2016 Legislature accomplished, it was not "sexy," as Rep. Shap Smith acknowledged on the last day of his last session as speaker of the House.

But the General Assembly is not supposed to be sexy. It's not even supposed to be fun.

Or as one veteran lobbyist put it last week, "This isn't entertainment; this is government."

A distinction perhaps on its way to becoming an endangered species. In the country as a whole this presidential campaign year, the boundary between entertainment and politics has been obliterated. Can the boundary between entertainment and government survive much longer?

Old-fashioned or just stubborn, Vermont is something of an outlier here, for which Vermonters should perhaps be grateful. Their legislators are hardly averse to making a big splash. But they demonstrated that making a big splash wasn't that big a deal, and that they'd rather spend their time dealing with the nitty-gritty of governing, even if that won't get them on network TV, in The New York Times or on National Public Radio.

That's no doubt where at least some lawmakers would have appeared had they decided to make Vermont the first state to legalize recreational marijuana by legislation (Colorado and Washington state did it by referendum).

They will not get that kind of attention for passing a bill guaranteeing every employee in the state three days a year of paid time off when they get sick. Or a measure setting up a plan under which people who have lost their driving privileges because they can't afford to pay old traffic tickets can recover those privileges at a discount. Or a law making it somewhat easier for ex-felons to get a job by prohibiting employers from asking about their criminal past at the start of the hiring process.

But a good case can be made that those new laws will have a greater and more vital impact on the people of the state than passage of any of those "sexy" bills would have had. Keeping marijuana illegal does annoy the many law-abiding Vermonters who think they ought to be able to enjoy their drug of choice as easily as those who prefer beer, wine or cocktails, which seem to do just as much harm to their users and to society as does cannabis.

But pot-puffing is a recreation, not a necessity. A job, for most people, including those just released from prison, is a necessity. Divesting from coal and oil stocks is a symbol. Symbols can be important, and perhaps this one qualifies. But not passing it will neither cost a low-wage convenience store clerk a day's pay nor impel her to go to work while ill. By some counts, at least 30,000 Vermonters may not drive (though most of them probably do; how else could they get to work?) because they cannot afford to pay old traffic tickets. Giving them the chance to get their licenses back at a reasonable cost will do them far more good than would the creation of a commission to monitor the behavior of public officials.

Granted, there might be drawbacks to these measures. Almost every change includes a downside. Paid sick leave adds to the costs of businesses. "Banning the box" for criminal records on job applications might inconvenience employers, who retain the right to reject applicants who have been convicted of crimes. Motorists should obey traffic laws, and there are limits to how merciful a state ought to be.

But the legislators took all this into account. In fact, the bills were altered in committees in response to some of the objections. That's the job lawmakers are supposed to do. They did it.

And more. They made it easier for Vermonters to register to vote. They funded the naloxone program for addicts overdosing on heroin. They limited prescription painkillers prescribed by hospitals. After much of what Germans would call *sturm und drang*, they passed a bill — perhaps too watered down to make much difference — giving localities more input on where big wind and solar energy projects should be located.

None of this is very entertaining, or “sexy,” by whatever standards those terms apply to legislation. The usual standards are: (1) There's a connection to a nationwide controversy (marijuana, divestment); (2) The governor really wants it (both of those); and (3) The chattering classes — well-placed interest groups and their media allies — make a big deal of it (all three — marijuana, divestment, an ethics commission).

Establishing some kind of ethics monitoring entity also had the strong support of Secretary of State Jim Condos. But he couldn't convince the lawmakers. In fact, he said, he couldn't even convince them that there was a public ethics problem in Vermont that had to be addressed.

Perhaps that's because — not counting Condos and an occasional editorial — the lawmakers have heard precious little public pressure on this matter. If the public is indifferent, legislators will respond accordingly.

Again, it seems like they did their jobs.

A TURNIP GETS ITS DAY IN THE SUN

MIKE FAHER

WARDSBORO — It's fair to say the Gilfeather turnip has achieved fame uncommon for a variety of root vegetable: There's a popular annual festival that bears its name, along with a recipe book, a song and even a movie.

Now, the Wardsboro-born turnip has another claim to fame after Vermont lawmakers designated it the official state vegetable as of July 1.

The honorary title culminates years of work by Gilfeather advocates, including a dedicated group of Wardsboro Elementary School students who made multiple trips to Montpelier to lobby for H.65. Aside from a boost in civic pride, some say a major benefit of the Gilfeather bill's success may be the pupils' hands-on learning experience in the state capital.

A Gilfeather Turnip Festival contest entry in 2014. Photo courtesy of Friends of the Wardsboro Library

“So many folks feel disconnected from and disenfranchised by our lawmaking system,” said Rep. Laura Sibia, I-Dover. “This process helps students understand where they and their community have been and serves to empower them wherever they are going.”

Sibia's district includes Wardsboro, a town of 900 where bachelor farmer John Gilfeather started growing his namesake turnip more than a century ago. It remains a matter of debate whether the variety was imported from overseas or developed on site — via “happy accident” or careful, deliberate gardening.

There's no debate, though, about the Gilfeather turnip's enduring popularity. Devotees laud its size, hardness and sweetness; one writer has praised the "sweet, mild taste of the Gilfeather even when it grows as big as a well-fed woodchuck."

According to legend, John Gilfeather was so protective of his vegetable's exclusivity that he trimmed the turnips so customers couldn't grow their own.

Gilfeather died in 1944. Several decades later, Bill and Mary Lou Schmidt, of Dummerston — known in this area for their longtime Christmas tree business — trademarked the Gilfeather name and had the turnip government-certified as an "heirloom botanical."

Wardsboro farmer John Gilfeather. Photo courtesy of Friends of the Wardsboro Library

The Gilfeather and its seeds are much more widely available these days. One prominent though quick-selling display is at the Gilfeather Turnip Festival, held in October at Wardsboro Town Hall.

Hundreds attend every year. Among the prizes handed out last October were best name (Bernie); "wicked weirdest" (three turnips in one); and the grand champion (weighing 40.6 pounds).

The festival is the major fundraiser for Friends of the Wardsboro Library, the group responsible for maintaining and keeping the lights on at the town's book repository. Mike Cooney, who chairs both the festival and the friends group, expects the Gilfeather's new state honor to bring even more folks to Wardsboro this fall.

"We've already had contacts from (new) people who want to be food vendors at this year's festival," Cooney said. "So we're actually going to put up a second food tent."

The 15-month journey of H.65 proves that Wardsboro's turnip already had a legion of fans before state legislators got involved. The effort actually got its start in northern Vermont, where a Franklin County resident with an interest in state symbols — and a taste for the Gilfeather — got in touch with Rep. Barbara Murphy, I-Fairfax.

Murphy became a sponsor of the state vegetable bill, along with Sibilila and a handful of other House members. H.65 was introduced in January 2015, and Wardsboro students made their pitch not long after — but the bill didn't really start moving until this year in the second half of the legislative biennium.

The diverse list of witnesses who offered testimony for H.65 includes several students and Wardsboro teacher Samantha Bovat; Reps. Murphy and Sibilila; former Wardsboro Rep. John Moran; and other backers including a chef and a farm owner.

The bill passed the House on Jan. 20 and was approved by the Senate on April 29.

It's a turnip lovers' victory that no doubt would have made John Gilfeather — who also served a short stint in the Legislature — proud. Sibilila cited the Gilfeather turnip's "rich history in Vermont" and noted that Gilfeather's farm still exists.

"Embracing our history and our small-town traditions is an important part of our identity as Vermonters," she said.

Cooney draws a line from that history to today's farm-to-table trends. "We're all very interested in our food, so this is a locally grown product that we can all be proud of," he said.

The Gilfeather is also, in Cooney's estimation, "a unique vegetable to the state of Vermont." He jokingly scoffed at previous efforts to name kale the state's official vegetable.

"Kale can be grown just about anywhere," Cooney said.

In a local announcement of H.65's approval, Wardsboro sixth-graders mused on the long wait for legislative action; the practice needed for Gilfeather presentations; the fun of visiting the Statehouse; and the fact that Vermont is now the 14th state with an official vegetable.

To hear student Jesse Dykes tell it, spreading the good word about the Gilfeather was fairly easy.

"The hardest part of making the Gilfeather turnip the state vegetable was nothing, really," he said. "As soon as someone said there was a Gilfeather turnip cookbook, one of the senators was sold."

LEGISLATURE SEEKS TO RECOUP \$2.6 MILLION GRANT TO VTel

ERIN MANSFIELD

Lawmakers are prepared to seek a refund on a \$2.6 million grant the state gave Vermont Telephone Co. in 2012 to augment its wireless Internet project to also provide cellphone service to unserved areas of the state.

The Senate passed legislation as an attachment to one of this year's utility bills, H.577. The bill would require VTel to pay back the money if it doesn't finish providing cell service to at least 2,000 Vermont customers by Nov. 1, 2017.

The Vermont Telecommunications Authority, an independent branch of government that started under Gov. Jim Douglas, awarded the grant in December 2012 as a way to add to the company's \$116 million telecommunications project that included the Wireless Open World initiative.

The original grant was for \$5 million, but the state cut it in half in May 2013 when it turned out VTel could not build as much as it had originally promised. The original deadline for the work was Dec. 31, 2014.

The Vermont Telecommunications Authority folded on June 30, 2015. The authority's power now lies in the Public Service Department. And if VTel doesn't meet the requirements set out in H.577, the state would use the \$2.6 million for the Connectivity Initiative, the program the department uses to award grants for the expansion of broadband.

Michel Guite, the president of VTel, told the Senate Finance Committee on April 28 that he can get voice service through the Wireless Open World project, but implementing the voice service has been slowed because VTel needed to set up Enhanced 911 service first. Guite also said it would be fair if the state took the \$2.6 million back if the work isn't completed.

VTel has also been under legislative scrutiny for the Internet portion of the massive \$116 million project. On Tuesday, Guite submitted new information to the Legislature on his company's progress on the Internet portion of Wireless Open World. He sent a letter that day to Sen. Tim Ashe, D/P-Chittenden, who chairs the

Senate Finance Committee, and Rep. Bill Botzow, D-Pownal, who chairs the House Commerce Committee, saying his company's wireless Internet project covers the vast majority of the territory where it built towers.

But he did not provide data on which specific addresses in Vermont can get service through the project; the Public Service Department says it has been trying for months to obtain that information from the company. Instead, Guite offered projections on what percentages of relevant addresses would be served when the company finishes the project.

Guite said VTel has built 152 wireless towers, "135 of which are providing commercial service today." In the areas VTel serves "or will soon make available," coverage reaches 95 percent of the square miles, 98 percent of the population and 98 percent of the total housing units, he said. He did not provide information on how many people are served as compared to the 2010 grant application.

"We are happy to share with you and the (Public Service Department) the specific data underlying these calculations, if that would be helpful," Guite said. "However, VTel is hopeful that this analysis will finally put to rest any concerns about the robustness of VTel Wireless' network, or the scope of its service coverage."

Guite asked lawmakers not to move forward with Senate Resolution 13, which asked the U.S. Department of Agriculture to audit the Wireless Open World project. The Legislature adjourned before the Senate Finance Committee took any action on the resolution.

Guite said April 28 that the company had built 131 wireless towers, and 123 were functional. He also walked back a 2010 promise to cover "virtually 100 percent of Vermont's unserved population," saying any promise to "serve absolutely every home" was a misunderstanding.

On April 15, Guite said the company had about 1,000 customers. The May 3 letter says the number of VTel wireless customers is now up to 1,200.

Neither Guite nor his Montpelier-based lobbyist responded to an email Friday asking why he now says the number of wireless customers is 1,200, or why it is so difficult to provide address-by-address data.

SPECIAL EDUCATION PILOT PROGRAM GOES FORWARD, BUT FOR LESS MONEY

TIFFANY DANITZ PACHE

Aproposed \$200,000 pilot program touted as a way to improve special education in Vermont while cutting costs has been scaled back after some members of a House-Senate conference committee balked at the outlay.

In the end, the conferees agreed to reduce the price tag to \$75,000. The pilot project was the only point of contention on the special education bill, which passed the Senate and House on Friday after a day of sometimes passionate negotiations by the conference committee.

The bill also will streamline special education payments by shifting them from the school level to the supervisory union level, where the responsibility for special education lies.

Also in the bill is \$90,000 for a study of the block grant and fee-for-services system, which includes a lot of red tape and is blamed for causing more children to be identified as needing services. The study will look at other ways to help these students.

The pilot program that was the sticking point in negotiations had been championed by the House Education Committee. At the \$200,000 level, it would modernize the delivery of special education in up to 10 supervisory unions that volunteered to participate. Proponents argued it would increase opportunities for students and cut costs.

"From our perspective this is really, critically important to improve education for kids," said Rep. Emily Long, D-Newfane, a member of the conference committee. "Yes, there is spending attached to it. We have taken enough testimony and heard from the Agency of Education to be convinced this will save us money down the road. And not only savings, but significant savings."

Long added that Vermont needs to make sure it is using special education money appropriately and using it to help kids, "because it isn't happening right now."

Sen. Ann Cummings, D-Washington. File photo by Amy Ash Nixon/VTDigger

Opponents said they were against taking money out of the education fund at the same time lawmakers are telling localities they have to rein in school spending.

"We are getting a lot of pushback on spending any money. There is no money in the budget, the tax rate bills are set. We are getting pushback on taking any money out of the ed fund this year when we are trying to reduce tax rates," said Sen. Ann Cummings, D-Washington, who was chairing the conference committee.

But Rep. Bernard Juskiewicz, R-Cambridge, said it was an important investment. "We are looking at an opportunity for children in the schools that don't have the manpower to do this work," he said, adding that if the return were even half of the \$140 million that a team of consultants said the state could have saved last year on special education, then it would be worth it.

A study of Vermont's education spending in the 2014-2015 academic year by Allan Odden and Lawrence Picus showed that the state could have saved \$164 million, or 10 percent, on pre-kindergarten through 12th grade education. The bulk of that savings — \$140 million — could be realized from changing the way the state delivers special education, they said.

Vermont currently spends \$294 million a year for special education and identifies 16 percent of the state's students as needing special education services. The Picus study said the latest research shows that a number of struggling students can often be helped with extra tutoring and other resources and can then return to the general education population.

The study highlighted the work of the District Management Council, a consulting service that boasts of having helped educators employ evidence-based methods to better teach special education students while managing the costs.

The pilot project was not specifically carved out for DMC, but it was used as a model when writing the law requesting proposals from vendors.

Franklin West and Chittenden South supervisory unions have worked with DMC and testified before the House Education Committee, calling it a positive experience.

Long said that when legislators started having hearings on this issue, the phone started ringing and emails starting coming in. "Superintendents were saying, "How do we sign up for this? We want to be part of this program because it is offering us something we've never had before and we know it is working,'" she said.

Supervisory unions that choose to participate would have to match the funding from the state — originally estimated to be about \$25,000 over a two-year period. There was concern that poorer school districts might not be able to participate in such a study, but during the conference committee Education Secretary Rebecca Holcombe said federal funds could help schools be part of the project.

Long predicted the program would be a watershed. "This is a program that down the road we will look back and say, 'This is what changed the paradigm for the way we deliver special education services in Vermont, and it is saving money,'" Long said.

JEFF FORWARD: VEC'S MISREPRESENTATION

Editor's note: This commentary is by Jeff Forward, who is chair of the board of Renewable Energy Vermont and the owner of Forward Thinking Consultants of Richmond.

Vermonters have a strong independent streak and a respect for a healthy environment. The inclusion of solar energy in our local power mix is strongly supported because it helps us become more energy independent, reduces our reliance on out-of-state fossil fuels and helps reduce our global warming impact.

When debating our energy future Vermont has done well to have civil discussions that focus on facts rather than rhetoric. That is why I am extremely disappointed at how my utility, the Vermont Electric Cooperative (VEC), is participating in the current discussion around the future of solar power in Vermont.

Recently a new report was released entitled "Vermont Solar Cost Study." VEC misrepresented information from that report in an effort to reduce the compensation Vermonters would get when they go solar. An honest debate is one thing but knowingly misleading the public and/or regulators is unacceptable.

Then, I was further disappointed by the email action alert I received as a VEC member further misleading the public and going after net metering customers — their members!

This was apparently sent to all customers encouraging them to attend public hearings on net metering and submit comments to the Public Service Board, but based again on misleading information. The co-op cites that pricing should reflect market realities. Net metering already does, since it's based on retail rates, what all their customer pay. Further, they cite the cost of utility-scale projects as a basis for "fair pricing" for crediting customers. They also reference "developer driven large scale projects" leaving out that net metering is only for relatively small-scale projects and only occurs when co-op members choose to go solar. These are farms, businesses, towns and schools we are talking about. That's not developer driven, that is customer driven! We need our co-op to be sticking to the facts and not fanning the flames based on misleading information.

Time after time we have seen reports from our state officials, our largest electric utility, and the state transmission company (VELCO) discussing the tremendous value that solar energy provides. There is obviously value to the health of our planet but there is also real financial value to Vermonters. VELCO has said that solar was the driver for avoiding \$250 million worth new transmission projects that ratepayers would have had to pick up the tab for.

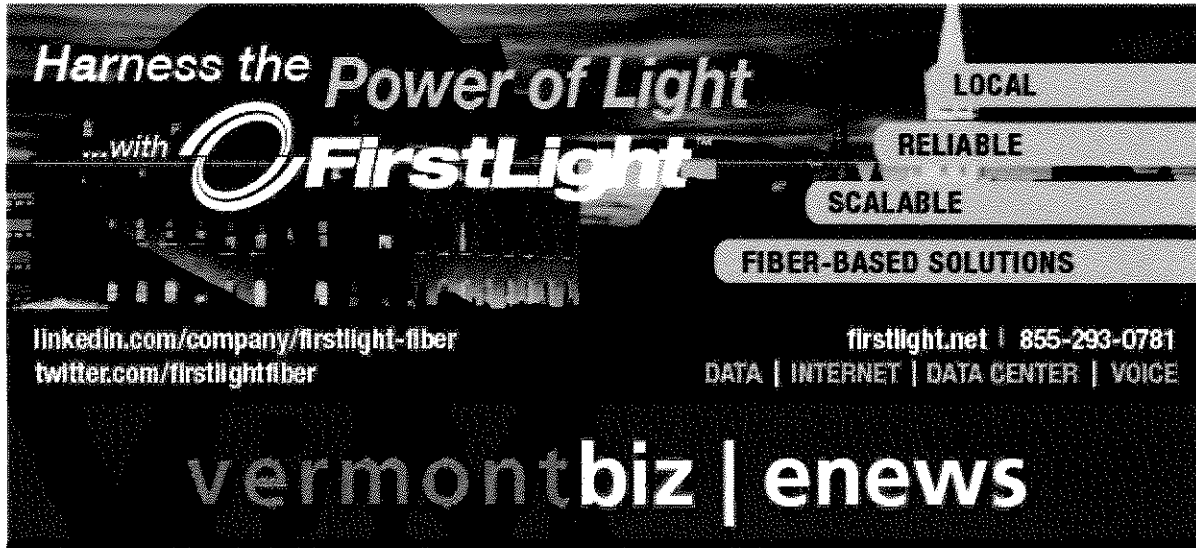
Solar power in Vermont currently provides less than 5 percent of our electricity needs. If we are serious about

reducing our reliance on fossil fuels then we need to be accelerating the transition to a clean energy economy, not trying to slow it down with misinformation and scare tactics. I hope my utility changes their tune and tactics soon.

Miller, Lawrence

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Vermont gets \$10 million TIGER grant to extend Amtrak service to Burlington

vermontbiz.com

US Transportation Secretary Anthony Foxx and Federal Railroad Administrator Sarah E. Feinberg joined Vermont Governor Peter Shumlin, US Senator Patrick Leahy and US Congressman Peter Welch at an event today to announce that the US Department of Transportation will provide \$10 million to extend Amtrak's Ethan Allen Express passenger train service all the way to Burlington. Currently, the service begins in New York City and stops in Rutland.



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Is VTel Committed To Bringing Internet To Unserved Vermonters?

VPR

A wireless system built by Springfield-based VTel and largely paid for with federal money is supposed to provide Internet to virtually all of the state's unserved addresses. But there are questions about whether the company is meeting that commitment.

Vermont Community Loan Fund gets \$500,000 loan/grant from USDA to help microentrepreneurs

vermontbiz.com

The Vermont Community Loan Fund will strengthen its support of Vermont's small and micro businesses thanks to a \$500,000 loan and grant combination from the US Department of Agriculture. VCLF will use USDA Rural Development's Rural Microentrepreneur Assistance Program to provide aspiring small businesses with loans and technical assistance. The deadline for applicants is June 30.

Vermont again 49th on 'Rich States Poor States' ranking

vermontbiz.com

Vermont once again finished 49th on "2016 Rich States, Poor States" national ranking. New York was 50th. Vermont and New York consistently have competed for the bottom two spots over the years. Utah earned the top spot for states with the best economic outlook, followed by North Carolina, North Dakota and Wyoming, according to the newest edition of the ranking recently released by the American Legislative Exchange Council (ALEC).



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Darn Tough Vermont Q1 2016 **earnings up 20 percent**

vermontbiz.com

Darn Tough Vermont, the American manufacturer of the fastest growing collection of performance outdoor and lifestyle socks based in Northfield, reported today that first quarter earnings have grown 20 percent year-over-year. The double-digit growth reflects increases across all categories and a tremendous response to the brand new Vertex Running Series that launched this spring. Improvements to infrastructure and operations also continues to be a major initiative as Darn Tough implemented a new training program for manufacturing employees and completed the year-long upgrade of all knitting machines in the Northfield mill.

Burlington, UVM selected for **White House MetroLab Network**

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Mayor Miro Weinberger and University of Vermont Vice President for Research Richard Galbraith have joined the MetroLab Network, a network of 35 city-university partnerships focused on bringing data, analytics, and innovation to local government. Members of the network research, develop, and deploy technologies and policy approaches to address challenges facing the nation's urban areas.

Dan Feeney honored by **Alzheimer's Association, helped** **raise over \$500,000**

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Close to 400 Chittenden County business and community leaders gathered on Thursday, April 28th, for the Alzheimer's Association's 7th Annual Reason to Hope Dinner at the Hilton Burlington. Over the past five years, Dan Feeney, President of North Star Leasing and Co-Owner of Armistead Senior Care, has served as a lead organizer of the Reason to Hope



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VBM's May issue is out!!! On the cover: A Special Insert of The Vermont Chamber Business & Industry EXPO 2016; Kingdom Con: Massive EB-5 Fraud Alleged; Burlington Mall Closer to \$200 Million Upgrade and Windham County Finding Respect. Plus, the three finalists for the 2015 Deane C. Davis Outstanding Business of the Year Award featured and the winner will be announced at the EXPO May 26th![[see more](#)]5/6/16 10:59AM



Water testing near Essex and Winooski sites test clean for PFOA |

Dinner planning committee and has helped to raise over \$500,000 for Alzheimer's care, support and research. In recognition of his myriad contributions to the health and well-being of the greater Burlington community, the Alzheimer's Association, Vermont Chapter, presented Dan Feeney with the 2016 Community Leadership and Activist Award.

Vermont Business Magazine[[see more](#)]5/6/16 9:06AM

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Weekly unemployment claims more than cut in half

vermontbiz.com

After a precipitous spike the previous week, unemployment claims fell by more than a 1,000 last week to return to numbers similar to a year ago. Claims had been on the rise since the end of what economists called a "disastrous" winter tourism season, which was plagued by too little snow and too much rain. For the week of April 30, 2016, there were 523 claims, down 645 from the previous week's total and 8 more than they were a year ago. By industry, claims fell across the board, except for Trade.

Green Up Day Turns 46

VPR

This weekend, you will likely see groups of volunteers on the roadsides of your town collecting litter in bright green plastic bags. Saturday is the 46th annual Green Up Day.

Gallup study shows strong alumni outcomes for Saint Michael's

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Bloomberg Names UVM's Grossman School one of best undergraduate business schools of 2016

McAllister to have 2 separate trials on sex crimes

WCAX

Politics/Government

Shumlin threat of veto stalls renewable energy siting bill

vtdigger.org

Gov. Peter Shumlin has threatened to veto a bill that establishes sound limits for wind turbines and grants towns more say over renewable-energy siting. Legislators hope they can amend S.230 to satisfy the governor before the legislative session ends Saturday. After the veto threat, senators were unable to reach agreement on amendments to the bill, which several have described as "non-starters."

Lawmakers Shake on \$592

Million Transportation Bill

Seven Days

House and Senate negotiators shook hands Friday morning on a \$592 million transportation project bill, after overcoming their differences on bicycle safety provisions.

Bid for Marijuana Legalization

Referendum Fails in Senate

Seven Days

The Senate nixed a last-ditch effort Thursday night to have Vermont voters weigh in this coming November on whether they support legalization of marijuana. With the legislature braced to adjourn for the year on Saturday, that defeat likely means lawmakers will leave without any marijuana legalization — or even a commission to study it.

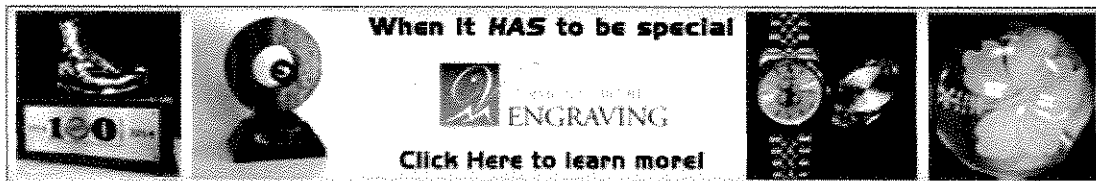
House and Senate lawmakers reach agreement on budget bill

vtdigger.org

After days of negotiations, House and Senate lawmakers struck a deal on the budget for the next fiscal year. The conference committee finalized the money bills late Thursday night. That puts the Legislature on track to adjourn Saturday.

Shumlin Removes Stenger From Council of Economic Advisors

Seven Days



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Miller, Lawrence

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Sent: Friday, May 06, 2016 7:06 AM
Subject: MEDIA CLIPS FOR FRIDAY, MAY 6

VPR NEWS:

Senate, House Divided On The Future Of Electronic Lottery Consoles

BOB KINZEL

Tucked away in this year's several-hundred-page budget bill is a very small section that could have a big impact on the operations of the Vermont Lottery. It's a change that has strongly divided the House and the Senate.

The issue? Whether or not electronic lottery consoles should be allowed in bars.

Right now, the lottery is running a pilot project where consoles have been put in 25 businesses that have a liquor license.

Lottery Director Greg Smith says these consoles offer an electronic version of many of the lottery's existing scratch off games. And as far as Smith is concerned, the program has been a great success.

"The locations that we are in, people are happy with it," says Smith. "People are spending under control. We've had no complaints from any of these locations."

But the future of this program is threatened by state law. Last year, the Legislature passed a bill that prohibits a business with a liquor license from selling lottery products.

That law goes into effect on July 1.

Smith wants lawmakers to repeal this law. He's concerned that fraternal organizations will still be allowed to sell break-open tickets at their bars after the July 1 deadline.

"I don't believe that it actually does anything other than restrict the lottery," he explains. "I don't believe it actually benefits the state or benefits the separation of alcohol and gambling in an effective way."

"I think it's time to be realistic and accept the fact that people are going to gamble. So what we should be doing is trying to make sure that it's done in a regulated manner." — Rutland Sen. Kevin Mullin

The Senate budget plan repeals the current law. Rutland Sen. Kevin Mullin, chairman of the Senate Economic Development committee, says he supports the lottery's position.

"I think it's time to be realistic and accept the fact that people are going to gamble," Mullin says. "So what we should be doing is trying to make sure that it's done in a regulated manner."

But House leaders strongly oppose repealing the law and want the upcoming ban to stay in place.

South Burlington Rep. Helen Head is the chairwoman of the House General Committee.

"Our concern is that gambling and alcohol often don't mix," says Head. "We are concerned that a number of these machines are located in bars in areas where low-income Vermonters will come and spend money while drinking, money that they really just can't afford to lose."

Because legislative leaders want to adjourn this weekend, they will need to find a compromise to this issue by Friday.

Is VTel Committed To Bringing Internet To Unserved Vermonters?

STEVE ZIND

A wireless system built by Springfield-based VTel and largely paid for with federal money is supposed to provide Internet to virtually all of the state's unserved addresses. But there are questions about whether the company is meeting that commitment.

The head of VTel told lawmakers last week that the company's Wireless Open World system was never intended to provide Internet access to "all unserved households" in Vermont.

Audio from this story will be available by approximately 11 a.m. on Friday, May 6.

"A misunderstanding somehow has occurred over the years about our project, is that the idea has been widely accepted that we had promised to serve absolutely every home in Vermont that did not have service. VTel never committed to serve all unserved households," company president Michel Guite told the House Commerce Committee.

VTel's 2010 application for \$116 million in federal grants and loans said the system would serve "all of the 33,165 unserved households in Vermont ... comprising virtually 100 percent of Vermont's unserved population."

In 2010, when the federal award to VTel from the RUS – Rural Utilities Service – was announced, Sen. Bernie Sanders held a public forum to explain what the project would do.

"For years and years there has been discussion about the need for universal broadband, for every person in this rural state to get access to broadband," Sanders told Guite. "Will you make a commitment to the people of the state of Vermont that that is exactly what you're going to do?"

Guite told Sanders his company would do that.

"VTel never committed to serve all unserved households." - Michel Guite, VTel president

Guite told VPR that he sees no contradiction between statements made in 2010 and what he said to lawmakers last week.

He says any unserved addresses the company is not reaching with its wireless network are few and far between and simply too expensive to provide with service. He made that point at the 2010 meeting.

"Will there be examples of somebody who is behind a concrete wall or somehow unreachable? The nature of wireless is that it's not perfect, I wish it was," he said, as some in the audience groaned.

Officials say they understand a very small number of addresses may fall into that category, but they believe VTel may be far short of its promise to reach virtually all unserved addresses.

In a letter to the RUS administrator, the state's congressional delegation asks why, six months after the agency said the project was completed, they're hearing that it's only available in a few areas.

According to the letter, the delegation has long had concerns that VTel is retreating from the promise to reach virtually all unserved addresses.

VTel's 2010 application for \$116 million in federal grants and loans, including funds from the American Recovery and Reinvestment Act (AARA) said the system would serve "all of the 33,165 unserved households in Vermont ... comprising virtually 100 percent of Vermont's unserved population."

State auditor Doug Hoffer is looking into the matter, and legislators have also asked the RUS to audit VTel.

"There's no question in my mind that they are not meeting that promise," says West Dover Rep. Laura Sibilila, who serves on the House Commerce Committee and co-sponsored a House resolution calling for an audit.

Sibilila says residents of her area have been waiting a long time for VTel's wireless service – and they're still waiting.

Guite says in terms of coverage and functionality, the wireless network has far exceeded the goals set for it.

He says the system currently covers at least 95 percent of Vermont using more than 150 towers and other sites. He said the problem may be that people are simply unaware the service is available.

West Dover Rep. Laura Sibilila says residents of her area have been waiting a long time for VTel's wireless service - and they're still waiting.

"Most people in Vermont are getting signals from at least two sites," Guite told lawmakers.

Guite says 1,200 people are currently using VTel's wireless service. Legislators wondered why the number is so small if the coverage is so extensive. They asked him why the company isn't doing more to promote its service.

"We have a different sort of a view ... we kind of like to keep our mouth shut," he responded.

The state has asked VTel to give it specific addresses served by the wireless system so it can determine who is still unserved.

The company has provided general information, but Guite says he is reluctant to give the state address-by-address data because wireless providers such as Verizon and AT&T don't.

If VTel is falling short of the promise it made to reach all unserved addresses, it's bad news for the state's long-overdue promise to get to universal coverage for Internet service.

"AT&T and Verizon have provided us with data when we've asked them for it," says Jim Porter of the Department of Public Service.

Porter says as a wireless Internet service provider, VTel is in a different category than the other companies that primarily provide cell service.

State law says the Department of Public Service can require companies to provide data, but so far Porter has not compelled VTel to do so. He says that's because federal law limits state jurisdiction over Internet services.

If VTel is falling short of the promise it made to reach all unserved addresses, it's bad news for the state's long-overdue promise to get to universal coverage for Internet service.

Vtel's system was supposed to fill in the remaining gaps in coverage and get the state to that goal. Porter says there are more Internet options today than there were when VTel started its project.

"Until we get the data from VTel indicating where they're providing service, and more importantly where they don't, we just don't know." - Jim Porter, Department of Public Service.

"The impact will not be as serious as it would have been five years ago," he says. "But until we get the data from VTel indicating where they're providing service, and more importantly where they don't, we just don't know."

Porter says towns within the area VTel is supposed to cover are putting together lists of addresses that don't have service.

In a letter to legislative leaders, Guite characterized legislative resolutions calling for an audit as malicious and baseless and the result of "misguided and misinformed rhetoric."

In an email, a spokesperson for the RUS said the agency is reviewing the requests to audit VTel and the company is also subject to regularly scheduled audits every few years.

"VTel has met its obligations with the Rural Utilities Service with respect to the project," the spokesperson said. "They have constructed their network in accordance with their award application and the financial agreement."

Sanders Campaign Manager: Superdelegates 'Will Ultimately Decide' Nomination

ANNIE RUSSELL & ALEX KEEFE

Voters in Indiana handed Sen. Bernie Sanders a key victory in Tuesday's Democratic presidential primary. The win came after a series of electoral losses to former Secretary of State Hillary Clinton and the announcement that the Sanders camp would be cutting more than 200 staffers. Sanders says he's still fighting to win the nomination — though he acknowledges it'll be an uphill fight.

Sanders' campaign manager, Jeff Weaver, joined VPR to discuss their strategy going forward.

On the delegate count:

"The math is the math," says Weaver. "But the truth is that neither candidate is going to get to the convention with enough pledged delegates — these are delegates that are elected in the primaries and caucuses — to secure the nomination."

Clinton is ahead in the delegate count and Weaver says the strategy going forward relies on superdelegates.

"Whoever becomes the nominee, their nomination will depend on getting enough superdelegates," explains Weaver. "And these are people who are not elected through that process. These are elected officials and Democratic members of Congress and governors and party leaders."

"I know on TV it looks like [a large group of superdelegates] are somehow pledged to Sec. Clinton, but they're not ... They're just people who have announced that they're inclined to vote for her at the convention." — Jeff Weaver, Sanders' campaign manager

"That group of people will ultimately decide who the nominee is," he says. "The superdelegates are going to have to take a step back. They're not bound to anybody. I know on TV it looks like [a large group of them] are somehow pledged to Sec. Clinton, but they're not really pledged to her. They're just people who have announced that they're inclined to vote for her at the convention."

Weaver says the assured Republican nominee could play a role in swaying these superdelegates to the Sanders camp.

"You know, they're going to take a hard look at which candidate can really beat Donald Trump in November," says Weaver. "One of Bernie Sanders' strengths, and why he beats Trump by a much larger margin than Sec. Clinton does, is he has a tremendous amount of support with independents. The truth of the matter is there just aren't enough Democrats. You can't elect a president with just Democrats. You have to bring in independents."

Weaver says they have been in regular communication with superdelegates and that some have even reached out to the campaign.

"We have an ongoing discussion with superdelegates all the time," says Weaver. "We provide them updated information on the campaign on a periodic basis. We're contacted by superdelegates on a regular basis, including superdelegates who... have said that they're going to support Sec. Clinton."

"We want to let the voters speak first and let this process run through," he says. "And then we will make a more concerted effort to reach out to superdelegates and to make the case [that Sanders] is the better candidate to defeat Donald Trump."

Weaver says that they plan to "intensify" communication with superdelegates "when we get closer to the end of the voting process."

On what Donald Trump being the assured nominee will mean for the Democratic race:

"It's difficult to know how it's going to impact the race," says Weaver. "Given that the republican race is essentially decided, in those places where there are open primaries independent voters who might have been inclined to participate in that more dynamic Republican race may now want to participate in the Democratic race."

"Beyond that, from Bernie's standpoint, he is fighting for every vote, every delegate in every state," Weaver says, "And I don't think you'll see much change in terms of his campaigning or his stump speech."

"Although I'm sure there will be increased focus on Trump," Weaver added.

On if Sanders will drop out if it becomes clear he cannot win the nomination:

Some democrats are calling on Sen. Sanders to drop out of the race right now so the party can unite around Sec. Clinton ahead of the general election.

"That won't be clear until the convention," says Weaver. "Because Sec. Clinton is not going to have the requisite number of pledged delegates to secure the nomination."

Weaver also shot down the idea that contests that continue into the summer hurt the party.

"There's a myth out there that these long primaries somehow have a negative effect on the ultimate nominee. I think we saw in 2008 ... that that's really is just a myth in politics." — Jeff Weaver, Sanders' campaign manager

"You know there's a myth out there that these long primaries somehow have a negative effect on the ultimate nominee," says Weaver. "I think we saw in 2008 when Hillary Clinton went all the way to the end of the process against then Sen. Barack Obama, that that's really is just a myth in politics. Sen. Obama dominated that race in the general election and I suspect that whoever is the nominee of the Democratic Party in this instance will also fare similarly."

"Maybe some party establishment people feel that way but voters don't feel that way," Weaver adds. "Exit polls in Indiana, which just voted [Tuesday], found that by a 3 to 1 margin, voters there felt that the race was energizing the Democratic Party rather than causing disunity."

On Sanders' influence on the party platform:

The campaign has suggested that even if Sen. Sanders doesn't win the nomination, they want to influence the party platform during the convention. Weaver says they're hoping to bring Sanders progressive agenda to the forefront.

"Influencing the party platform is something that the senator is interested in doing regardless of if he's the nominee or not the nominee," says Weaver. "He has listed an agenda progressive agenda for the country that has widespread support among rank and file Democrats. Frankly, Sec. Clinton ... is to the right of most Democrats on issues like single payer health care ... a \$15 minimum wage, which Sen. Sanders supports and Sec. Clinton does not. In terms of issues of war and peace, in terms of energy policy and getting rid of things like fracking and carbon-based ... fuels."

"These are all critically important issues that need to be addressed," Weaver says. "But there are other issues as well. One of those issues is how the Democratic Party nominates its nominee for president. There are a lot of impediments across the country which we have discovered to people voting and participating. There need to be procedural changes so that we get more people to participate and that we maximize the number of people who come out."

Some supporters of Sen. Sanders have said they will not vote for Sec. Clinton in the general election. Weaver says if Clinton is the nominee, she will have to work to earn the vote of Sanders supporters.

"Bernie Sanders has been clear from the beginning of this race that he will endorse whoever is the nominee of the Democratic Party," says Weaver. "But one of the things that is going to have to happen is, in the event that Hillary Clinton is the nominee, she's going to have to reach out to the millions of people that Bernie Sanders has brought into this process."

"Now Bernie Sanders doesn't control any group of people, and he snaps his finger and they vote one way or another," Weaver adds. "[Clinton] is going to have to reach out and address the needs and aspirations of millions, particularly young people who have come out to vote for Bernie Sanders in large numbers all across this country; to independent voters who have supported him, who have a lot of misgivings about his secretary."

"You know that's what sort of bringing unity means," he says. "It means reaching out to these constituencies and addressing in a substantive way their concerns."

"If Bernie Sanders becomes the nominee, obviously there are elements of the party that he would have to reach out to create unity," Weaver adds. "It's incumbent on whoever the nominee is to reach out to the supporters of the other candidate and to bring those people in together."

This post was updated 5/5/2016 to refer to presidential candidate Donald Trump as the assured nominee. Trump is not considered the presumptive nominee until after California's primary on June 7.

OFF MESSAGE:

The Road to Adjournment Is Always Bumpy

NANCY REMSEN

With dozens of bills still in play Thursday and the deadline for a Saturday adjournment looming, talks on some priority legislation turned testy, as lawmakers abandoned pleasantries and pressed their positions.

In morning talks on the transportation project bill, negotiators went back and forth over the new restrictions that the House wanted to add to improve safety for bicycle riders. "That is a huge issue for the House side," Rep. Tim Corcoran (D-Bennington) told the senators across the table.

Senators countered that bikers and motorists need to share the road. "I'm reluctant to put all the responsibility on the motorists," said Sen. Peg Flory (R-Rutland).

Neither side was ready to budge at this stage in their talks.

The morning meeting of negotiators on the bill reforming the rules governing suspension of drivers' licenses also showcased more differences than agreement. It began with the two sides staking out conflicting positions on one of the most significant provisions in the bill — the proposed license restoration program.

The exchange between chief Senate negotiator Dick Sears (D-Bennington) and House lead Chip Conquest (D-Wells River) quickly turned prickly, with Sears proposing to jettison the entire license restoration section.

The two sides took a break, returning to their squabble in the early afternoon.

The context: Chittenden and Windsor counties have held amnesty days when residents with suspended licenses resulting from unpaid fines could make reduced payments and get their licenses back. Gov. Peter Shumlin urged lawmakers to offer this same option to all Vermonters. He and other supporters argued that suspending licenses because of unpaid fines forced many individuals to drive illegally when they needed to work or transport family members to critical appointments.

Lawmakers agreed on the concept, but passed different bills. Negotiators were quarreling Thursday over a date that would establish those who would be eligible to pay discounted fines. The House wanted more people to be eligible than the Senate.

Sen. Peg Flory (R-Rutland) didn't want to penalize people "who really worked hard to make those payments" by allowing others who had not made their payments to be able to pay less.

"The vast majority of those people aren't able to pay," countered Conquest.

The senate's starting position had been that the restoration program would apply only to unpaid fines assessed between 1990 and 2006. As of Thursday, senate negotiators offered to extend the date to 2011.

The House wanted the program to extend to 2015. Conquest offered to accept every other change that the Senate made to the House bill, if senators would accept the 2015 date.

"I can't do that. I just can't do that. Sorry," Sears said.

Conquest tried again, offering July 1, 2012 because fines from before that date were unlikely to be paid. This offer would require senators to accept some of the House positions, he said.

Sears told the House to come back with the new proposal on paper.

At the appointed time — 2:30 p.m. — Sears and Flory had other obligations. Sen. Alice Nitka (D-Windsor) whispered to Sears, as he ran off, that she had a problem with one item in the House offer.

Conquest wanted to talk to her about her concern, but she brushed him off. "Tell it to all of us. Don't tell me now."

When Sears returned, Nitka explained her wish to keep license suspension as a possible penalty for young people. She argued that for kids from wealthy families, "a fine doesn't have impact. Losing a license does."

Conquest argued that keeping the suspension option would hurt poorer youth, who might need their licenses to travel to jobs.

Sears offered a compromise — suspension for a first offense could be 30 days instead of 90, and for a second offense, 90 instead of 180.

With that, the negotiators had a deal. They scheduled the official signing for 5:30 p.m.

As for the transportation talks, House Transportation Chair Pat Brennan (R-Colchester) said the two sides had been exchanging ideas via courier. At 5:30 p.m. he and his team sat in their third-floor House committee room waiting to hear a time for the next face-to-face meeting.

Senate Won't Put Marijuana Legalization Question to Voters

TERRI HALLENBECK

Senate Judiciary Committee chair Dick Sears (D-Bennington), left, Senate President Pro Tempore John Campbell (D-Windsor) and Senate Minority Leader Joe Benning (R-Caledonia) confer on the Senate floor Thursday. This post will be updated.

The Senate is expected to vote tonight on whether to ask Vermonters via the November election ballot if marijuana should be legalized.

"People can voice their opinions," said Senate Judiciary Committee chair Dick Sears (D-Bennington). "I think the advisory vote is an opportunity to educate the public."

Sears' move, announced on the Senate floor at about 5 p.m., came after the House declined this week to go along with a Senate bill to legalize marijuana.

"It might give some in the other body information they need to either vote against it or support it," Sears said.

Sears might not succeed in bringing the measure to a vote tonight, as he needs a three-fourths majority of the 29 members to bring it up. Republicans indicated they would refuse to agree to that.

Sears is also asking the Senate to establish a commission — as the House voted to do — to study how the state should prepare for eventual marijuana legalization.

He wants to strip from the bill a measure directing the state to increase youth marijuana education programs and drugged driving training. Because the House declined to include money to fund the items, Sears argued, they would take away from existing opiate treatment.

Sears is proposing to ask on the November ballot: "Should the State of Vermont legalize personal possession and cultivation of small amounts of marijuana and regulate and tax marijuana for adult use?"

Such advisory votes are rarely used in Vermont. The law in Vermont lacks a mechanism for binding referendums that Colorado, Washington and Oregon used to legalize marijuana. Sears said it would be clear this is a non-binding question.

Vermont last used a non-binding referendum in 1976, when voters decided to support a lottery. It has been used 17 times, according to the Secretary of State's Office, including six times on temperance in the 1800s and early 1900s.

Senators peppered Sears with questions over the ballot question.

"Are there campaign laws set up to deal with this?" asked Sen. Dustin Degree (R-Franklin).

"It's not a campaign," responded Senate Government Operations Committee chair Jeanette White (D-Windham).

"In theory, there could be millions and millions and millions of dollars spent," Degree said.

"I really don't want to see a million dollars spent," said Sen. Anthony Pollina (P/D-Washington). "I already know how people feel."

If it passes the Senate, the voter referendum would also be controversial in the House. That chamber earlier this week considered putting the marijuana legalization question to voters on the August primary election ballot. Members soundly defeated that.

Rep. Bill Lippert (D-Hinesburg) was among those arguing that voter referendums are a dangerous precedent, particularly if they spread to sensitive civil rights issues. Some suggested such a referendum when the state considered passing civil unions, the precursor to same-sex marriage, he noted.

"Some of us lived through the call for 'Take it to the people,'" Lippert said in the House on Tuesday. "It does not always serve us well."

Sears told senators Thursday that marijuana is different from marriage. "I don't think it's a bad precedent," he said.

Sen. Becca Balint (D-Windham) urged fellow Democratic senators not to use the ballot box to decide social issues. As a gay person with family members who were killed in the Holocaust, she said, "I can't tell you how terrified I am when it comes to referendums. We don't have control over what the questions are going to look like in future."

Degree questioned having a referendum on marijuana as opposed to other topics. "What if we decided to put something on it that said, 'Shall the state of Vermont lower the property tax by 5 percent?' It would probably pass," he said.

Vermont Legislators Won't Say Whether They'll Vote Trump

PAUL HEINTZ

The vast majority of Vermont's House and Senate Republicans gathered at the Statehouse Thursday to endorse Lt. Gov. Phil Scott for governor over retired Wall Street banker Bruce Lisman.

But the crowd of GOP legislators appeared uninterested in weighing in on the man who became their party's de facto presidential nominee a day earlier: New York reality television star Donald Trump.

When Seven Days asked for a show of hands of those who would vote for Trump in November, Scott quickly intervened.

"I will say that this press conference is about electing me," he said. "So I would like to ask everybody that's going to vote for me to raise their hands."

Scott's fellow Republicans cheered and raised their hands.

"Thank you very much," the lieutenant governor said. "You can have another press conference to tout who you're going to vote for in the presidential race."

Asked again, Scott said, "I'm not sure that we're going to take the question."

The lieutenant governor has said for months that he would not support or vote for Trump if he won the Republican nomination. Scott doubled down on that position Wednesday, telling Seven Days that he might write-in another candidate for president or skip the contest entirely.

Lisman has repeatedly declined to comment on Trump's candidacy.

Miller, Lawrence

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on behalf of Vermont Business Magazine <donotreply@vermontbiz.com>
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VTel: Wireless signal reaches 95 percent of planned territory

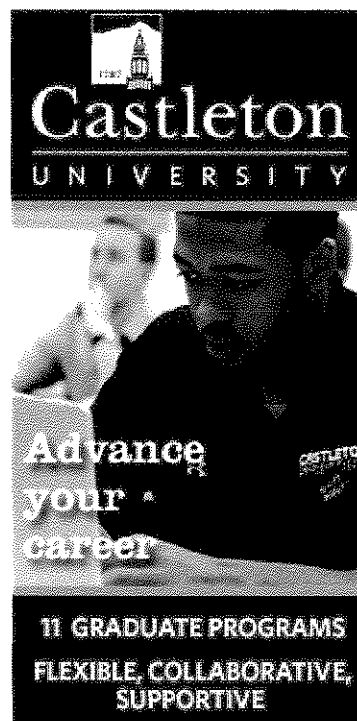
vtddigger.org

"My answer this morning is that VTel never committed to serve all unserved households and anchor institutions in Vermont," said Michel Guite, president of Vermont Telephone Co.

Protesters Take Aim at 'Reckless' Rail Project in Shelburne

Seven Days

Roughly 100 protestors banged pots and pans and formed a procession in the rain Sunday at a "Reckless Rail Rally" in Shelburne. They called on state officials to challenge the federal preemption that has allowed Vermont Rail System to clear-cut trees and start construction on a rail yard and salt sheds in Shelburne without local or state environmental permits. Speakers made the case that it's more than a one-



town issue and said that Vermont needs to wake up to the danger of "freight hazmat."

State officials frustrated with Vermont Health Connect contractor

vtdigger.org

State officials are unhappy with Optum's work on the health exchange; they are negotiating with another company, Speridian, to fix it.

Haskins Gas to pay \$60,000 to settle consumer protection claims

vermontbiz.com

Haskins Gas Service, Inc, a Vermont company, has agreed to pay \$45,600 to 96 Vermont consumers and \$15,000 in civil penalties to the State of Vermont to settle claims that the company violated Vermont consumer protection laws. The Attorney General found that when terminating propane service, Haskins failed to remove propane tanks and issue refund checks within the timeframes required by Vermont law.

Norwich University elects new chairman of the board, General Sullivan retires

vermontbiz.com

Alan DeForest '75 has been named chairman of the Board of Trustees at Norwich University. DeForest has served on the board since 2000. He replaces former Army Chief of Staff General Gordon R. Sullivan '59, who joined the board in 1995, served as chairman since 2003 and stepped down at last week's board meeting.

Harrison to step down from

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- Smith: Everybody else is at fault in EB-5 fraud | Vermont Business Magazine
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- Mount Snow: Furloughs unrelated to EB-5 delays | Vermont Business Magazine
<https://t.co/06kElk4rlj> 11:03AM
- Q&A on Vermont's new sick leave law | Vermont Business Magazine
<https://t.co/vtKkYz8ld69> 51AM
- UPCOMING Events for the week of May 1st
<https://t.co/2jdtMC0s2B5> 02AM

Retail & Grocers Association

vermontbiz.com

At the Vermont Retail & Grocers Association annual convention this past weekend at the Hilton Burlington, VRGA president, Jim Harrison, announced to members of the trade group that he would be stepping down at the end of the year. VRGA was brought about by the merger of the Vermont Retail Association and the Vermont Grocers Association. Harrison began his association career with VGA in 1987 and has continued as president of the new VRGA since the groups combined in 2014.

Mount Snow: Furloughs

unrelated to EB-5 delays

The Commons

A warm, unseasonable winter has forced an undisclosed number of layoffs at Mount Snow ski resort in Dover. But resort administrators expect to hire back those employees soon. And they say the furloughs aren't related to a \$52 million cash crunch in the resort's EB-5 foreign investor program — a problem that has slowed new development at Mount Snow.

Smith: Everybody else is at fault in EB-5 fraud

vermontbiz.com

There is a tactic that politicians sometimes use when they are in political hot water. The tactic is to blame others. Frequently, the goal is to cast blame far and wide so no one person is held responsible. Ironically, it's a tactic we discourage our children from using when they say, "everyone is doing it" as a defense for bad behavior.

Crews respond to multiple accidents on I-89 in Middlesex

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Nation of Change

Politics/Government

**Phil Scott Releases Tax Return,
Reports \$3.1 Million Net Worth**

Seven Days

Lt. Gov. Phil Scott reported Friday that he and his wife, Diana McTeague Scott, earned \$221,746 in 2015 and hold \$3.1 million in assets.

**Sanders' fundraising spigot
slackens**

vtdigger.org

The senator raised \$20 million less in April than in March after suffering a series of defeats.

**VBSR, WBON urge Legislature
to take no action on
independent contractor bill this
year**

vermontbiz.com

How Vermont defines the relationship between employers and workers is one the most fundamental regulatory issues for Vermont's economy. In a statement released Monday morning, Vermont Businesses for Social Responsibility and the Women Business Owners Network said employers deserve clear and consistent rules to follow and workers deserve both flexibility and access to the workplace safety net, such as unemployment and worker's compensation benefits.

**State Says Rebuilding Mt.
Mansfield's Stone Hut Will Take
Time, But Will Happen**

VPR

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Miller, Lawrence

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Sent: Monday, May 02, 2016 6:07 PM
To: Miller, Lawrence
Subject: International Drone Day, Southern Vermont Idea Jam and LaunchVT Finals

Vermont encourages entrepreneurs this week at the LaunchVT finals.

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Monday, May 2, 2016

Start It Up

May 1 through 7 is National Small Business Week, which might explain the explosion of entrepreneurial events. There's an [inaugural meeting of a new internet startup group](#) on Tuesday. Norwich University has announced a new "[Start Up Boot Camp](#)" for aspiring entrepreneurs (the deadline to apply is next week). And on Thursday, [LaunchVT hosts the final round](#) of its pitch competition, in which seven businesses vie for cash and in-kind prizes. The same night, there's an [Idea Jam](#) in Brattleboro. Got any good ideas to share?



— Cathy Resmer

STARTUPS

ADVOCACY



Idea Jam for Southern Vermont

Share business ideas, find collaborators and help grow Southern Vermont's entrepreneurial ecosystem at the Idea Jam, with host Dr. Birton Cowden. The Jam kicks off INSTIG8, a program for developing and early-stage firms that aims to engage a business-minded, creative community of entrepreneurs and innovators. Thursday, May 5, at the Vermont Jazz Center in Brattleboro.

[Read more](#)



International Drone Day

Local drone users seek to educate the public about the positive uses for drones at this Vermont gathering on International Drone Day. Demos and activities include drone racing, search and rescue demos and aerial photography instruction. Saturday, May 7, at Bolton Valley Resort.

[Find details](#)

TECH NEWS

Drone Debate in House Judiciary Balances Privacy, Public Safety

SEVEN DAYS, 4/28/16

The House Judiciary Committee approved a bill that sets guidelines for how and when police may use drones. The House and Senate will likely negotiate a final version of the legislation before the end of the session.

Register to Exhibit at the Rutland Mini Maker Faire

CHAMPLAIN MINI MAKER FAIRE

Got creative, innovative projects to display? The organizers of the Champlain Mini Maker Faire are putting on a mini maker faire in Rutland for the second time on Saturday, July 30, and they're looking for exhibitors.

VTel: Wireless Signal Reaches 95 Percent of Planned Territory

VTDIGGER.ORG, 5/1/16

Vermont Telephone Co. president Michel Guite testified at the Statehouse in Montpelier last week, urging Vermont senators not to ask the USDA to audit VTel's wireless project.

Rutland Robotics Team Heads to International Championship

VERMONT PUBLIC RADIO, 4/27/16

Last weekend, a team of Rutland teenagers headed to St. Louis to compete in the FIRST Robotics world championships in front of tens of thousands of spectators. They didn't win, but we'll bet it was educational.

MEETUP

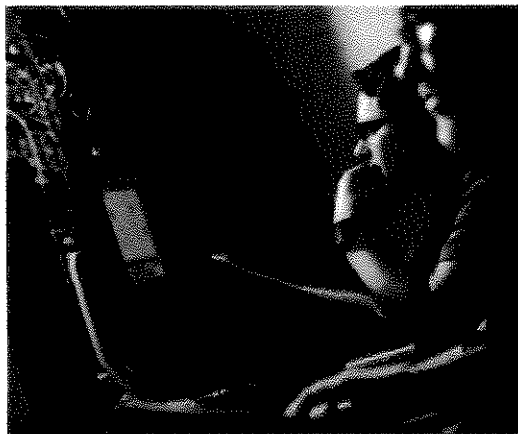
EDUCATION



Rutland Developers Spring Catch-Up

Meet Rutland-area designers and developers at this informal, semi-regular meetup. Friday, May 6, at the Coffee Exchange Cafe in Rutland.

[Read more](#)



Vermont Tech Student Project Presentations

At this day-long "Bringing Technology to Everyday Life" showcase, students at Vermont Technical College's Williston campus present projects including a dual-access solar tracker, a LED propeller clock and a vehicle obstacle avoidance alert system. Friday, May 6, at Vermont Tech in Williston.

[Learn more](#)

Featured Tech Events

[WordPress Core Collaboration](#)

Daft Labs, Burlington. Wednesday, May 4.

[Burlington JS: Hands-On With Javascript](#)

Main Street Landing Performing Arts Center, Burlington.
Wednesday, May 4.

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Vermont Energy Investment Corporation, Burlington.
Wednesday, May 11.

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Miller, Lawrence

From: Dudley, Jahala
Sent: Monday, May 02, 2016 6:49 AM
Subject: MEDIA CLIPS FOR MONDAY, MAY 2

VTDIGGER:

VTel: WIRELESS SIGNAL REACHES 95 PERCENT OF PLANNED TERRITORY

ERIN MANSFIELD

The president of Vermont Telephone Co. broke his silence Thursday and testified in front of two key legislative committees about the company's progress on a \$116 million telecommunications project.

Michel Guite testified before the Senate Finance Committee and House Committee on Commerce and Economic Development. He had declined previous invitations during this session asking him to testify in front of House Commerce.

Guite said the company provides "superb" Internet service through its wireless towers, and he asked the Senate Finance Committee not to move forward with S.R.13, a resolution that asks the U.S. Department of Agriculture's Rural Utilities Service to audit progress on the World of Wireless project.

"The idea has been widely accepted that we had promised to serve absolutely every home in Vermont that didn't have service," Guite said, "and my answer this morning is that VTel never committed to serve all unserved households and anchor institutions in Vermont."

Guite told lawmakers there has been "miscommunication" about the status of the broadband project. He said the company has built 131 wireless towers to bring broadband to rural households, and 123 are functional. The company is now spending its own money to upgrade the remaining towers to improve the wireless system, he said.

VTel, the trade name for Vermont Telephone Co., was awarded an \$81.7 million grant and a \$35.2 million loan in 2010 to run fiber-optic cable to households and major institutions in the Springfield area and build 119 towers and antennas to set up a system of wireless broadband in the state's most rural areas.

The company was supposed to finish building the project in 2013, but the Rural Utilities Service extended funding until September 2015. That means the funding has now run out, and if VTel is to complete the network, it must rely on its own money.

In recent months, state officials, lawmakers and Vermont's congressional delegation have become increasingly critical of the company for falling behind on promises it made in 2010. The Public Service Department has said since March that the company will not comply with requests to tell the state which addresses can get service through VTel.

On April 6, the congressional delegation sent a letter to the Rural Utilities Service asking for more oversight and confirmation that what VTel has been saying is true. On April 15, the House passed a resolution asking the federal government to audit the \$116 million project. A similar resolution sits in the Senate Finance Committee, and lawmakers have not taken action on it.

Guite said VTel built the wireless network using the same technology that AT&T and Verizon networks use to provide smartphone data plans to Vermonters. He said at least 95 percent of the households that VTel promised to cover in 2010 can now get Internet service at their homes from one of the wireless towers, and for less money than what they would pay AT&T or Verizon for the same amount of data on their phones.

"I can tell you (who gets Internet service) right down to a tiny neighborhood, but I can't tell you by street," Guite said. "And I'm saying, gee, if someone really wants to know, they should take the tiny amount of data that we can give them and make their own estimates."

Sen. Tim Ashe, D/P-Chittenden, the chair of the Senate Finance Committee, went back and forth with Guite. Ashe said he didn't understand why people in rural areas "who are desperate" for Internet service wouldn't simply buy a router through VTel.

"If you're really miserable, thinking about moving, pained by the inability to sell your home, it just seems strange that hundreds of people would all reach the conclusion that they don't have service when the service is available by making a phone call," Ashe said. "What's going on?"

Guite said he was puzzled by the idea that people don't know enough to call up and buy service. He called the situation between lawmakers and VTel "highly politicized."

Sen. Claire Ayer, D-Addison, told Guite it makes sense to provide the address-by-address information because "the people who expected to have the services that you were going to deliver say they don't get them, and they're pretty mad at you."

"If you believe that all of these people who are covered by the towers are served, then it makes sense to find out who they are," Ayer said. "That's the information that DPS is asking for and that you decline to deliver because AT&T and Verizon, for example, and T-Mobile and Sprint have not delivered that. But that information would clear this up once and for all."

David Weinstein, an aide to Sen. Bernie Sanders, I-Vt., has been leading the congressional delegation's efforts to hold the company accountable for the project. He said he has no reason to believe the project hasn't been successful, but VTel won't provide information to prove it.

"VTel said in their application to (the Rural Utilities Service) that they would serve virtually 100 percent of Vermont's unserved households, so what we would like is evidence that that is in fact the case," Weinstein said in an interview. "There's no way for us to evaluate whether or not this is a success unless we see who in fact is going to get the signal and how strong that signal is."

"We're asking for the information to evaluate whether it's a success, and VTel's failure to provide that information certainly gives the impression, and maybe it's a false impression, that there is something to hide," he said. "But we certainly are not alleging that."

Rep. Maureen Dakin, D-Colchester, told Guite he should improve the company's marketing if the dustup with the Legislature is simply a misunderstanding.

"As a business person, wouldn't that tell you then that you need to boost your PR and boost getting your message out?" she asked.

Guite replied: "We kind of like to keep our mouth shut. We just don't like to tell people what we're doing."

REPORT FINDS WORKING WOMEN STILL IN THE 1970S IN VERMONT

TIFFANY DANITZ PACHE

Women in Vermont still tend to choose the same traditionally female professions — such as teaching and nursing — that they did in the 1970s, despite their greatly increased opportunities. And that may cost them and their families, according to a recent report, because female-dominated fields pay less.

"Where Vermont Women Work ... and Why It Matters" is the second brief produced by Change The Story, a statewide initiative of the Vermont Commission on Women, the Vermont Women's Fund and Vermont Works for Women.

The brief is based on a study of occupational segregation and wage disparity between genders in Vermont.

Nationally, women make 79 cents to a man's dollar in the same occupation, according to the report. Vermont women earn 84 percent of what men do.

But the issue isn't just about not getting paid the same amount for the same job. Another, more culturally systemic phenomenon exists, and that is that women gravitate toward fields that historically pay lower wages.

"Women are clustered in the same occupations today as they were back in 1970," said Cary Brown, of the Vermont Commission on Women. "We still have cultural ideas about what are appropriate jobs for women and what are appropriate jobs for men."

Women Graphic 1

Women are still entering what have been considered female professions — including office administration and food service — at a higher rate than men and are continuing to avoid what have been known as traditionally male fields, such as computers and math, construction, engineering and law enforcement, according to the report.

In 1972, the federal government enacted Title IX, a civil rights law that prohibited discrimination based on gender in education. It was an attempt to increase opportunities for girls in athletics, higher education and eventually employment. At that time, nearly 40 percent of the labor force was female; by 2013, this figure had risen to more than 65 percent, the report says.

While some professions have an almost equal number of women and men, such as medicine and law, nearly half of all full-time working women are in traditionally female occupations.

"Breaking out of those stereotypes is very difficult and takes a lot of time to get over these ingrained ideas about the jobs men and women do," Brown said.

There has been some small change, Brown added. About 15 percent of engineers are women now, but in 1970 there were none in Vermont.

Gender segregation in employment is having an impact on Vermont's economy because women contribute at least 40 percent of the income in a third of Vermont families, according to the report.

Women are not making enough to support themselves or their children, it says. Two out of five occupations in which women are at least 70 percent of all workers pay less than \$33,419. The Joint Fiscal Office has determined that is the minimum salary a person needs to cover basic expenses in Vermont.

A single parent with one child needs to make \$55,760 to stay afloat, according to the Joint Fiscal Office. Roughly 16,595 single mothers with dependent children live in Vermont, according to Brown, who came up with the figure by using a five-year average from 2009 to 2013 of the number of women age 25 to 64 with dependent children who were either divorced or never married.

Nearly a third of these women live in poverty even though they work full time, according to Vermont Works for Women.

In Vermont, only one occupation dominated by women pays at least \$55,760: health diagnostician.

Women Graphic 2

Brown called this striking. "That is why they need to look at the male-dominated professions. It is especially true for the women who find themselves on the margins economically. If they want to support themselves and their families, it would benefit them to look outside the narrow ideas of what women and men can do."

The fastest-growing jobs in Vermont are personal care aide and cashier; both typically pay less than \$12 an hour, and both fields are dominated by women. Trade-related fields that pay a living wage are also expected to grow in Vermont, and that is why it is important to steer more young women into education paths that will drive them into these jobs, according to the report.

"When we look at the education that young women are choosing, the apprenticeships, the college majors, we are not seeing the potential for a change in these patterns without taking some concrete steps," said Brown.

That is why the report ends with a series of questions — for parents, educators and lawmakers — to help Vermonters reflect on what they are doing or could be doing to change the status quo and help steer young women toward more economically secure futures.

WINDHAM COUNTY'S RESCUE INC. PLANS EXPANSION

MIKE FAHER

TOWNSHEND — Though Vermont ambulance services are facing regulatory and financial uncertainty, Rescue Inc. is looking to expand.

The Brattleboro-based ambulance service has plans to move its northern operations base from a small substation at Grace Cottage Hospital to a new, much-larger building in West Townshend. The move will allow Rescue Inc. to add staff and equipment in the West River Valley, said Operations Chief Drew Hazelton.

The relocation, according to permit application documents, will cost more than \$500,000. But Hazelton said he expects to launch a capital campaign soon, and he said lingering statewide questions about funding and other issues are not a reason to postpone the project.

"From our perspective, we could either sit and wait for the politics to hopefully shake out at some point," Hazelton said. "Or, we can move ahead with the facts that we know, which are that people are still going to get injured, they're still going to be sick, and we still need to provide a high-quality service. At the end of the day, that's what our project is about."

Hazelton, through Rescue Inc. and his leadership role within the Vermont Ambulance Association, has been among those pushing hard in recent months for financial help for the state's medical first responders.

The problem is that, even as demand increases for costly, complex mobile medical services, the state's Medicaid reimbursement rates have remained unchanged since 2008. Also, a complex reimbursement system means ambulance services receive no money for medications or for a call in which they don't transport a patient.

As a result, medics say they're often losing hundreds of dollars when they respond to calls for help.

The ambulance association took its case to Montpelier earlier this year, prompting a proposal in which a new tax on ambulance services could be used to draw down more federal money, thus increasing reimbursements.

Legislative action aside, Hazelton wonders what else might be on the horizon in 2017 as a new governor and a new president take office. "Nobody can really tell us what health care is going to look like," he said.

But that doesn't change the fact that Rescue Inc. administrators believe they've outgrown their quarters at Grace Cottage Hospital.

Rescue branched out from its Brattleboro headquarters to take over the Townshend hospital's former ambulance service in 2005. "Grace Cottage has been a great host for more than 10 years, give us living space for our staff and garage space for our equipment there," Hazelton said.

He said there are some significant drawbacks, though, including a lack of storage, office and ambulance decontamination space. Currently, "we move ambulances from Townshend to Brattleboro for cleaning," Hazelton said.

Meanwhile, call volumes continue to increase. Hazelton summed up the issue in permit documents: "Our current location ... does not provide us with the necessary space to operate a modern EMS system."

Rescue Inc. last year acquired a vacant 2.36 acre parcel on Route 30 in West Townshend, not far from the West Townshend Country Store. The ambulance service is seeking a state Act 250 land use permit for an approximately 4,500-square-foot building with parking, indoor vehicle storage, office and staff space, and cleaning facilities.

Rather than finding an existing building, "looking long term, we decided it would make sense for us to build a facility that we can operate more efficiently out of," Hazelton said.

The new building will be about 5 miles from Grace Cottage Hospital. But Hazelton said it's the right spot for Rescue Inc.

"We looked at the coverage area that we currently serve in the West River Valley," he said. "We found the center of it, which is about West Townshend."

The new location allows quick access to the region's major thoroughway as well as access to a fiber-optic line, which Hazelton said is essential to modern medical record-keeping.

Perhaps most important, the West Townshend headquarters will allow space for more staff. "We anticipate, in the relatively near future, increasing our (West River Valley) staffing from where we're at now, with two providers up there, to four, so that we have two staffed ambulances," Hazelton said.

That would cut down on the need to send backup ambulances from the main station in Brattleboro to Townshend, he added.

Grace Cottage Hospital will be losing its physical connection to Rescue Inc. — a connection that Chief Executive Officer Roger Allbee said has been beneficial in many ways.

In addition to instant responses from Rescue's on-site medics, Allbee said it's also "really about integrating their team with our team. There's some mutual training going on. So having them at a distance will be a change."

At the same time, Allbee expects a continued relationship between the two entities and said he supports Rescue's growth. Rescue Inc. administrators are hoping to complete the permit process and start construction on the West Townshend station later this year. But Allbee said he has told Hazelton, "We want you here as long as you want to be here."

Finishing the project will depend on raising money. Hazelton said Rescue Inc. is seeking grant funding and is putting together an intensive capital campaign to cover the building's costs.

"We're committed to making this work for the citizens," he said. "We're going to provide the service, and we believe we've got the support of the communities."

The new station's host community already has thrown its support behind Rescue's plans, with the Townshend Selectboard penning a letter calling the ambulance service's permanent presence a "critical necessity."

"We in Townshend can think of no better way to guarantee that the citizens of the West River Valley will continue to receive quality emergency medical services than by permitting, endorsing and financially supporting Rescue Inc.'s plans to build a new facility in West Townshend," the letter says.

MARGOLIS: SPENDING LESS ISN'T AS SIMPLE AS IT SOUNDS

JON MARGOLIS

Republicans in the Legislature think state government spends too much.

They might be right.

For the last several years, state spending has grown faster than the state's economy. From 2010 to 2013, Vermont's gross domestic product grew 2.4 percent. Growth since then has been even slower. But total spending grew about 5 percent each year. Republicans consider this growth rate unsustainable.

Those figures somewhat overstate the problem. They are for total spending, some of which was paid for by the federal government. The state's general fund growth has been slower: 3.4 percent from fiscal year 2013 to 2014; only 0.5 percent the following year.

But the general fund is not the only one collecting money from Vermont taxpayers, and there is no doubt that state government spending has gone up faster than the state's economy, and therefore faster than the revenue produced by each year's tax and fee structure.

So each year the state tinkers with that structure. Gov. Peter Shumlin has stood firm on his promise not to increase "broad-based" taxes. The sales tax and income tax rates have not been touched. But some deductions have been curbed, effectively increasing the income taxes on some payers, and many fees have gone up.

In the last few years, the state has also used one-time funds, usually federal grants or tax windfalls unlikely to be repeated — such as an upward blip in estate tax revenue because a very rich person died that year — to balance its budget.

It would seem clear, then, that if the state is not going to raise taxes — and nobody wants to do that — the only alternative is to cut spending.

Except that no one wants to do that, either. Or, more accurately, no one wants to cut spending that benefits him and his or her and hers.

When this year began, for instance, Shumlin proposed saving \$1 million by closing the work camp at the prison in St. Johnsbury. Only half its 112 beds were being used, so it seemed like a reasonable suggestion.

Not to legislators from St. Johnsbury. Not to the Vermont State Employees' Association, eager to protect the 22 jobs that would be lost. The work camp will not be closed.

But it isn't just that no one wants to cut spending on him- or herself. Some legislators think the state spends too little. Not that anybody comes right out and says that. But some Democrats and nearly all the Progressives call for spending more on specific programs, financing the spending by raising taxes on the very wealthy.

They may be right, too.

It isn't just that the wealthy — households in the top 1 percent in Vermont whose average income is \$978,400 — paid 7.7 percent of their income in total state and local taxes last year, less than the 10.5 percent paid by middle-income households averaging \$45,600, or even the 8.9 percent paid by the lowest-income taxpayers, whose average household income is \$11,700.

So says the 2015 report from the Institute on Taxation and Economic Policy.

It's also that — by its own standards — the state is chintzing on some of its responsibilities.

Take the little-known Parent Child Centers program, which offers early intervention to at-risk families — for instance, “teen counseling programs for pregnant teenagers to help them finish their high school diploma,” as explained by Reeve Murphy, the deputy commissioner of the Department for Children and Families.

Twenty years ago, the state appropriated enough to provide each the 15 centers with about \$65,000 in operating funds, Murphy said. In the projected fiscal year 2017 budget, the state will appropriate enough to provide each center with about ... \$65,000 in operating funds.

It's not quite that bad, Murphy said. The centers get some other state grants and do some fundraising on their own. But as poverty, drug abuse and general social dysfunction have increased, so has the burden on the centers, whose resources are “definitely stretched,” Murphy said.

There's an easy way to solve this problem. Close the centers. The state could simply not provide this service, saving about \$1 million. Let those families deal with their problems on their own.

Nobody is proposing that. Instead, Republicans have other plans for cutting the budget. Rep. Don Turner, R-Milton, the House minority leader, provided a list of the 39 bills Republicans had proposed designed to cut spending.

A few of those bills illustrate the luxury granted to those out of power to be irresponsible. “Lowering the cap for income sensitivity adjustments” in the statewide school property tax (H.37) is a backdoor plan to increase the taxes of a lot of upper-middle-income homeowners, almost all of whom vote. Not likely. And some of the GOP bills would reduce taxes, not spending.

But others, such as creating a joint committee on state employee compensation (H.424) or a federal fund planning report (H.394) might make sense, might even make government more efficient.

But none of those bills includes an estimate of how much money might be saved. That's because they wouldn't save much money. No doubt, state government could be run more efficiently; so could the companies for which most people work. But the idea that greater efficiency can lead to meaningful savings — enough to lower taxes — is as much a myth as the claim in Washington in the 1980s that getting rid of “waste, fraud and inefficiency” would reduce the federal deficit.

As though, the late Sen. Daniel Patrick Moynihan of New York said, “every federal agency had a line item in its budget for ‘waste, fraud and inefficiency.’”

The only way state government can spend less is to do less: Don't fill the potholes; close the state parks for a year (or forever; are state parks absolutely necessary?); let the wetlands get filled in; give less money to impoverished single mothers.

That last one has been done. Actually, it's still being done.

There is also something close to a consensus that the state does not spend enough dealing with the mentally ill. The advocacy group Mental Health America considers Vermont the fourth-best state when it comes to “the lowest

prevalence of mental illness and highest rates of access to care.” But the system is beset by high turnover and a constant shortage of money, making it difficult to hire and maintain a qualified professional staff.

“The system is at the brink,” said Julie Tessler, the executive director of Vermont Care Partners, which represents many of the private, nonprofit “designated agencies” that provide most of the mental health services in the state. Adjusted for inflation, Tessler said, funding for these agencies has fallen more than 20 percent in the last five years.

Melissa Bailey, the deputy commissioner of the Department of Mental Health, said many of these agencies already existed when the current mental health system was formed in the 1970s. Using them instead of having the department provide most of the services itself made sense.

It also saves money. The 13,500 or so employees of the designated agencies earn far less than do state workers. At the designated agencies, many professionals with advanced degrees earn little more than \$30,000 a year, Tessler said.

So they leave for higher salaries and more generous benefits. They go to work for the state, for hospitals, occasionally to join for-profit health care firms. High turnover is undesirable in any business. In caring for people with mental illness or developmental disability, it is especially distressing. The people being served need stability more than do the customers of a typical business.

Advocates for the mentally ill lobbied hard this year hoping for a 3 percent increase in funding in addition to the additional money the Medicaid formula would provide. At last week’s end, it appeared that would be reduced to 2 percent.

Rep. Mitzi Johnson, D-South Hero, the chair of the House Appropriations Committee, said that because of the budget cuts and revenue increases adopted this year, the state can “eliminate reliance on one-time funding for ongoing expenses” in the future.

Minority Leader Turner doesn’t buy that, pointing to what he called “a \$30 million gap in the budget for next year.”

“There’s not a budget gap,” Johnson said. “We closed it. It’s a balanced budget.”

But she acknowledged that lawmakers would “still have to wrestle with the budget” next year, especially because the cost of Medicaid could grow. Only 3.7 percent of Vermonters and less than 1 percent of children in the state now lack health insurance, she said, but providing it is not cheap.

Could the state manage to spend less simply by not covering those people? No, Johnson said.

“To me, it would be immoral,” she said. “To the federal government it would be against the law.”

Sometimes, it seems, the state can’t even spend less money by doing less.

SLOW LIVING SUMMIT TALKS POLITICS AND PROFITS

KEVIN OCONNOR

When Gardener’s Supply Co. founder Will Raap agreed to speak at this weekend’s Slow Living Summit, he hoped to come and congratulate the state Legislature for legalizing marijuana, a step he has promoted as a member of the Vermont Cannabis Collaborative.

Lawmakers haven’t done that, however, and a scheduled House of Representatives vote Monday is expected to bring more animosity than approval. But Raap could find consolation in the summit’s larger message: If at first you don’t succeed, try, try again.

The sixth annual event, which drew 150 people to downtown Brattleboro between Thursday and Saturday, sought, according to one presenter, “Sustainable, local, organic and wise” solutions to worldwide social, economic and energy problems.

This being an election year, participants also could shake hands with state senator and lieutenant governor candidate David Zuckerman and listen to Google executive turned gubernatorial aspirant Matt Dunne.

“Vermont has the potential in the Internet age to emerge as the slow living capital,” Dunne said. “We have a creativity that is somehow in our bones to be able to figure out how to do this work.”

The summit, with the theme “Food and Ag Entrepreneurship: How to Succeed in Business by Slowing Down,” focused on Vermont production, processing and distribution that annually generates \$4 billion and 13 percent of all jobs. But its 50 speakers also told stories of failure that ultimately led to big payoffs.

Brattleboro residents Barbi and Paul Schulick, for example, explained how they built an upstanding Vermont business through their yearning to sit down.

“We met as meditation teachers,” she recalled. “That’s what we thought we were going to do for a living.”

But as they focused on calming the mind, they thought about caring for the body. Trying and failing to make and market herbal extracts in their garage, they moved on to found a \$100 million vitamin and supplement company — New Chapter — that multinational mega-manufacturer Procter & Gamble bought in 2012.

Fast work? The Schulicks instead credit their success to the time they took to stop and think. When they began their business in 1982, consumers weren’t buying bushels of herbs, no matter the health benefits. People, however, would purchase vitamins, spurring the couple to package them together.

“When you combine them,” Paul Schulick said, “the whole is more than the sum of the parts.”

“It was a new chapter,” Barbi Schulick added.

At the same time, they befriended Dr. Andrew Weil, who appeared on CNN’s “Larry King Live” and recommended New Chapter’s “inflammation response” product Zyflamend.

“Literally the next day and week,” Paul Schulick said, “we had \$1 million in sales.”

By 2012, the company was producing 80 products, leading a majority of its investors to decide to sell to Procter & Gamble, makers of such household brands as Ivory and Tide. The Schulicks, hearing many townspeople lament the loss of local control, say the sale has benefited their business.

“For us it’s always about reaching more lives,” she said.

“Every day P&G touches 3 billion people,” he said.

“They are standing behind non-GMO and organic,” she said. (And soon, they added, probiotic products.)

Several former and current Ben & Jerry’s ice cream employees told a similar story. The Vermont-based company annually sells \$500 million of such flavors as Chunky Monkey and Cherry Garcia in 35 countries including Australia, Brazil, the Czech Republic, Singapore and Turkey.

But former CEO Fred “Chico” Lager rewound back to 1978, when founders Ben Cohen and Jerry Greenfield, completing a \$5 correspondence course in ice cream-making from Penn State, scraped together \$12,000 and turned an abandoned Burlington gas station into their first storefront.

Hole in the roof aside, something about the location fueled sales — so much so that the friends opened a factory in South Burlington in 1981, only to immediately find it too small for their growing business.

Their challenge: Revenue in 1984 totaled \$1.8 million, but a new plant would cost \$3.5 million, and, as Lager recalled, “our balance sheet was a mess.” In response, the company sold stock to Vermonters, starting at \$126 for 12 shares.

“It was without precedent,” Lager said, “and everyone thought we were nuts.”

In two months and with only a few pre-Internet newspaper ads, the offer sold out. The resulting Waterbury factory is now the hub of United States operations and said to be the top tourist attraction in Vermont.

Lager, noting current controversy over the alleged misuse of EB-5 investment money in the Northeast Kingdom, said such a plan would be nearly impossible to replicate today. But locals who bought a dozen shares for \$126 three decades ago saw the value soar to nearly \$5,000 when the multibillion-dollar British-Dutch conglomerate Unilever bought Ben & Jerry’s for \$326 million in 2000.

“Something,” Lager said, “which even Bernie Madoff would be proud of.”

Such stories were meant to inspire summit participants such as Raap, who used his speech on “Plant-Based Medicines: Can Vermont and Our Farms Be a Leader?” to promote what he believes to be a \$200 million state marijuana market.

“I want to find the new tomato in terms of motivating people to garden,” he said. “The biggest herbal remedy we have right now in Vermont is cannabis. I like to call this the gateway drug to more gardening.”

Raap isn’t optimistic the Legislature will approve legalization this week but is open to the idea of a nonbinding voter referendum in November.

“This will be hundreds of thousands of people answering the question,” Raap said, “so the Legislature will have a clearer understanding of what the population thinks.”

BERNIE BRIEFING: HAS SANDERS ‘ALREADY WON’ OR JUST LOST?

KEVIN OCONNOR

(Editor’s note: “Bernie Briefing” is a weekly campaign-season look at how Vermont U.S. senator and Democratic presidential candidate Bernie Sanders is playing in the national media.)

On Nov. 14, nearly three months before the first presidential caucus, CNN offered the headline “How Bernie Sanders Has Already Won.”

“By building a movement around the issues of inequality, the plight of the embattled middle class and the outsized influence of Wall Street,” commentator David Axelrod wrote, “Sanders has pushed (Hillary) Clinton to shed her caution and embrace these economic issues, albeit with a slightly more moderate pitch, as a centerpiece of her campaign.”

On Jan. 11, nearly three weeks before the first presidential caucus, the Huffington Post offered the headline “Why Bernie Sanders Has Already Won.”

“Bernie Sanders, with his fiery passion and appeal to the better angels of our nature,” commentator Christian Chiakulas wrote, “has awakened something among the disenchanted members of the youngest voting generation that will endure long after this presidential primary season.”

On Feb. 1, nearly three hours before the first presidential caucus, Slate offered the headline “What Bernie Sanders Has Already Won.”

“In the same way that Jesse Jackson opened the door to politicians like Barack Obama,” correspondent Jamelle Bouie wrote, “Sanders may do the same for ‘democratic socialists.’ Like the veterans of George McGovern or Howard Dean, the veterans of Bernie Sanders will change and shape the Democratic Party.”

Then, after wins March 22 in Idaho and Utah, March 26 in Alaska, Hawaii and Washington, April 5 in Wisconsin and April 9 in Wyoming, Sanders lost April 19 in New York and Tuesday in Connecticut, Delaware, Maryland and Pennsylvania.

The national headlines have never been the same. Take The Washington Post’s “Bernie Sanders Knows He’s Going to Lose. Here’s How You Can Tell.”

“Sanders’s current vow — to fight until California — does not necessarily mean his campaign won’t continue beyond that point to try to lure super-delegates to ditch Clinton and support him instead,” reporter Greg Sargent writes. “But there are other signs the Sanders campaign is shifting its focus from such a last-ditch effort to win the nomination to an effort to extract policy concessions from expected nominee Clinton.”

Or consider Politico’s “Bernie’s Failed Revolution.”

“For all his success at the polls,” contributor Bill Scher writes, “Sanders’ ideologically pure campaign foundered on the predictable shoals of policy specifics and political feasibility, obstacles that a progressive populist movement will need to overcome to truly succeed.”

Or read The New York Times’ “Bernie Sanders’s Legacy.”

“At this point, Bernie Sanders is the figurehead of a living idea and a zombie campaign,” columnist Charles M. Blow writes. “He has gone from leading a revolution to leading a wake.”

The campaign is cutting staff and ad spending after fundraising dropped from \$44 million in March to \$25.8 million in April, Politico reported Sunday. But one aspiring first lady isn’t giving up, as seen in the companion story “Jane Sanders Predicts Epic Bernie Comeback.”

“You remember in mid-March after a string of losses, the media wrote his political obituary and we came back to win eight in a row,” she said on MSNBC’s “Morning Joe.” “So we’re expecting to do the same here.”

She also presented the press with a second eye-popping headline: “Jane Sanders to FBI: Get On With Clinton Email Probe.”

“We want to let it go through without politicizing it, and then we’ll find out what the situation is, and that’s how we still feel,” Politico quoted her as telling the Fox Business Network before adding with a laugh, “I mean, it would be nice if the FBI moved it along.”

As for the candidate, the Vermonter who last week surpassed Republican front-runner Donald Trump for the most Sunday television news show appearances of the 2016 campaign — his four gave him a total of 75 appearances — was on only one program this week.

“It’s an uphill fight, I admit it,” he said on “Face the Nation.” “I believe that it is good for American democracy when we have a vigorous debate on the issues.”

Not that Sanders is lacking for attention. Appearing at Saturday’s White House Correspondents’ Dinner, he found himself the subject of a few jokes.

Said President Barack Obama: "We've got the bright new face of the Democratic Party here tonight, Mr. Bernie Sanders. Bernie, you look like a million bucks. Or, to put in terms you'll understand, you look like 37,000 donations of \$27 each."

And comedian Larry Wilmore: "Senator recently had a hernia operation. His doctors say it's his own fault for trying to lift the hopes of the disenfranchised."

Sanders laughed at both. As he's learning, you win some, you lose some.

COMMENTARY:

ISLAM & ENG: RESUSCITATING SINGLE PAYER HEALTH CARE

Editor's note: This commentary is by Ifrad Islam and Laurence Eng, who lead a team of medical economics analysts in a multispecialty physician group practice in Worcester, Massachusetts. Islam holds a B.A. in Economics from Clark University and a M.S. in Health Informatics from Northeastern University. Eng holds a B.S. in Finance from University of Connecticut.

Single payer health care was within sure shot of Vermont after the gubernatorial elections of 2010, when Democratic Gov. Peter Shumlin assumed office. As the centerpiece of his campaign, the single payer revolution – universal health care coverage under one government-run insurance plan – was set to make Vermont a model for the entire nation.

However, after four years of studying and analysis, single payer was dead. The failure was accompanied by such grim rhetoric as "risk of economic shock," threatening the future of single payer. Jaw-dropping budgetary projections that included hefty increases in tax rates left onlookers reeling. Since then, single payer advocates like Vermont Progressive Party director Kelly Mangan have spoken out about feeling betrayed. Skeptics like Jack Mozloom of the National Federation of Independent Business declared that there may never be a good time for single payer. Writer Geoffrey Norman painted a dark picture of Bernie Sanders' vision of federally run single payer health care system on the Wall Street Journal, using Vermont's failure as the exhibit.

Despite what has transpired, Vermont now needs to push the single payer agenda once again. Our post outlines key reasons why the so-called "Green Mountain Care" is worth another shot, perhaps with some adjustments that we recommend.

First, a few events appear to be aligning perfectly, thus making the time ripe for another attempt at single payer health care.

Nov. 8 will mark gubernatorial elections in Vermont. While Gov. Shumlin is not running for office again, three declared Democratic and two Republican candidates are competing for the top job in the state, according to Ballotpedia.org. At least two Democrats have explicitly spoken of a variation of single payer. Matt Dunne's campaign advocates for universal primary care for all Vermonters, while Peter Galbraith plans to offer a public option on the state's health exchange. This mentality, along with a changeover of an administration that set single payer aside, will help refuel the conversation about the merits of state-sponsored health care.

As Dr. John E McDonough writes in the New England Journal of Medicine, an April 2014 survey showed mixed opinions about the notion of single payer. Forty percent supported the initiative; 39 percent opposed it; 21 percent were undecided. While these statistics may have seemed discouraging at a time when Gov. Shumlin was trying to rally support around single payer, it importantly illustrates that a substantial portion of Vermont agreed with the idea. Though support may have declined slightly once the Shumlin administration released the financial report and officially withdrew the proposal, single payer can perhaps regain public backing with the appropriate adjustments and education.

In addition, thorough assessments and projections of expenditures are complete. As Avik Roy notes in Forbes, Harvard's William Hsiao – who helped the Taiwanese government implement universal health care in 1995 – and a team of health economists reported on the feasibility of a single-payer system in 2011. The Shumlin administration did its own analysis. All in, there were four years of study that cost \$2 million, as reported by the Wall Street Journal, which implies no further delays due to lack of information and guidance. The models may need to be tweaked in various ways, then promptly presented to the public again for approval.

2017 also marks the first year that the Section 1332 State Innovation Waiver will take effect. Cheryl Fish-Parcham writes in FamiliesUSA.org that the Waiver means that states would be authorized to divert federal funds to enact comprehensive changes in the health care delivery system. Dr. John E McDonough – a professor at the Harvard School of Public Health – described the waivers as a “statutory invitation for states to consider many sorts of unprecedented changes to health care policy within their borders, including by name the touchiest of political terrains, Medicare.”

The culmination of these factors represents an aligning of the single payer stars, and an ideal opportunity to get this initiative on the ballot once more.

To curb concerns about provider reimbursement, the state's single payer plan should consider starting off the program by paying physicians and hospitals well above Medicare rates, in order to reduce the shock of lost revenue from higher-paying private plans.

Another major reason for reattempting single payer rests on reimbursement. More so than ever before, there is an acute focus on reimbursement for health care products and services – one of the very issues that single payer promises to right-size.

Consider for example a report on provider price variation published this year by the Health Policy Commission in Massachusetts. The key finding of the report: hospital and physician prices can vary widely for the same services, and higher prices are not associated with higher quality of care. This is a significant contributor to unwarranted health care spending growth, thanks to both higher prices for services, as well as larger share of services being performed by more expensive providers.

The state-commissioned 2011 single payer assessment by William Hsiao, Jonathan Gruber and Steven Kappel, suggests a uniform payment system for all providers. The authors recommend a combination of pay-for-performance, capitation or global budgets, and RVU-based fee schedules. In all cases, the philosophy is one of identical payment for same services across all care settings.

A single payer system would also allow the state government to negotiate prescription drug prices directly with manufacturers. This tactic could significantly curb the growth of drug prices – a phenomenon that has garnered national attention – and can alone provide fuel for the progress of the single payer agenda. Cost reports from Express Scripts indicate a 13.1 percent increase in pharmaceutical prices in 2014, followed by a 5.2 percent increase in 2015. Within the 2015 trend is an 18 percent increase in specialty drug spending among commercial patients, and a 28 percent increase among Medicare beneficiaries. Rising cost of drugs has also surfaced frequently in presidential debates, with both Republican and Democratic front-runners supporting negotiation of drug prices between Medicare and pharmaceutical companies. This may further bolster the possibility of state-level intervention, which Vermont's single payer system will certainly ensure.

Finally, it is important to recognize that single payer in Vermont did not fail because it was necessarily impossible or financially unfeasible. As noted in much of the commentary about the withdrawal – like Dr. Gerald Friedman's remarks in Modern Healthcare – the decision to pull the plug on this initiative was driven by politics.

Gov. Shumlin assumed office in 2010, making single payer the centerpiece of his campaign, writes Geoffrey Norman in the Wall Street Journal. Shumlin easily defeated his Republican rival in 2012, but the gubernatorial election of 2014 was much more marginal. Shumlin defeated his opponent Scott Milne by just over 1 percentage point, but since he did not

receive a majority of the votes, the election was to be settled by the Legislature in January 2015. Ahead of this, he declared at a press conference that the “risk of economic shock is too high” to offer a responsible single payer plan. It would have required a sizeable tax increase for individuals and businesses, and the sticker shock would have caused significant political furor according to Dr. McDonough, something the incumbent governor could not afford given the electoral stakes.

In addition, some of the key modeling and analysis involved MIT economist Jonathan Gruber. As Noah Bierman writes in the Boston Globe, Gruber is notorious for his comments on how the Affordable Care Act depended on “the stupidity of the American voter.” This and similar remarks landed him in a four-hour congressional hearing in December 2014 where he apologized. While Gruber’s involvement in the Vermont analysis did not solely contribute to its failure, it surely added to the toxicity of the initiative.

When the politics are set aside, some experts like Dr. McDonough and Dr. Friedman argue that Green Mountain Care was in fact economically feasible and that budgetary considerations were not the main reason why it did not pass. The model certainly needs a few tweaks – that will impact the budget required for it to work – before it is brought back on the table.

According to Forbes, the actuarial value – the portion of cost covered by the insurer versus consumer out-of-pocket payments – was a key driver of the so-called “economic shock” presented by Gov. Shumlin. The state mandated a 94 percent actuarial value, compared to a 2011 Vermont average of 87 percent and that of gold plans on federal exchanges at 80 percent. More reasonable cost-sharing expectations may help ease the budgetary strains as well as contribute to reduced utilization of discretionary care.

With a single payer initiative, Vermont also needs to propose a tangible plan for the private health insurance industry and associated jobs. Some of the existing private-sector jobs may be absorbed by the now-larger state infrastructure required, while others may be eliminated. Given that these uncertainties make health plan leaders particularly nervous about significant reimbursement reform, the state should address this head on. To curb concerns about provider reimbursement, the state’s single payer plan should consider starting off the program by paying physicians and hospitals well above Medicare rates, in order to reduce the shock of lost revenue from higher-paying private plans.

In other words, a single payer plan cannot be executed in a vacuum. While all incumbent health care stakeholders may not be appeased, their concerns should be openly addressed, and curbed if possible.

To warm up to single payer once more, the public also needs to be sufficiently educated about the net impact on income. Jay Fitzgerald writes in the Boston Globe that financing for the original Vermont single payer plan was to come from income taxes as high as 9.5 percent along with an 11.5 percent employer payroll tax. The individual tax rate represented a 160 percent increase over then-current levels. While this prospect likely sent shudders through Vermonters, the public must understand that the new payments will be partially offset by the avoidance of premium contributions, and perhaps even some out-of-pocket payments. Hence the net economic impact of the increase in taxation is far less. It is the state’s duty to provide this education, if single payer is to succeed.

With the spotlight on health care cost containment growing brighter, and the focus on quality and outcomes becoming ever so intense, it is time for innovation. America needs a case study, and Vermont is ripe. The Green Mountain State should seriously consider putting this initiative to a vote once more.

Miller, Lawrence

From: Dudley, Jahala
Sent: Thursday, April 28, 2016 8:01 AM
Subject: Daily Legislative Schedule for Thursday, April 28

House convenes today at 1:00pm
Senate convenes today at 1:00pm

House Committee on Agriculture and Forest Products Room 31	
10:00 AM	Committee Check-in
1:00 PM	House Floor
House Committee on Appropriations Room 42	
9:00 AM	H. 888 - An act relating to compensation for certain State employees Rep. Maida Townsend, Reporter, House Committee On Government Operations
10:30 AM	S. 169 - An act relating to the Rozo McLaughlin Farm-to-School Program Rep. Daniel Connor, Reporter, House Committee on Agriculture
1:00 PM	House Convenes
House Committee on Commerce and Economic Development Room 35	
9:30 AM	Vermont Telephone Company Michel Guite, President, V-Tel
10:30 AM	Northeast Kingdom and EB5 Economic Impacts Michael Goldberg, Receiver for Jay Peak and Q Burke
1:00 PM	Floor Convenes
15 min after adj	To Be Announced
House Committee on Corrections and Institutions Room 33	
9:00 AM	TBA
12:00 PM	Lunch
1:00 PM	House Floor
House Committee on Education Room 32	

9:00 AM **Education Finance**

How students are counted. Committee discussion to follow on Orange Southwest Supervisory Union.

Brad James, Education Finance Manager, Agency of Education

10:00 AM **J.R.H. 27 - Joint resolution requesting federal action to alleviate the national student loan debt crisis**

Chris D'Elia, President, Vermont Bankers' Association

Beth Pearce, State Treasurer, Office of the State Treasurer

11:00 AM **H. 376 - An act relating to the limitation of food and beverage advertising on public elementary school grounds**

Alana Christ, Student, University of Vermont

11:30 AM **Committee Discussion**

Luke Martland, Director and Chief Counsel, Office of Legislative Council

1:00 PM **FLOOR**

**House Committee on Fish, Wildlife and Water Resources
Room 47**

8:30 AM **H. 570 - An act relating to hunting, fishing, and trapping**

Committee Discussion

Mark-up and vote

Louis Porter, Commissioner, Department of Fish and Wildlife

Catherine Gjessing, General Counsel, Department of Fish & Wildlife

Matthew Chapman, Counsel, Department of Environmental Conservation

Diane Snelling, Chair, Natural Resources Board

Sen. John Rodgers, Senate Committee on Natural Resources and Energy (10:00 AM)

Michael O'Grady, Legislative Counsel, Office of Legislative Council

12:00 PM **Lunch**

1:00 PM **FLOOR**

**House Committee on General, Housing and Military Affairs
Room 41**

9:00 AM **Committee Discussion and Action on Remaining Bills as Needed**

To be determined.

12:00 PM **Lunch**

1:00 PM **House Floor**

15 min. after Floor **Committee Discussion and Action on Remaining Bills as Needed**

To be determined. As Floor time allows.

- **Adjourn**

**House Committee on Government Operations
Room 49**

10:00 AM **H. 880 - An act relating to approval of the adoption and codification of the charter of the Town of Bridport**

Testimony by phone: 802-349-4179

Leonard Barrett, Chair, Bridport Selectboard

10:30 AM **S. 184 - An act relating to establishing a State Ethics Commission**

Sen. Anthony Pollina

BetsyAnn Wrask, Legislative Counsel, Office of Legislative Council

11:00 AM **S. 220 - An act relating to the public financing of campaigns**

Introduction

Sen. Philip Baruth

Will Senning, Elections and Campaign Finance, Secretary of State's Office

BetsyAnn Wrask, Legislative Counsel, Office of Legislative Council

12:00 PM **Lunch**

1:00 PM **FLOOR**

**House Committee on Health Care
Room 45**

9:00 AM **TBA**

10:00 AM **H. 690 - An act relating to the practice of acupuncture by physicians, osteopaths, and physician assistants**

Senate Proposal of Amendment, committee discussion

Gabriel Gilman, Counsel, Office of Professional Regulation, Secretary of State's Office

12:00 PM **Lunch**

1:00 PM **House Floor**

3:00 PM **TBA**

After House Floor

**House Committee on Human Services
Room 46**

8:30 AM **S. 14 - An act relating to single dose, child-resistant packaging and labeling of marijuana-infused edible or potable products sold by a registered dispensary**

Mark-Up

Michele Childs, Legislative Counsel, Office of Legislative Council

Jeffrey Wallin, Director, Vermont Crime Information Center, Department of Public Safety

David Hall, Legislative Counsel, Office of Legislative Council

Jill Olson, Vice President of Policy & Legislative Affairs, Vermont Association of Hospitals and Health Systems

11:45 AM **H. 622 - An act relating to obligations for reporting child abuse and neglect and cooperating in investigations of child abuse and neglect**
Committee of Conference Room 17
House Conferees-Reps Mrowicki; Haas and McCoy

12:00 PM **Lunch**

1:00 PM **FLOOR**

15 mins after floor adjourns **TBA**

4:30 PM **Adjourn**

House Committee on Judiciary
Room 30

9:00 AM **S. 155 - An act relating to privacy protection**
Final discussion and vote
Erik FitzPatrick, Legislative Counsel, Office of Legislative Council

9:30 AM **H. 858 - An act relating to miscellaneous criminal procedure amendments**
Update on Senate changes to bill
Erik FitzPatrick, Legislative Counsel, Office of Legislative Council

10:00 AM **H. 95 - An act relating to jurisdiction over delinquency proceedings by the Family Division of the Superior Court**
Testimony on Senate amendments
Brynn Hare, Legislative Counsel, Office of Legislative Council
Hon. Brian Grearson, Chief Superior Judge, Office of Chief Superior Judge
Kenneth Schatz, Commissioner, Department for Children and Families
Auburn Watersong, Associate Director of Public Policy, Network Against Domestic & Sexual Violence
David Cahill, State's Attorney, Windsor County
Cara Cookson, Public Policy Director and Victim Assistance Program Coordinator, Center for Crime Victims Services
Jay Diaz, Attorney, American Civil Liberties Union - Vermont
Marshall Pahl, Appellate and Juvenile Defender, Defender General's Office

10:30 AM **Break**

10:45 AM **TBD**

11:45 AM **Adjourn- Lunch**

1:00 PM **House Floor Convenes**

1:15 PM **S. 52 - An act relating to creating a Spousal Support and Maintenance Task Force**
Walk-through
Michele Childs, Legislative Counsel, Office of Legislative Council

5:00 PM **Adjourn**

House Committee on Natural Resources and Energy

Room 44

9:00 AM **Committee Discussion & Possible Action on Bills**

12:00 PM **Lunch**

1:00 PM **FLOOR**

10 minutes after Floor **Committee Discussion & Possible Action on Bills**

House Committee on Transportation

Room 43

9:00 AM **H. 876 - An act relating to the transportation capital program and miscellaneous changes to transportation-related law**

Committee Discussion

Helena Gardner, Legislative Counsel and Records Officer, Office of Legislative Council

1:00 PM **House Floor**

House Committee on Ways and Means

Room 34

9:00 AM **H. 872 - An act relating to Executive Branch fees**

Broker/Dealer Fee

Susan L Donegan, Commissioner, Department of Financial Regulation

10:00 AM **S. 223 - An act relating to regulating fantasy sports contests**

James Layman, Assistant Attorney General, Attorney General's Office

12:00 PM **Lunch**

1:00 PM **House Convenes**

-After Floor **TBA**

Senate Committee on Appropriations

Room 5

10:00 AM **H. 869 - An act relating to judicial organization and operations**

Sen. Dick Sears

10:15 AM **H. 812 - An act relating to implementing an all-payer model and oversight of accountable care organizations**

Sen. Claire Ayer

Jennifer Carbee, Legislative Counsel, Office of Legislative Council

11:00 AM **H. 562 - An act relating to professions and occupations regulated by the Office of Professional Regulation and to the review of professional regulation**

Chris Winters, Deputy Secretary, Secretary of State's Office

James Condos, Secretary of State

11:45 AM **H. 278 - An act relating to selection of the Adjutant and Inspector General**
Sen. Joe Benning

Senate Committee on Economic Development, Housing and General Affairs
Room 27

8:30 AM **Consumer Protection Bill**
David Hall, Legislative Counsel, Office of Legislative Council

1:00 PM **Senate Floor**

Senate Committee on Finance
Room 6

8:30 AM **VTel Build-out Update**
Michel Guite, President, V-Tel

9:45 AM **DPS Practices**
Jonathan Copans, Deputy Commissioner, Public Service Department

10:15 AM **Rate Payer Pilot Concept**
William Griffin, Chief Assistant Attorney General, Attorney General's Office

10:45 AM **Telecom Issues**
Jim Porter, Director of Telecommunications, Public Service Department
Charles Storrow, Lobbyist, AT&T

11:30 AM **Hydroelectric Dams on Connecticut River**
Justin Johnson, Secretary, Agency of Administration

1:00 PM **Senate Floor**

5:00 PM **Tax Collection**
Gregg Mousley, President, Department of Taxes
Rebecca Sameroff, Fiscal Analyst, Department of Taxes

Senate Committee on Government Operations
Room 4

10:00 AM **H. 355 - An act relating to licensing and regulating foresters**
Proposed Amendment

Steve McLeod, Executive Director, Vermont Forest Products Association

1:00 PM **Senate Floor**

Senate Committee on Institutions
Room 7

9:00 AM **Committee Discussion**

1:00 PM

Senate Floor

**Senate Committee on Natural Resources and Energy
Room 8**

8:30 AM

S. 230 - An act relating to improving the siting of energy projects

Committee Discussion and Review of House Proposal of Amendment

Aaron Adler, Legislative Counsel, Office of Legislative Council

Jahala Dudley

Legislative Liaison

Office of the Governor

Cell: (802) 793-6022

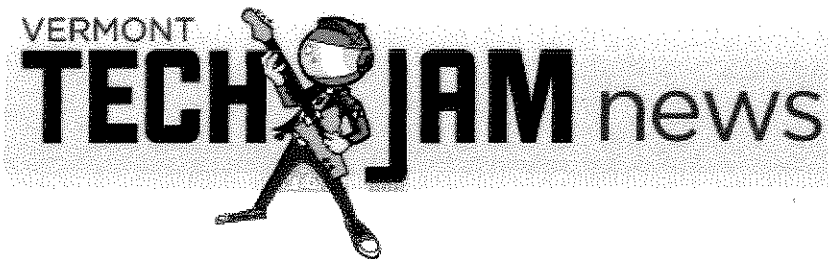
Miller, Lawrence

From: Vermont Tech Jam <yourfriends=sevendaysvt.com@mail48.suw15.mcsv.net> on behalf of Vermont Tech Jam <yourfriends@sevendaysvt.com>
Sent: Monday, April 25, 2016 6:19 PM
To: Miller, Lawrence
Subject: Exploring Terrorism and Petrochemicals Through 3D Printing; Burlington App to Help Diagnose Childhood Illness

At this week's BIG Maker talk, an artist discusses technology, terrorism and culture.

Email not displaying correctly?

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Monday, April 25, 2016

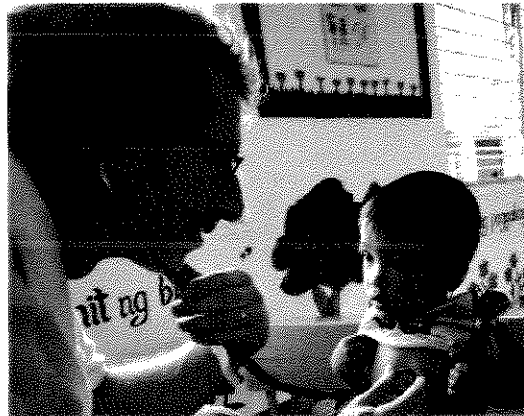
MAKERS



Exploring Terrorism and Petrochemicals Through 3D Printing

At this week's BIG Maker talk, artist Morehshin Allahyari will discuss her work using 3D printing to explore interplay of culture, art, technology and terrorism.

HEALTH



THINKmd May Soon Benefit American Kids

Two professors at the UVM College of Medicine launched a health app for caretakers in developing countries with limited access to medical professionals.

Thursday, April 28 at Champlain College
in Burlington.

[Read more](#)

Now they're aiming to release an app
geared toward the rural U.S.

[Read more](#)

TECH NEWS

Mapping Ecuador From Afar, Burlington Volunteers Help Recovery Efforts

VERMONT PUBLIC RADIO, 4/25/16

Volunteers in a UVM computer lab used satellite images to plot buildings and roads in parts of Ecuador that were hardest hit by this month's earthquake. Their digital mapping efforts will help humanitarian workers on the ground.

Congressional Delegation Seeks Answers on VTel Wireless Project

VTDIGGER.ORG, 4/21/16

In 2010, VTel Wireless launched a \$116 million broadband project intended to bring internet access to rural corners areas of the state by 2013. Vermont's congressional delegation wants to know why the project appears to be so far behind.

Green Mountain Power Offers Office Space to Energy Entrepreneurs

VERMONT TECH JAM, 3/28/16

In case you missed it: The Vermont utility is looking for entrepreneurs and startups in the energy biz to share its Colchester office space. The only cost? Exchanging ideas and inspiration with the folks at GMP.

CONFERENCE



How Do You Build a Great User Experience?

This one-day Burlington conference brings in web designers, developers and tech writers to discuss user experience. Friday's conference is sold out, but you can sign up to be notified of future events.

[Read more](#)

DRONES



Drones and Beer

Drone enthusiasts meet up in Burlington to talk shop — and plan for International Drone Day — over drinks this Tuesday, April 26, at the Hilton Garden Inn.

[Read More](#)

Featured Tech Events

Vermont Future Summit

Vermont Statehouse, Montpelier.
Wednesday, April 27.

BTV Ignite: An Introduction

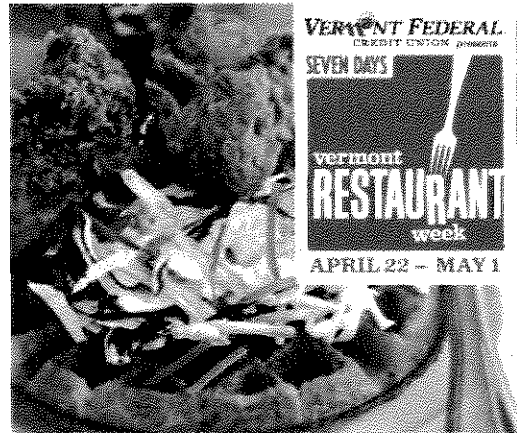
Main Street Landing Performing Arts Center, Burlington. Monday, May 2.

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- Applications Developer, Gardener's Supply Company
- Warehouse Management Software Implementation, Vermont Information Processing
- Software Implementation Specialist, Vermont Information Processing
- Database Administrator I, Vermont Agency of Transportation
- Systems Developer III/II, Vermont Department of Taxes
- Analyst/Programmer, Union Mutual
- Media Support Technician, SUNY Plattsburgh
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Miller, Lawrence

From: Dudley, Jahala
Sent: Monday, April 25, 2016 10:56 AM
Subject: Weekly Legislative Schedule for April 25 - 29, 2016

House convenes today at 2:00pm

Senate convenes today at 2:00pm

House Committee on Agriculture and Forest Products Room 31

Tuesday, April 26, 2016

10:00 AM House Floor

12:00 PM Lunch and Caucuses

2:30 PM Committee Discussion

Wednesday, April 27, 2016

9:00 AM Committee Discussion

10:15 AM Break

10:30 AM Meet the Farmers
Rural Vermont Small Farm Action Day

1:00 PM House Floor

Thursday, April 28, 2016

9:00 AM Committee Discussion

1:00 PM House Floor

Friday, April 29, 2016

9:30 AM House Floor

House Committee on Appropriations Room 42

Tuesday, April 26, 2016

10:00 AM House Convenes

2:15 PM TBA

Wednesday, April 27, 2016

9:00 AM H. 875 - An act relating to making appropriations for the
support of government
Overview of Senate Proposal
Stephanie Barrett, Associate Fiscal Officer, Joint Fiscal Office

10:30 AM **Informational Meetings**
Labor Relations Board Decision
Tim Noonan, Executive Director, Labor Relations Board

1:00 PM **House Convenes**

Thursday, April 28, 2016

9:00 AM **TBA**

1:00 PM **House Convenes**

Friday, April 29, 2016

9:30 AM **House Convenes**

**House Committee on Commerce and Economic Development
Room 35**

Tuesday, April 26, 2016

9:00 AM **H.R. 16 - House resolution relating to the proposed Trans-Pacific Partnership Agreement**

Pat Moulton, Secretary, Agency of Commerce and Community Development

Joseph Tisbert, President, Vermont Farm Bureau

Lyn Des Marais, Legislative Director, Vermont Farm Bureau

10:00 AM **Floor Convenes**

15 min after adj **H.R. 16 - House resolution relating to the proposed Trans-Pacific Partnership Agreement**

12:00 PM **Republican Party Caucus**

1:15 PM **Democratic Party and Progressive Party Caucuses**

2:15 PM **H. 84 - An act relating to Internet dating services**
Committee discussion

3:00 PM **H.R. 16 - House resolution relating to the proposed Trans-Pacific Partnership Agreement**

Henry Marckres, Chief of Consumer Protection, Agency of Agriculture, Food & Markets

Diane Bothfeld, Deputy Secretary, Agency of Agriculture, Food and Markets

Catherine Z. Davis, Director of Government Affairs, Lake Champlain Regional Chamber of Commerce & GBIC

William Driscoll, Vice President, Associated Industries of Vermont

Wednesday, April 27, 2016

9:00 AM **Northeast Kingdom and EB5 Economic Impacts**

Room 11

Susanne Young, Deputy Attorney General, Attorney General's Office

David Snedeker, Planning Director, Northeastern Vermont Development Association

Paul Monette, Mayor, Newport City

Chris D'Elia, President, Vermont Bankers' Association

Chris Cole, Deputy Secretary, Agency of Transportation

1:00 PM **Floor Convenes**

15 min after adj **To Be Announced**

Thursday, April 28, 2016

9:00 AM **Vermont Telephone Company**

Michel Guite, VTEL invited

1:00 PM **Floor Convenes**

15 min after adj **To Be Announced**

Friday, April 29, 2016

9:00 AM **To Be Announced**

9:30 AM **Floor Convenes**

15 min after adj **To Be Announced**

1:00 PM **To Be Announced**

**House Committee on Corrections and Institutions
Room 33**

Tuesday, April 26, 2016

10:00 AM **House Floor**

-- After Floor **Dismas House**

12:00 PM **Lunch & Caucuses**

2:30 PM **TBA**

3:00 PM **S. 212 - An act relating to court-approved absences from home
detention and home confinement furlough**

Erik FitzPatrick, Legislative Counsel, Office of Legislative Council

4:00 PM **TBA**

Wednesday, April 27, 2016

8:30 AM **TBA**

12:00 PM **Lunch**

1:00 PM **House Floor**

-- After Floor **TBA**

Thursday, April 28, 2016

8:30 AM **TBA**

12:00 PM **Lunch**

1:00 PM **House Floor**

-- After Floor **TBA**

Friday, April 29, 2016

9:30 AM **House Floor**

-- After Floor **TBA**

12:00 PM **Lunch**

**House Committee on Education
Room 32**

Tuesday, April 26, 2016

10:00 AM **FLOOR**
Extended floor time expected

12:00 PM **Lunch and Caucuses**

2:15 PM **FLOOR**
Extended floor time expected

Wednesday, April 27, 2016

9:00 AM **J.R.H. 27 - Joint resolution requesting federal action to
alleviate the national student loan debt crisis**

Witnesses to be confirmed

Patricia Coates, Director of External and Governmental Affairs, Vermont State
Colleges

Scott Giles, President, Vermont Student Assistance Corporation

Adam Necrason, Lobbyist, Association of Vermont Credit Unions

10:00 AM **Career and Technical Education**

Joseph Teegarden, Former Director, Green Mountain Technology and Career Center

Richard Flies, Former Director, North Country Career Center

Kathleen Finck, Former Director, Essex Technical Career Center

11:00 AM **Education Reform Efforts**

*Report on the Center for Creative Solutions at Marlboro College's spring meeting
on Equity, Excellence, and Value in Public Education*

Felicity Ratte, Director, Center for Creative Solutions, Marlboro College

1:00 PM **FLOOR**

Thursday, April 28, 2016

9:00 AM **Act 46**

How students are counted. Witness to be confirmed.

Brad James, Education Finance Manager, Agency of Education

10:00 AM **J.R.H. 27 - Joint resolution requesting federal action to alleviate the national student loan debt crisis**

Chris D'Elia, President, Vermont Bankers' Association
Beth Pearce, State Treasurer, Office of the State Treasurer

11:00 AM **H. 376 - An act relating to the limitation of food and beverage advertising on public elementary school grounds**

Alana Chriest, Student, University of Vermont

11:30 AM **Committee Discussion**

Luke Martland, Director and Chief Counsel, Office of Legislative Council

1:00 PM **FLOOR**

Friday, April 29, 2016

9:30 AM **FLOOR**

After the floor **TBD**

**House Committee on Fish, Wildlife and Water Resources
Room 47**

Tuesday, April 26, 2016

10:00 AM **FLOOR**

5 min. after floor **H. 595 - An act relating to potable water supplies from surface waters**

Committee Discussion

Mark-up

Michael O'Grady, Legislative Counsel, Office of Legislative Council

12:00 PM **Lunch and Caucuses**

2:15 PM **H. 595 - An act relating to potable water supplies from surface waters**

Half Acre Stormwater Thresholds

H.507

Remaining Sections of H.595

Kevin Burke, Environmental Analyst, Stormwater Program, Department of Environmental Conservation

Michael O'Grady, Legislative Counsel, Office of Legislative Council

Wednesday, April 27, 2016

9:00 AM **H. 595 - An act relating to potable water supplies from surface waters**

Committee discussion, mark-up and vote

Michael O'Grady, Legislative Counsel, Office of Legislative Council

12:00 PM **Lunch**

1:00 PM **FLOOR**

Thursday, April 28, 2016

9:00 AM **H. 570 - An act relating to hunting, fishing, and trapping**

Committee Discussion

Mark-up and vote

Diane Snelling, Chair, Natural Resources Board

Louis Porter, Commissioner, Department of Fish and Wildlife

Catherine Gjessing, General Counsel, Department of Fish & Wildlife

Michael O'Grady, Legislative Counsel, Office of Legislative Council

12:00 PM **Lunch**

1:00 PM **FLOOR**

Friday, April 29, 2016

9:30 AM **FLOOR**

5 minutes after floor **TBD**

12:00 PM **Lunch**

1:00 PM **TBD**

**House Committee on General, Housing and Military Affairs
Room 41**

Tuesday, April 26, 2016

10:00 AM **House Floor**

15 min. after Floor **Committee Discussion and Action on Remaining Bills as
Needed**

As Floor Time Allows.

12:00 PM **Lunch and Caucuses**

2:30 PM **S. 257 - An act relating to residential rental agreements**
Discussion and possible vote.

- **Committee Discussion and Action on Remaining Bills as Needed**
To be Determined.

- **Adjourn**

Wednesday, April 27, 2016

9:00 AM **Committee Discussion and Action on Remaining Bills as
Needed**

12:00 PM **Lunch**

1:00 PM **House Floor**

15 min. after Floor **Committee Discussion and Action on Remaining Bills as Needed**
To be Determined.

- Adjourn

Thursday, April 28, 2016

9:00 AM Committee Discussion and Action on Remaining Bills as
Needed
To be Determined.

12:00 PM Lunch

1:00 PM House Floor

15 min. after Floor Committee Discussion and Action on Remaining Bills as
Needed

- Adjourn

Friday, April 29, 2016

9:30 AM House Floor

15 min. after Floor Committee Discussion and Action on Remaining Bills as
Needed

12:00 PM Lunch

1:00 PM Committee Discussion and Action on Remaining Bills as
Needed

- Adjourn

**House Committee on Health Care
Room 45**

Tuesday, April 26, 2016

9:30 AM Committee Discussion

10:00 AM House Floor

12:00 PM Lunch and Caucuses

2:30 PM TBA

Wednesday, April 27, 2016

9:00 AM TBA

12:00 PM Lunch

1:00 PM House Floor

3:00 PM TBA

After House Floor

Thursday, April 28, 2016

9:00 AM	TBA
12:00 PM	Lunch
1:00 PM	House Floor
3:00 PM	TBA
<i>After House Floor</i>	

Friday, April 29, 2016

9:00 AM	TBA
9:30 AM	House Floor
12:00 PM	Lunch
1:00 PM	TBA

**House Committee on Human Services
Room 46**

Tuesday, April 26, 2016

9:00 AM S. 20 - An act relating to establishing and regulating dental therapists
Amendments

9:15 AM S. 132 - An act relating to the prohibition of conversion therapy on minors
Amendments

Katie McLinn, Legislative Counsel, Office of Legislative Council

9:30 AM S. 243 - An act relating to combating opioid abuse in Vermont
Vote

Jennifer Carbee, Legislative Counsel, Office of Legislative Council

10:00 AM FLOOR

12:00 PM Lunch & Caucuses

2:30 PM TBA

4:30 PM Adjourn

Wednesday, April 27, 2016

9:00 AM H. 112 - An act relating to access to financial records in adult protective services investigations
Review Senate Changes

Jennifer Carbee, Legislative Counsel, Office of Legislative Council

10:00 AM S. 14 - An act relating to single dose, child-resistant packaging and labeling of marijuana-infused edible or potable products sold by a registered dispensary

Jeffrey Wallin, Director, Vermont Crime Information Center, Department of Public Safety

Shayne Lynn, Executive Director, Champlain Valley Dispensary, Inc.

Monique McHenry, Executive Director, VT Patients Alliance

Alex Ford, Executive Director, Grassroots Vermont, formerly known as Rutland County Organics

Michele Childs, Legislative Counsel, Office of Legislative Council

12:00 PM Lunch

1:00 PM FLOOR

15 mins after floor adjourns TBA

4:30 PM Adjourn

Thursday, April 28, 2016

9:00 AM TBA

12:00 PM Lunch

1:00 PM FLOOR

15 mins after floor adjourns TBA

4:30 PM Adjourn

Friday, April 29, 2016

9:30 AM FLOOR

15 mins after floor adjourn TBA

12:00 PM Lunch

1:00 PM TBA

3:00 PM Adjourn

House Committee on Judiciary
Room 30

Tuesday, April 26, 2016

9:00 AM **S. 155 - An act relating to privacy protection**

Sections 1-5 Discussion, final mark-up and possible vote

Erik FitzPatrick, Legislative Counsel, Office of Legislative Council

10:00 AM **House Floor Convenes**

15 min. after Floor **S. 155 - An act relating to privacy protection**

Sections 1-5 Discussion, final mark-up and possible vote continued

Erik FitzPatrick, Legislative Counsel, Office of Legislative Council

12:00 PM **Caucuses**

2:30 PM **S. 155 - An act relating to privacy protection**
Sections 1-5 Discussion, final mark-up and vote.
Erik FitzPatrick, Legislative Counsel, Office of Legislative Council

5:00 PM **Adjourn**

Wednesday, April 27, 2016

9:00 AM **S. 155 - An act relating to privacy protection**
Sections 6 & 7 Discussion, mark-up and possible vote
Helena Gardner, Legislative Counsel and Records Officer, Office of Legislative Council

10:30 AM **Break**

10:45 AM **S. 155 - An act relating to privacy protection**
Sections 6 & 7 Discussion and vote
Helena Gardner, Legislative Counsel and Records Officer, Office of Legislative Council

11:45 AM **Adjourn- Lunch**

1:00 PM **House Floor Convenes**

15 min. after Floor **TBD**

4:30 PM **Adjourn**

Thursday, April 28, 2016

9:00 AM **TBD**

10:30 AM **Break**

10:45 AM **TBD**

11:45 AM **Adjourn- Lunch**

1:00 PM **House Floor Convenes**

15 min. After Floor **TBD**

5:00 PM **Adjourn**

Friday, April 29, 2016

9:00 AM **TBD**

9:30 AM **House Floor Convenes**

15 min. after Floor **TBD**

11:45 AM **Adjourn- Lunch**

12:00 PM TBD

4:00 PM Adjourn

**House Committee on Natural Resources and Energy
Room 44**

Tuesday, April 26, 2016

10:00 AM FLOOR

12:00 PM Lunch & Caucuses

10 min. After Floor **S. 123 - An act relating to standardized procedures for permits
and approvals issued by the Department of Environmental Conservation**

Possible Vote

Aaron Adler, Legislative Counsel, Office of Legislative Council

Wednesday, April 27, 2016

9:00 AM Committee Discussion & Possible Action on Bills

12:00 PM Lunch

1:00 PM FLOOR

10 minutes after Floor Committee Discussion & Possible Action on Bills

Thursday, April 28, 2016

9:00 AM Committee Discussion & Possible Action on Bills

12:00 PM Lunch

1:00 PM FLOOR

10 min after Floor Committee Discussion & Possible Action on Bills

Friday, April 29, 2016

9:30 AM FLOOR

10 min after Floor Committee Discussion & Possible Action on Bills

12:00 PM Lunch

**House Committee on Transportation
Room 43**

Tuesday, April 26, 2016

10:00 AM House Floor

12:00 PM Republican Party Caucus

1:15 PM Democratic Party Caucus

2:15 PM **H. 876 - An act relating to the transportation capital program and miscellaneous changes to transportation-related law**

Committee Discussion

Helena Gardner, Legislative Counsel and Records Officer, Office of Legislative Council

Wednesday, April 27, 2016

9:00 AM **Field Trip**

Tour of VTTC and Central Garage

Ken Valentine, Central Garage Supervisor, Agency of Transportation

Christine Hetzel, VTrans Training Center Manager, Agency of Transportation

Amanda Habel, Supervisor, Agency of Transportation

11:30 AM **TBA**

1:00 PM **House Floor**

Thursday, April 28, 2016

1:00 PM **House Floor**

Friday, April 29, 2016

9:30 AM **House Floor**

**House Committee on Ways and Means
Room 34**

Monday, April 25, 2016

2:00 PM **House Convenes**

Tuesday, April 26, 2016

9:00 AM **S. 250 - An act relating to alcoholic beverages**

Mark Perrault, Senior Fiscal Analyst, Joint Fiscal Office

Patrick Delaney, Commissioner, Department of Liquor Control

Candace Morgan, Director of Policy, Outreach and Legislative Affairs, Department of Taxes

10:00 AM **House Convenes**

-After Floor **TBA**

12:00 PM **Lunch**

After Caucus **TBA**

Wednesday, April 27, 2016

9:00 AM **TBA**

12:00 PM **Lunch**

1:00 PM **House Convenes**

-After Floor **TBA**

Thursday, April 28, 2016

9:00 AM TBA

12:00 PM Lunch

1:00 PM House Convenes

-After Floor House Convenes

Friday, April 29, 2016

9:00 AM TBA

9:30 AM House Convenes

-After Floor TBA

12:00 PM Lunch

1:00 AM TBA

Senate Committee on Finance**Room 6****Monday, April 25, 2016**

9:00 AM H. 571 - An act relating to driver's license suspensions, driving with a suspended license, and DUI penalties

Helena Gardner, Legislative Counsel and Records Officer, Office of Legislative Council
Neil Schickner, Senior Fiscal Analyst, Joint Fiscal Office

9:30 AM H. 620 - An act relating to health insurance and Medicaid coverage for contraceptives

Jennifer Carbee, Legislative Counsel, Office of Legislative Council
Carrie Handy, Respect Life Coordinator, Roman Catholic Diocese of Burlington

10:00 AM H. 868 - An act relating to miscellaneous economic development provisions

2:00 PM Senate Floor

Tuesday, April 26, 2016

- To Be Determined

Wednesday, April 27, 2016

- To Be Determined

Thursday, April 28, 2016

- To Be Determined

Friday, April 29, 2016

- To Be Determined

**Senate Committee on Government Operations
Room 4**

Monday, April 25, 2016

9:00 AM No Committee Meetings Scheduled

2:00 PM Senate Floor

Tuesday, April 26, 2016

9:30 AM Senate Floor

1:00 PM H. 278 - An act relating to selection of the Adjutant and
Inspector General
VOTE

- H. 355 - An act relating to licensing and regulating foresters

- H. 562 - An act relating to professions and occupations
regulated by the Office of Professional Regulation and to the review of
professional regulation

Wednesday, April 27, 2016

9:00 AM Unfinished Bills & Charters

H.562

H.355

1:00 PM Senate Floor

Thursday, April 28, 2016

9:00 AM Unfinished Bills & Charters

H.562

H.355

1:00 PM Senate Floor

Friday, April 29, 2016

9:00 AM Unfinished Bills & Charters

H.562

H.355

11:30 AM Senate Floor

**Senate Committee on Institutions
Room 7**

Monday, April 25, 2016

2:00 PM Senate Floor

Tuesday, April 26, 2016

9:30 AM Senate Floor

-15 minutes after the Senate floor adjourns **Committee Discussion**

Wednesday, April 27, 2016

9:00 AM **Committee Discussion**

1:00 PM **Senate Floor**

Thursday, April 28, 2016

9:00 AM **Committee Discussion**

1:00 PM **Senate Floor**

Friday, April 29, 2016

- **To Be Determined**

attention.

The eventual Democratic nominee will be toughened and better vetted, the voters better informed for Sanders being in the race.

Clinton walloped Sanders Tuesday night in New York, laying down pavement on her path to the Democratic nomination for president. The former secretary of state won by close to 15 percentage points, the high end of her lead reflected in recent polls.

After New York, the number of delegates chosen in primaries and caucuses stands in favor of Clinton 1,446 to 1,200 by the count of The New York Times, a margin that puts the nomination for Clinton, in her words, "in sight."

Democratic presidential candidate Hillary Clinton celebrates on stage with her family, from left, Chelsea Clinton, Mark Mezvinsky, and husband former president Bill Clinton, right, at her victory party after winning the New York state primary election Tuesday, April 19, 2016, in New York. (Photo: Kathy Willens/AP)

Clinton needed a big win in New York to shift the narrative of the past few weeks driven by a string of Sanders victories.

The state that elected Clinton to the U.S. Senate twice came through for her again and confirmed her standing among the party's core constituents who will be key in the November general election.

For Sanders, New York further narrowed his way toward the nomination. He now finds himself navigating what amounts to a narrow ledge, with a steep wall on one side and a sharp drop off on the other. Each primary going forward becomes a critical contest in which Sanders must win by an ever larger margin to keep up with Clinton.

The loss, however, doesn't mean Sanders is going away. The senator from Vermont landed Tuesday night at Burlington International Airport in South Burlington sounding for all the world like the scrappy fighter gaining on his opponent.

"We have a path toward victory which we are going to fight to maintain," he told reporters at the airport. "We have come a long, long way. We have taken on the entire Democratic political establishment. We have won many, many state primaries and caucuses."

"We think we have the message which is resonating throughout this country," he said.

Regardless of the outcome, democracy is the likely winner when candidates are tested, and must win the hearts and minds of voters.

Leahy to intervene in detention of migrant worker

Zach Despart

The office of Sen. Patrick Leahy on Friday agreed to intervene in the detention of an outspoken migrant labor advocate.

"Senator Leahy strongly feels our scarce resources should be focused on criminals, not on people who are

abiding the law and raising families," said John Tracy, Leahy's state director.

Federal immigration officials detained Victor Diaz, 24, as he arrived at a Mexican cuisine event at a Stowe restaurant on Thursday afternoon, his friend Enrique Balcazar said.

Dan Modricker, an Immigration and Customs Enforcement spokesman in Boston, said in a statement Friday afternoon that agents arrested Diaz because he is in the United States illegally. Modricker said Diaz was convicted of DUI in Vermont in November, which made him a higher priority for immigration officials.

According to a 2014 memo from Department of Homeland Security Secretary Jeh Johnson, undocumented persons who commit misdemeanors are the second-highest priority for immigration enforcement, after those who pose a threat to national security.

Modricker said Diaz will be held while the government seeks to deport him.

Balcazar said as he and Diaz arrived at the Green Goddess Cafe in Stowe, two men in civilian clothes stepped out of a sedan and stopped the pair.

"We were very scared and afraid," Balcazar said through a translator. "We did not know what was going on."

Balcazar said the man had badges which indicated they were from Immigration and Customs Enforcement. He said they placed Diaz in handcuffs but offered no explanation for Diaz' detention.

Diaz is a Mexican national who works on an Addison County dairy farm. He has been an outspoken proponent for migrant workers' rights.

Two years ago, he helped lead a publicity campaign to pressure his employer, a Ferrisburgh dairy farmer, to pay farmhands owed back pay. The farmer, Ray Brands, later complied.

Balcazar described Diaz as a leader who has inspired fellow migrant workers to advocate for fair pay, working and living conditions.

About 20 members of immigrant rights advocacy group Migrant Justice marched to Leahy's Main Street office in Burlington Friday morning to deliver a letter asking the senator to probe Diaz' detention. In a cordial conversation in the office's small foyer, Tracy said Leahy's staff would speak with federal immigration officials and Diaz' attorney.

Tracy handed Migrant Justice members a privacy release for Diaz to sign, so federal officials can disclose to Leahy details of the case.

"The senator is clearly concerned about this, and he needs to find out more about the circumstances that led up to this," Tracy said.

Tracy said Leahy, who was in Washington, D.C. on Friday, has long advocated for reforming the nation's guest worker policies. He noted Vermont's dairy industry relies on foreign workers.

When the Legislature in 2013 passed a law permitting undocumented workers to obtain drivers licenses, lawmakers estimated the number of undocumented laborers in Vermont at 1,500. Most come from Mexico or

The Green Mountain Care Board and the Shumlin administration's Office of Health Care Reform both said Wednesday that the best and final offer would be the next step in the negotiations with the U.S. Centers for Medicare and Medicaid Services, or CMS.

The state is seeking permission from CMS to set up a new payment structure called the all-payer model. The regulators would need to waive certain requirements in Medicare law in order to set up the model.

A best and final offer is generally a sign that two parties cannot budge much more from their positions in a contract negotiation. But members of the state's health care reform team said they could not disclose the exact terms of this offer, or their top priorities in negotiating the last remaining details.

The timeline, if approved, could look like this, according to Al Gobeille, the chair of the Green Mountain Care Board: The federal government would decide in the next few weeks whether to accept the best and final offer; the offer would spend around four months in the federal clearance process; and the state would decide whether to OK any changes that were made during the federal clearance process.

Gobeille said the offer will represent as much as the state is willing to give in the negotiations and make some concessions to the federal government's demands.

"That means that if we're going to get this done, we need to get an answer from (the Centers for Medicare and Medicaid Services) in the next three to four weeks on whether or not this is acceptable for them to put into their (federal clearance) process," he said.

Gobeille called the offer "substantially similar" to the terms sheet announced in January. Those terms include protecting Medicare parts A and B benefits for Vermonters and attempting to slow the growth in health care spending to 3.5 percent per year.

Protecting what's called Original Medicare would allow beneficiaries to continue to see any doctor they choose, wherever they choose. Vermont's chosen method for slowing health care spending growth is to set up a giant organization that could absorb payments from Medicare, Medicaid and commercial insurers and then transfer them to doctors.

The most complicated part of the model has been setting up the giant accountable care organization. As of February, Vermont's three accountable care organizations were scheduled to vote by April on whether to merge into one, which would be called Vermont Care Organization.

In March, Gobeille identified about \$224,000 within his current budget that he said would not need to be spent on implementing the all-payer model. Even if the deal were approved that day, he said in March, there would not be enough time to implement it by June 30, the end of this fiscal year.

"Either way, I want to get an answer from the feds," Gobeille said Wednesday. "Are they willing to accept our application? Because they may not be willing to. But at that point I'll feel that we tried, that we gave it everything we had."

Robin Lunge, the director of health care reform for Gov. Peter Shumlin, said a "best and final offer" is a standard part of contract negotiations. She said it "finalizes things that are agreed to" and "puts our last marker on the board" for places where the two parties don't yet agree.

"Just because it's our best and final offer doesn't mean we would end up signing an agreement," Lunge said. She called it "really premature" to say whether the best and final offer is a signal that the all-payer deal is close to completion.

BURLINGTON OFFICIAL RESOLVES BRUISING CALIFORNIA EVICTION BATTLE

CORY DAWSON

Peter Owens is director of Burlington's Community and Economic Development Office. Courtesy photo

In San Francisco, it seems that a 99-year-old woman will get to live out her life in her longtime apartment after a judge granted a tentative stay on eviction proceedings. But here in the East, the Burlington official who co-owns the apartment says he is out \$137,000 in legal fees, is soon to be out of a job, and continues to be on the receiving end of a media firestorm.

Peter Owens, director of Burlington's Community and Economic Development Office, had planned to step down June 30, he told Mayor Miro Weinberger in a letter. He's now decided to leave early next month after coming under intense scrutiny for trying to evict Iris Canada, who has lived for more than six decades in the San Francisco apartment Owens has owned since 2002.

But Owens and other owners of the property say they never wanted to evict Canada, a longtime friend. They wanted her signature.

Canada lives in the apartment under an agreement called a life estate. It allows her to stay there for \$700 a month for the rest of her life, as long as she is actually living there.

Owens, Canada and everyone else who owns or lives in the building — 14 people in total — collectively make decisions about what happens to the building under a San Francisco ordinance. So when a change in the law in 2014 allowed the building to be separated into individually owned condos — opening up potentially lucrative options — everyone was ready to sign the papers, say Owens and others.

Except Canada was nowhere to be found.

Owens maintains that having Canada's signature wouldn't have affected her claim to the apartment.

"This was a signature that Ms. Canada would've gladly given," Owens wrote in a statement to VTDigger and other media outlets at the conclusion of court proceedings in San Francisco. "A signature that would've helped her neighbors who cared for her for many years; a signature that would've had no impact on her ability to live out her life in her long-time home."

Her grand-niece Iris Merriouns, who neighbors believed was taking care of Canada, ignored months of attempts by Owens to contact Canada to have her sign the condo conversion documents, according to correspondence Owens provided.

Eventually, Owens said, he received an ultimatum from the other residents of 670 Page St. in San Francisco: Revoke the life estate, or get the signature.

In an Oct. 1, 2014, email that Owens also provided to VTDigger, a representative of the other owners wrote that they had been patient. "However, there are limits, and this matter must be resolved now," the email said. "If the documents are not signed and returned by October 15th, we will compel you, (under the co-ownership agreement) to initiate revocation of the life estate as is your obligation."

Merriouns paints a different picture. "My aunt has been harassed for the last couple years," she said in an interview, referring to Owens' attempts to contact her and her great-aunt.

Others in the building said that as far back as 2012 they started noticing medication piling up on Canada's doorstep, rats in their apartments, and fire alarms blaring from the unit for weeks on end. Seeing no sign of the elderly tenant, they began to worry and ask questions, they said.

But Merriouns said her aunt has always lived in the apartment that Owens, his wife and his brother own. Canada was recovering from a stroke for a period of time and needed to be out of the apartment for a while, she said.

"My great-aunt has not been living with me. She resides at 670 Page St.," Merriouns said.

"People can't arbitrarily decide where she lives. Slavery is over, and people can't interpret or just decide to their own advantage."

"This is borderline elder abuse," she said.

A CROSS-COUNTRY BACKLASH

Last week, activists gathered to support Canada outside the San Francisco Superior Court where the eviction case worked its way through the legal system. The activists have contacted all the city councilors in Burlington to express their contempt for the department head, and the Vermont Workers' Center sent out a news release condemning Owens an hour after Mayor Weinberger announced Owens' resignation.

More than a dozen media outlets from across the country have picked up the story.

High schoolers in San Francisco have been sending Owens emails as part of an anti-bullying assignment, asking him not to evict Canada.

"I'm sending this email because today I saw an article about the eviction of Iris Canada. I think it is difficult for an old woman 99 years old to find another place to live," one email to Owens from a 10th-grader reads.

Owens regrets the reaction. "I'm humiliated. My career is a wreck," Owens said. "It's like being persecuted."

NEIGHBORS SPEAK OUT

The San Francisco Chronicle visited Canada's apartment for an April 13 story. There was a working television, pictures on the walls, used furniture — but Canada's neighbors and Owens characterized that as a charade orchestrated by Merriouns for the media and the courts.

"(Merriouns) is trying to paint a picture of Peter trying to kick her out," said Geoff Pierce, 40, who said he has lived next door to Canada since 2008. Pierce said he has seen a lot of activity in recent weeks, including a cable installation.

"This has always been about the safety of the building, because there is an empty apartment, and the safety of Iris Canada," he said.

"We tried so many times to explain to (Merriouns) what this was about," Pierce added. "It didn't affect her life estate and we just need her signature, and she's basically brought it to this point two years later dragging her aunt around to the courthouse."

FEDS ALLOW BIG DROP IN VERMONT YANKEE INSURANCE

MIKE FAHER

VERNON — It's not cheap to maintain an insurance policy on a nuclear power plant.

But as of this month, Entergy Vermont Yankee is getting a big break on its premiums: The Nuclear Regulatory Commission says the company can cut its on-site property damage insurance coverage from \$1.06 billion to \$50 million.

Citing the fact that the Vernon plant shut down permanently more than 15 months ago, the federal agency says a much smaller insurance policy still will be adequate to cover cleanup and decontamination work resulting from any accident.

"The proposed level of insurance coverage is commensurate with the reduced consequences of potential nuclear accidents at VY," the NRC order says.

Since stopping power production at Vermont Yankee in December 2014, Entergy has sought a number of regulatory changes for the Vernon plant.

One example is an NRC-approved reduction in the Vermont Yankee emergency planning zone, which took effect Tuesday. In making a successful case for cutting emergency planning and funding, Entergy argued that the potential for accidents and radiation releases is much lower now that the plant is no longer operational.

The company's request to reduce its insurance coverage uses the same logic.

Because the Vernon reactor is no longer licensed to operate, "there are no events that would require the stabilization of reactor conditions after an accident," federal documents say in summarizing Entergy's request. "Similarly, the risk of an accident that would result in significant onsite contamination at VY is also much lower than the risk of such an event at operating reactors."

The NRC says its \$1.06 billion insurance requirement was established in the wake of the 1979 partial meltdown at the Three Mile Island nuclear plant in Pennsylvania.

The concern was that, without such insurance, nuclear license holders might not have the financial resources necessary to cover cleanup from a major accident. "Although the risk of an accident at an operating reactor is very low, the consequences can be large," NRC officials write, citing the high pressure, high temperatures and radionuclide inventories at an operating plant.

However, "with the permanent cessation of reactor operations at VY and the permanent removal of the fuel from the reactor core, such accidents are no longer possible," the NRC concluded.

The main risks remaining in Vernon, officials say, are associated with radioactive spent nuclear fuel. Currently, that fuel is stored both in a cooling pool in the plant's reactor building and in sealed dry casks on a pad nearby; Entergy has pledged that all fuel will be in casks by the end of 2020.

There is a possibility — though the NRC labels it "highly unlikely" — that, if water were drained from the cooling pool, zirconium cladding on the spent fuel could catch fire. But the probability of such a fire decreases as the fuel cools, and so "the risks from a zirconium fire scenario continue to decrease as a function of the time that VY has been permanently shut down," the NRC's ruling says.

So the federal agency has determined that any remaining spent-fuel fire risks at Vermont Yankee no longer justify a \$1 billion insurance policy.

Likewise, officials say another remaining risk at the plant — the rupture of a large tank holding radiologically contaminated liquid — would be adequately covered by a \$50 million insurance policy.

The NRC notes that it has granted similar insurance exemptions to other decommissioning plants including Maine Yankee and the Zion Nuclear Power Station in Illinois. Forcing Vermont Yankee to continue at the higher level of coverage "would result in an undue hardship" and impose costs that are "significantly in excess of those incurred by others similarly situated," officials wrote.

Also, the commission found that reduced insurance coverage “will not present an undue risk to the health and safety of the public.”

Vermont Yankee spokesman Marty Cohn said the company had been anticipating the insurance change and had factored it into the plant’s decommissioning cost estimate.

Nevertheless, the NRC’s exemption announcement has immediate financial benefits for Vermont Yankee: When factoring in reductions in both on-site and off-site insurance policies, the company’s annual premiums will decrease from about \$1.9 million to less than \$500,000, Cohn said.

“This helps to preserve the decommissioning trust fund by allowing us to have the proper level of insurance,” Cohn said.

He added that, from a radiological standpoint, “the (NRC’s) exemptions recognize the decreased risks associated with decommissioning.”

VERNON GAS PLANT PROJECT ON HOLD AFTER LOSING FUEL SUPPLY

MIKE FAHER

VERNON — After more than a year of intense planning and debate, the Vernon natural gas plant project has come to an abrupt halt.

Energy giant Kinder Morgan decided this week to pull the plug — at least for now — on its Northeast Energy Direct pipeline, and that means there will be no fuel supply for a proposed 600-megawatt gas-fired Vernon plant.

Local officials noted that Kinder Morgan has suspended the pipeline project, meaning work might resume. But they’re also prepared to move on to other projects that could help replace tax revenue and jobs lost due to the closing of the Vermont Yankee nuclear plant.

“I think what we discovered is that we can get a lot of town support for something that we research properly, if it’s the right fit,” said Janet Rasmussen, Vernon Planning Commission vice chairwoman.

The Vernon gas plant concept surfaced last year as Planning Commission members talked with two area residents who were developing the proposal — Don Campbell, of Winhall, who has a background in utility investment, and Hervey Scudder, of Brattleboro.

At one point, Campbell described the project as “the sun, the moon and the stars in alignment”: Vernon has extensive electrical infrastructure remaining from Vermont Yankee, and Kinder Morgan had designed its gas pipeline to pass through northern Massachusetts. Only a 7-mile spur would have been necessary to tie the pipeline to a Vernon plant, officials said.

The Vernon Planning Commission invested much time in working with Campbell, researching the issue and hosting two public forums. Opponents raised concerns about safety and environmental impacts, but advocates pointed to economic benefits as well as the need for more regional power generation.

Ultimately, the general sentiment seemed clear in a nonbinding referendum March 1: Vernon residents voted 677-153 in support of the town hosting a gas plant.

But the project still had many hurdles to clear. Chief among them was Kinder Morgan following through with its \$3 billion pipeline plans, which had ignited fierce opposition in some Massachusetts and New Hampshire communities.

The company did not cite such opposition when announcing Wednesday that it had “suspended further work and expenditures” on the Northeast Energy Direct project. Instead, Kinder Morgan blamed “inadequate capacity commitments from prospective customers” — meaning there wasn’t enough interest in buying the pipeline’s gas.

“Despite working for more than two years and expending substantial shareholder resources, (Kinder Morgan) did not receive the additional commitments it expected,” the company’s statement said. “As a result, there are currently neither sufficient volumes, nor a reasonable expectation of securing them, to proceed with the project as it is currently configured.”

Campbell said it was “an unanticipated announcement that caught a lot of energy sector professionals by surprise.” But he does not believe it signals the end, either for the pipeline or the gas plant.

“It’s not unusual for projects to get suspended or tabled and come back either reconstituted or in their original form,” Campbell said. “In my view, the operative word here is ‘suspend,’ not ‘cancel.’”

Citing a lack of natural gas supplies in New England, along with regional power needs, Campbell said he believes Northeast Energy Direct “remains a project with considerable regional merit.” And he still wants to pursue a gas plant in Vernon if Kinder Morgan reconsiders its pipeline stance.

“We still think that the existing infrastructure makes it an optimal site,” Campbell said.

From her perspective as a Planning Commission member, Rasmussen said she was shocked by Kinder Morgan’s announcement. But, like Campbell, she isn’t yet willing to give up on the pipeline project.

“There are just too many unanswered questions about this at this point,” Rasmussen said.

Even if the gas plant proposal is not revived, Rasmussen believes Vernon still could host some sort of energy generation project. In addition to heavy-duty electrical infrastructure, “we’ve got the rail line, we’ve got the river, we’ve got the land,” she said. “There’s something we can do with it.”

“I think we have a mandate from the town to do something energy-related,” Rasmussen added.

Vernon resident Bronna Zlochiver isn’t so sure about that. Zlochiver, who had opposed the gas plant, said she’s hoping that an upcoming community planning process facilitated by the Vermont Council on Rural Development will help the town come up with a clear vision for the future.

Zlochiver particularly is interested in technology and communication; she serves on a committee that’s seeking a fiber-optic network for Vernon. She also believes the region can collectively market assets including quality of life, strong schools and a thriving arts community.

gas plant

Land just north of Vermont Yankee, visible on the far right, was being considered for a gas-fired power plant in Vernon. File photo by Mike Faher/VTDigger

“We need to just be creative and come together as a community, and not be fractured as we have been,” she said.

Art Miller also is looking ahead. At a February public meeting, Miller disclosed that a portion of his family’s dairy farm along Route 142 was under consideration as a gas plant site. But Miller on Thursday said his family never signed any sales deal, and it’s been business as usual this spring at the farm.

"I am not surprised," Miller said of Kinder Morgan's announcement. "There were just so many hurdles for the plant to happen. Our expectation was that it had a slim chance of happening to begin with, but, if it did, we were open to discussing having it on this land."

That's because Miller believes that the state needs more power production. And he's not sold on solar power, as he worries that large photovoltaic arrays will eat up prime farmland.

"Is that what we want in this state?" Miller asked. "That was part of what motivated us."

CONGRESSIONAL DELEGATION SEEKS ANSWERS ON VTEL WIRELESS PROJECT

ERIN MANSFIELD

A VTel representative demonstrates the power of high-speed wireless: simultaneously streaming high-definition videos, teleconferencing and playing online video games. File photo by Hilary Niles/VTDigger

Vermont's congressional delegation is seeking information from the federal government on the \$116 million broadband project that VTel Wireless started in 2010.

Sen. Bernie Sanders, I-Vt., Sen. Patrick Leahy, D-Vt., and Rep. Peter Welch, D-Vt., have signed a letter asking whether the U.S. Department of Agriculture's Rural Utilities Service has been holding VTel accountable.

The letter, sent April 6, says VTel currently has 1,000 subscribers on the World of Wireless, or WOW, project that was funded with a portion of an \$81.7 million grant and a \$35.2 million loan in 2010.

The project was originally scheduled to be completed in 2013. The Rural Utilities Service agreed to extend funding through September 2015.

Michel Guite, the president of VTel Wireless, declined to comment for this story, calling VTDigger an unfair news organization. He said Friday the project is largely complete.

But the delegation says in the letter that it wants regulators to find out when the system will be turned on to provide service to customers, whether there are truly 1,000 customers already hooked up, and whether VTel will finish building the three towers that have not yet been built.

"Most importantly, what actions are (the Rural Utilities Service) taking to ensure the grantee completes the project, and what corrective steps are (the Rural Utilities Service) prepared to take if the grantee fails to deliver on its obligations to the federal government and the taxpayers?" the letter asks.

The letter quotes VTel's application for the federal award back in 2010: "It has always been our understanding that VTel committed to provide wireless broadband access to 'virtually 100 percent of Vermont's unserved population.'"

"While we understand some small areas may not receive service because of geographic or engineering limitations, we have long been concerned about statements made by the grantee to step back from the commitment," the letter says.

David Weinstein, an adviser to Sanders, said his office has been monitoring the VTel project since Day 1 because "if a private company gets \$116 million, there should be adequate oversight to make sure that they provide the service that they promised to provide."

"We have no reason to believe that the grantee isn't going to complete this program as promised," Weinstein said. "We're just doing everything we can to hold their feet to the fire and make sure that they do."

David Carle, an adviser to Leahy, said the delegation sent the letter in early April because frustration was “reaching new levels.” Carle said a copy of the letter has been sent to VTel and that the delegation has not received a response from the Rural Utilities Service.

He said building out broadband in Vermont requires public-private partnerships, “and the delegation expects the private sector to make good on the promises” it made to Vermont and the Rural Utilities Service. “The delegation has consistently urged any steps possible to ensure that the project comes as close to meeting what they described they would do in their application.”

Kirsten Hartman, an adviser to Welch, said her office is looking forward to a quick response from the Rural Utilities Service “on this important matter.”

VERMONT-NEA DIRECTOR RETIRING WITH PRIDE IN TEACHERS, LEGISLATORS

TIFFANY DANITZ PACHE

Joel Cook has been at the helm of the Vermont teachers union for 16 years. An advocate for 42 years, a lobbyist for 33 of those — including 25 years representing educators — Cook has decided to retire at the end of the year.

“During those 42 years, something happened. ... I got old,” Cook said in an interview. “I haven’t lost my enthusiasm for the work, but there comes a time – and I learned this the hard way – when you get a certain amount of experience under your belt, you are getting on in years, and you probably ought to spend more time with your family.”

A lawyer, Cook went to work for the Vermont-National Education Association in 1992 as its general counsel and became executive director in 2000. The union says it has 12,000 members and a \$5 million annual budget.

“While we wish Joel well on his well-deserved retirement, we will miss his steadfast dedication to Vermont-NEA and to its purpose,” said President Martha Allen in a statement. “Joel’s advocacy on behalf of the women and men who work in Vermont’s schools has been as unwavering as his desire to do what’s best for our state’s children.”

Cook has weathered many of Montpelier’s political storms, the most recent being the dust-up over Act 46 caps on allowable growth in education spending.

Calling caps on spending bad public policy, Cook said various versions have cropped up over the years. “What the House, in particular, inserted into Act 46 at the end of the 2015 session was obvious to a lot of us: a very troubling public policy. And for the most part, people came to their senses in early 2016 and understood that policy had to change.”

Cook figures he has testified before lawmakers at least 1,000 times over the years. He said he used to relish educating new lawmakers about education concerns. But he has been around long enough to see the same issues crop up again and again, and restating the same matters has become tiresome. “It doesn’t mean they don’t deserve careful and clear explanations,” Cook said of each new crop of legislators. “I just may not be the best person to do it.”

That said, it will be hard for him to give up being an advocate for teachers and educators. “I didn’t realize when I started just how much respect I would develop for the work they do,” he said. “I will miss being one of their leading voices in the state of Vermont.”

Cook is proud of the Vermont-NEA’s long-standing commitment to health care reforms. “We put a lot of energy and effort and resources into it more than a decade ago, and the job isn’t done. We did it not just because it might have some bearing on the well-being of our members, but because it affects the community of Vermont as a whole,” he said.

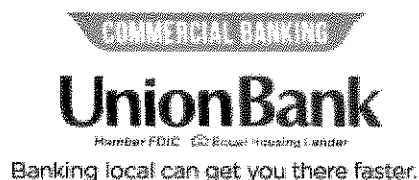
He hails the Legislature for spending the last 10 years rectifying a deficit in the teachers’ retirement system after 15 years of underfunding. “Every year since 2006 or 2007 the Legislature has kept its bargain with the teachers and taxpayers of Vermont by fully funding that system,” he said.

Miller, Lawrence

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Vermont to submit 'best and final offer' in all-payer deal with feds

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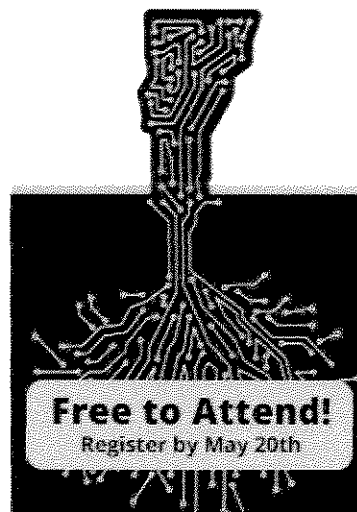
Robin Lunge, the director of health care reform for Gov. Peter Shumlin, called it "really premature" to say whether the best and final offer is a signal that the all-payer deal is close to completion.

Prosecutor Weighing Jay Peak Case Has Close Ties to Shumlin, Leahy

Seven Days

The federal prosecutor investigating expansive fraud allegations in Vermont's Northeast Kingdom has close ties to many of the political players touched by the scandal. One of them is his wife.

VERMONT CHAMBER BUSINESS AND INDUSTRY
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Mount Snow's EB-5 projects awaiting investor approval, 'no relation' to Jay Peak

Brattleboro Reformer

Dick Deutsch, vice president of business and real estate development at Peak Resorts, shed some more light on Mount Snow's West Lake snow-making pond and Carinthia Base Lodge projects that are currently held up.

In the Kingdom, the Ponzi cleanup crew is on the case

vtdigger.org

Attorney Michael Goldberg says it's going to be "better than business as usual" at Jay Peak Resort while he's in charge. He hopes to do the same for Q Burke Mountain Resort and the new hotel there, and has asked a federal judge to place both entities under his receivership.

Feds allow big drop in Vermont Yankee insurance


vtdigger.org

The Nuclear Regulatory Commission says Entergy Vermont Yankee can decrease its on-site property damage insurance coverage from \$1.06 billion to \$50 million due to decreased risks at the shut-down Vernon plant.

Brattleboro Reformer, sister newspapers, to have new owners

The Commons

A group of Berkshire County investors will buy New England Newspapers group, including Brattleboro Reformer, Bennington Banner and Manchester Journal and return the newspapers to local ownership.



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People's United Financial **reports Q1 net income of \$62.9** **million, annual dividend** **increased to 68 cents**

vermontbiz.com

People's United Financial, Inc. (NASDAQ: PBCT) today reported net income of \$62.9 million, or \$0.21 per share, for the first quarter of 2016, compared to \$59.2 million, or \$0.20 per share, for the first quarter of 2015, and \$70.8 million, or \$0.23 per share, for the fourth quarter of 2015. Included in the results for the fourth quarter of 2015 was a net after-tax gain of \$6.1 million (\$0.02 per share) resulting from the sale of the company's payroll services business.

Norwich University to celebrate **100 years of ROTC starting** **Thursday**

vermontbiz.com

On Thursday, April 21, Norwich University will kick off a celebration and symposium marking 100 years of Reserve Officers' Training Corps (ROTC). As the birthplace of ROTC, Norwich University will celebrate ROTC's centennial anniversary with the "ROTC Centennial Symposium: Preparing the Next Generation Leaders in a Complex World" April 21-23, 2016.

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Politics/Government

'Ban the Box' bill passes House, **ready to be signed into law**

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Vermont Business Magazine[[see more](#)]4/21/16 9:10AM

The Vermont Legislature passed the "Ban the Box" bill (H261), which forbids employers from asking on an application if a prospective employee has a criminal record. The employer will still be entitled to ask that question during the subsequent hiring process. The bill now moves to the Governor's desk to be signed into law. Vermont House Speaker Shap Smith offered the following statement following the House's final vote to concur with the Senate.

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Highway safety bill challenges civil liberties

Press Bureau

House lawmakers have given final approval to a transportation bill that creates a threshold for marijuana intoxication, with critics saying the legislation is not based on science and could lead to the disclosure of private medical information. On Wednesday, lawmakers approved SB 225, which lowers the threshold for a driver's alcohol level when combined with marijuana, and paves the way for roadside saliva tests that reveal not just the presence of THC — the active ingredient in marijuana — but other drugs as well. Under the terms of the bill, a driver would be considered impaired when having a blood-alcohol concentration (BAC) of 0.05 when combined with a THC count of 1.5 nanograms.

Congressional delegation seeks answers on VTel Wireless project

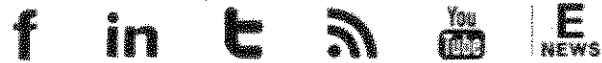
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The World of Wireless project was originally scheduled to be completed in 2013, but funding was extended through September 2015. Michel Guite, the president of VTel Wireless, says the project is largely complete.

Scheuermann: How are we doing? Final three weeks

vermontbiz.com

With just a few weeks remaining until the 2015-2016 Legislative Biennium concludes, various items are still being developed in both the House and Senate. Unfortunately, none of the items being considered will put us back on a path of fiscal responsibility and real economic growth.



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UVM President Tom Sullivan told the House Education Committee on Tuesday that the statute prevents the university from reducing tuition for out-of-state students. He described the law as “practical, non-strategic, non-visionary.”

“We are locked in a formula that does not give us the discretion to be able to moderate the growth or actually reduce out-of-state tuition,” Sullivan said.

The state budget bill that passed the House last month includes a section that repeals the “40 percent” law. The bill is now under review by the Senate Appropriations Committee.

Sullivan argues that unlinking the in-state and out-of-state rates would allow the university to bring down the cost of attendance for non-Vermont residents, which would help the university bring in more students. He says it wouldn’t drive up costs for in-state students.

For Vermont residents, tuition for the 2016-17 academic year will be \$15,096, according to the university website. It will be \$38,160 for out-of-state residents. The university is the fourth most expensive public institution for out-of-state students, according to U.S. News and World Report.

Sullivan said potential students who do not live in Vermont are sometimes dissuaded from attending the university because of the high sticker price.

A change in the statute would not have any impact on tuition for Vermonters at the university, according to him.

Sullivan said 44 percent of Vermonters attend UVM tuition-free, because of scholarships or other aid, and that wouldn’t change in the absence of the 40 percent rule.

There are many checks and balances in place to prevent in-state tuition from running wild, he said.

The university’s board of trustees is charged with the responsibility of setting tuition rates through what Sullivan said is a transparent process that involves public hearings. Additionally, he testifies several times a year before legislative committees, offering lawmakers many opportunities to check in and curb the growth of in-state tuition if they feel it is getting too expensive.

Rep. David Sharpe, D-Bristol, the chair of the House Education Committee, said repealing the law is a start but does not fully address the problem.

“What we should really do is more fully support postsecondary education in Vermont,” Sharpe said.

Sharpe said abolishing the 40 percent rule would give the university some greater flexibility to meet its financial obligations, just as an \$800,000 increase in the appropriation to the Vermont State Colleges in the House version of the budget will give that system some financial support.

“Neither is the kind of substantial support those schools need, but that’s about all that we’re going to manage to do this session,” Sharpe said.

CANDIDATES VOICE SUPPORT FOR VSEA OVER FUNDING OF CONTRACT

ELIZABETH HEWITT

One day after a ruling came down in a drawn-out negotiation process for the next contract for state workers, Democratic gubernatorial candidates and others voiced support for the Vermont State Employees’ Association.

At a news conference Wednesday at the Statehouse, the union called on the Legislature to fund a 2 percent raise for workers in fiscal year 2017 and 2.25 percent the following year.

On Tuesday, the Vermont Labor Relations Board came down in the union's favor after a contentious round of bargaining between the state and the VSEA.

"Showing support for state employees isn't about giving speeches," VSEA President Dave Bellini said to a room crowded with members, lawmakers and reporters. "You show respect and support by showing up and putting your money where your mouth is."

Bellini recalled that in a tough round of negotiations during the recession, the union agreed to take a pay cut when it was recommended by a fact-finder. "Those days are over," he said.

"This is the beginning of a new day, and we look forward to working with a new administration," Bellini said. "And, boy, do we want a new administration."

House Speaker Shap Smith, D-Morristown, vowed to support the union in the push to fully fund the union's last best offer. Smith said the Legislature agreed to support the contract. Now, he said, it's time to honor that agreement.

"Promises made, promises kept," Smith said.

Gubernatorial candidate Matt Dunne, a former state senator and Google executive, applauded the final result in the contract process. He added, "My only concern is that it took so long."

"I think it is absolutely critical that the next administration be one that works collaboratively with our hardworking state employees, but also puts us on a path of doing right by the way we manage state government and our budget, including going away from contracting out for things like our prison system," Dunne said.

He did not provide specific recommendations on how the budget-writers could fully fund the contract, but he cited his experience working as a legislator.

"I hope that that process will not mean pitting the appropriate compensation for state employees against our most vulnerable," Dunne said.

Peter Galbraith, another former state senator who is running for governor, also called on lawmakers to fully fund the contract.

"We've gone through a process, the decision has been made, and now it is time to fund it," Galbraith said.

He also cited his experience in the Statehouse, saying he understands that lawmakers are faced with difficult choices when crafting the budget. He suggested finding the money by ending special interest tax breaks, among other things.

Sue Minter, former transportation secretary, could not attend the event but sent a statement supporting the union. As a state employee, she was a VSEA member for some time, and she cited that personal experience.

Sen. David Zuckerman, P/D-Chittenden, and Rep. Kesha Ram, D-Burlington, both contending for the lieutenant governor's office, also spoke at the event in support of the union's position.

The budget is currently in the Senate Appropriations Committee.

AUDITOR IDENTIFIES DATA COLLECTION PROBLEMS AT TAX DEPARTMENT
ERIN MANSFIELD

The state auditor's office says the Tax Department does not have sufficient data to determine whether it's doing a good job at collecting delinquent income taxes.

The auditor's office released a report Monday saying the department was able to collect about half of the personal income taxes that were delinquent in 2013 and 2014, but "was unable to assess the effectiveness of its collection methods."

State Auditor Doug Hoffer said in an interview that the Tax Department has "completely inadequate" information technology systems for tracking who has not paid their taxes and how long those bills have been delinquent.

"They really have not had the ability to do any of the things that you would expect if you were going to do an internal self-evaluation," Hoffer said. "It was very challenging for us to even get data, and we had to switch gears a number of times in the process."

The audit report said the office chose to look at delinquent personal income taxes — as opposed to those paid by corporations or property owners — because the money made up about 41 percent of all delinquent taxes in 2013 and 2014.

The audit says that, as of July 24, the Department of Taxes had collected \$12.9 million from more than 25,000 accounts that were due between 2013 and 2014. Those accounts had an original balance of about \$22.5 million.

Roughly 5,000 other accounts worth \$12.4 million were closed without payment; the report says that could have happened because the people did not end up owing money after they filed relevant paperwork. An additional \$7.2 million was still owed on July 24.

The report says that accounts may be adjusted on a case-by-case basis for penalties, interest and additional taxpayer information, so the amounts collected and still owed don't add up to the original total balance.

The report says the Department of Taxes filed liens in 666 cases to recover delinquent taxes. An additional 181 accounts were being paid back using installment plans. Other cases remained in a grace period in which the department waits for a person to pay the tax bill late, instead of actively collecting the money.

The auditors had trouble finding data to determine whose wages had been garnished to pay taxes, and whose professional licenses were in jeopardy of being revoked for not paying taxes.

"Other collection methods, such as offsets to lottery winnings and bank levy, are available to (the Department of Taxes) but have not been used," the report says.

The report makes eight recommendations to help the Tax Department improve how it collects on delinquent accounts. Those include referring more accounts to collection agencies within about six months and working with the Vermont Lottery to see if the state can collect delinquent taxes from lottery winnings.

Tax Commissioner Mary Peterson wrote in response that the audit is "a snapshot from the rear view mirror" because the department is working to modernize tax collection through an IT system called VTax.

"When Phase 3 of VTax goes live later this year, we will have the capability to fully adopt all of the business process improvements that our compliance division has been developing," Peterson wrote.

She added that the data issues the auditor's office highlighted represent the constraints of legacy IT systems and that delinquent tax collection "can and will be improved greatly with the rapid transition to VTax."

ELEPHANT DEFENDERS DECRY 'LOOPHOLE' IN IVORY BAN COMPROMISE

MARK JOHNSON

Advocates say a Senate bill designed to help protect elephants and rhinos from poaching is so weak that dropping it might be the better option.

The Senate measure would ban the sale of ivory within Vermont, but it provides an exception: Any ivory registered with the state during the year after the law goes into effect could be sold anytime.

Supporters of a stronger ban said the exception, which they called a loophole, might actually attract illegal sellers because someone registering ivory would simply have to swear it was legally obtained, with no need for confirmation. During testimony, many opponents of the bill said it is sometimes impossible to prove an item's origin and that illegal sellers sometimes doctor items to look like antiques to get around federal bans.

The idea behind the bill is to take the market and value out of ivory by banning its sale. Supporters say that would stop illegal poaching in Africa, where elephant populations have been seriously diminished. Opponents of the measure said anything done to ban sales in Vermont would have little effect while hurting Vermonters who had done nothing wrong.

After almost an hour of debate Tuesday, the bill was approved on a voice vote, though many senators voted no, and the tally appeared close. Final approval will be debated today.

"We're very concerned about the language in the bill," said Barry Londeree, the Vermont representative of the Humane Society of the United States. "I think it was done with the intent to get a good compromise. ... In doing so it creates some unintended consequences."

Senators were concerned that some people, particularly the elderly, would not know about the ban and fail to register. However, Londeree said his concern was that people from other states could come to Vermont and register their items here.

"If you play this out several years, if other states adopted this policy, you have this sort of continuous set of one-year ... periods," so if people missed the previous one they could register their ivory in another state, Londeree said. "It's very susceptible to being gamed."

The House passed its own version, which essentially bans sales except for ivory items that weigh less than 200 grams. Londeree said advocates saw problems with that bill too, and he admitted the chance of a more promising bill coming out of a conference committee, with both bills having problems in their view, was unlikely.

The bill came out of the Committee on Economic Development, Housing and General Affairs, where Sen. Philip Baruth, D-Chittenden, is a member. After the Senate debate Tuesday, he explained why the bill was watered down from the House-passed version.

"We could not agree as a committee on the House language. We were divided. There weren't enough votes to move something out," Baruth said.

The objection, Baruth said, was that ivory owners who testified felt the Legislature was essentially taking the value away from their property.

Asked about the claims the exemption created a loophole, Baruth said: "It creates an exception, and if you're an activist who didn't want an exception, that's a loophole. If you really didn't want it, it's a huge loophole. I would say what we offered the activists was a bill that could get to the Senate floor, which they didn't have with the House language."

"To be honest, they were not real easy to work with," Baruth continued. "They were insistent that any attempt to reach compromise was in effect killing an elephant, and a number of committee members took exception to some of their tactics. That didn't make my job as maybe the strongest proponent of the bill any easier."

"This was an attempt to address their heartfelt concern, which we share," Baruth said.

In a weekend email to senators and other supporters, Ashley Prout McAvey, of the group Ivory Free Vermont, said: "You are trying so hard to please everyone which entirely defeats the purpose of this bill. If my team feels it will do more (harm) than good and you will not listen to us and this is your way or nothing, (then) you have failed us and every Vermonter — and the world and your constituents will know it."

MAYOR, DEVELOPER REACH DEAL FOR \$220 MILLION BURLINGTON PROJECT

CORY DAWSON

After more than a year of discussions, Burlington's city administration and the owner of the Burlington Town Center, Don Sinex, released a plan Wednesday to turn the vision of a fundamentally changed downtown into a reality.

The Burlington Town Center, which opened in 1976, has been the subject of a redevelopment discussion for years, with the process to set it in motion beginning in late 2014 after a City Council resolution. Now, the city administration and Sinex's firm, BTC Mall Associates, will ask the council to approve their plan May 2.

The redevelopment would be done in two phases and completed in 2019. Among the proposed changes are:

- A 925-space parking garage with room for bike parking.

- The reconnection and improvement of Pine and St. Paul streets, which are both intersected by the existing mall.

- Open rooftop space for people living in the proposed 274 housing units. Fifty-four of those units would be affordable housing, per a city ordinance.

- A public rooftop observation deck and a public community space.

- A day care center.

- Almost 250,000 square feet of retail space.

- Some 340,000 square feet of commercial office space, with almost a third of that to be occupied by administrative workers for UVM Medical Center.

Sinex also announced that Champlain College has asked to lease 110 beds for its upperclass students. Pressed by reporters to reveal more, Sinex said he would be making announcements about more partnerships soon. Mayor Miro Weinberger said there would be more presentations about the project at the next City Council meeting, which is Monday.

The project would yield the tallest building in Vermont, at 160 feet, taking the crown from Burlington's Decker Tower. However, Vermont could still lay claim to having the shortest tallest building of any state, behind South Dakota, according to the mayor.

Burlington expects to spend up to \$21.9 million on infrastructure improvements but not the private development that Sinex's firm plans. The city would take on some debt, however, and is going to the Statehouse this session to ask that its repayment deadline be extended to the end of the calendar year in 2035.

Weinberger touted the financial stability of the project and noted that numerous safeguards were in the plan to protect the city's investment.

"We will not reimburse him and take possession of these public improvements until the tax base is in place," the mayor said. "Our focus has been on risk mitigation."

The Burlington mayor, prompted by a reporter's question, also looked to quell uneasiness about major development projects after accusations arose last week of an alleged Ponzi-like scheme perpetrated by developers Bill Stenger and Ariel Quiros in northern Vermont.

"It's a terrible situation up in the Northeast Kingdom," Weinberger said. "The project that's being contemplated here is a familiar public-private partnership."

Before Sinex even "sticks a shovel in the ground," he needs to find a contractor who can make a binding guarantee to complete the project and has a triple A score from a rating agency, Weinberger said.

COMMENTARY:

LAURA SIBILIA: WE CAN'T LEAVE 30,000 VERMONTERS BEHIND

Editor's note: This commentary is by Rep. Laura Sibilila, an independent who represents the Windham-Bennington District, including the towns of Dover, Readsboro, Searsburg, Somerset, Stamford, Wardsboro and Whitingham, in the Vermont House of Representatives.

Last week the Vermont House passed a bill which will raise additional funding to expand Internet to approximately 30,000 unserved and underserved Vermonters. H.870 will increase the universal service fee on phone bills by half a percent, raising roughly \$1.6 million per year. The language was approved in the House by a 96-31 vote.

A resolution, also approved by the Vermont House of Representatives last week, underscores the urgent need for that preliminary funding. House Resolution 19 asks the USDA's Rural Utilities Service to conduct a financial and performance audit of a combination \$116 million federal grant and loan that the Vermont Telephone Co. (VTel) received in 2010. The resolution was drafted in response to finding whole parts of communities completely unserved and was co-sponsored by a large tri-partisan contingent of House members. Senators from southern Vermont and the Northeast Kingdom introduced a version of the resolution in the Senate, S.R.13.

As part of the American Recovery and Reinvestment Act, VTel was awarded an \$81.7 million grant and a \$35.2 million loan to bring fiber to homes in the Springfield area and to build 119 towers and antennas to set up a system of wireless broadband which would cover 33,000 unserved Vermonters in our state's most rural areas. The 2014 Vermont Telecommunications Plan described the wireless project as "central to the state's broadband efforts." While the fiber to the home project is completed and an asset to the Springfield region, VTel President Michel Guite has recently acknowledged that five and a half years later, the wireless project only has 1,000 subscribers. VTel insists that the construction of the wireless system has been mostly completed. While it may be mostly true that most of the planned towers have been erected, it's also clear the wireless system was to have covered far more than the 1,000 subscribers Mr. Guite now reports. Surely the goal of the funding was coverage for Vermonters, not just construction of towers.

VTel's wireless project has been removed from the state's broadband maps, thus opening up funding for other providers to serve what were previously considered VTel areas.

After many years of hopeful waiting there is now a growing understanding that tens of thousands of Vermonters, Vermonters previously thought to have a plan in place for Internet access under VTel's wireless project, remain unserved (see 4/1 coverage unserved list by town here). Their grand lists have not been growing, home values have not been rising, and they did not have a "Plan B."

The Department of Public Service is now working with these rural communities to develop "Plan B" for universal coverage in their towns. VTel's wireless project has been removed from the state's broadband maps, thus opening up funding for other providers to serve what were previously considered VTel areas. It is imperative that we provide those communities with resources for this work. In addition to the increase in the Vermont universal service fee, H.870 contains changes to Act 248(a) to improve co-location and tower siting, a requirement that providers, like VTel, who

utilize public dollars for build-out, also provide mapping data to the Department of Public Service and a financial penalty for failure to provide that mapping data by withholding high cost funds.

Access to the Internet is an essential part of modern life and required in order for Vermonters to participate in our state, national and global economy, stay connected with family, and to become and stay educated. It is the most important infrastructure investment we can make to encourage low impact economic growth and recruit workforce.

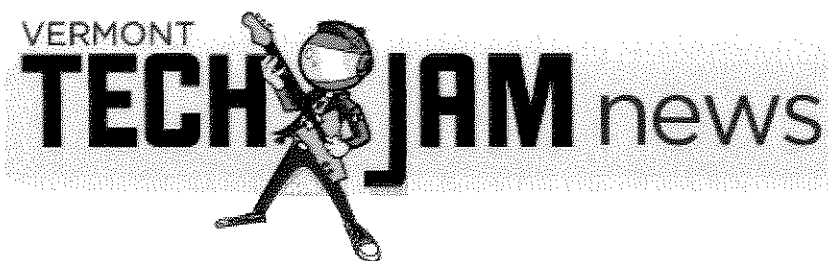
Map of original VTel wireless project area [here](#).

Miller, Lawrence

From: Vermont Tech Jam <yourfriends=sevendaysvt.com@mail168.atl61.mcsv.net> on behalf of Vermont Tech Jam <yourfriends@sevendaysvt.com>
Sent: Monday, April 18, 2016 5:34 PM
To: Miller, Lawrence
Subject: Middlebury Kids Go to White House Science Fair; Tech Alliance Releases New Jobs Report

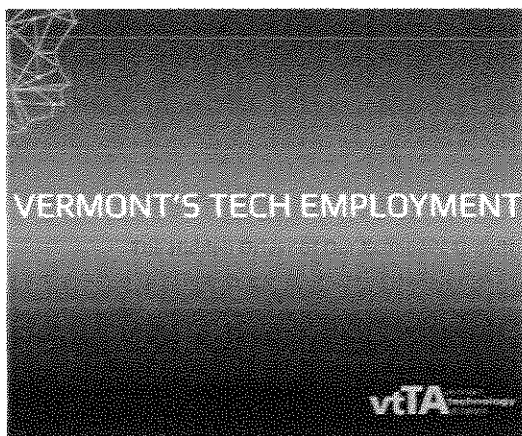
A new report from the Vermont Technology Alliance shows tech-related jobs account for 40 percent of all Vermont wages.

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Monday, April 18, 2016

BUSINESS



Tech Jobs Drive Vermont's Economy

A new report published by the Vermont Technology Alliance shows that tech-related jobs account for 40 percent of all Vermont wages. The study uses data from the state Department of Labor to

NETWORKING



Lesbians Who Tech (And Allies) Social

You don't have to be gay to attend this monthly mixer for the local chapter of Lesbians Who Tech. You just have to be geeky. Come have a drink, make new

highlight the impact tech jobs have on the local economy.

[Read more](#)

friends and talk tech. Wednesday, April 20, at Oak45 in Winooski.

[Details here](#)

TECH NEWS

Middlebury Students Win Prize for Cool Top Hat

BURLINGTON FREE PRESS, 4/12/16

A group of Middlebury elementary school students invented a solar-powered hat that won them a cash prize — and a trip to the White House Science Fair.

Study Details Potential Growth of Vermont's Health Care Industry

VTDIGGER.ORG, 4/14/16

Reporter Erin Mansfield dug into the vtTA tech jobs report and discovered evidence of growth in the health care sector.

Lawmakers Ask Federal Government to Audit VTel Wireless Project

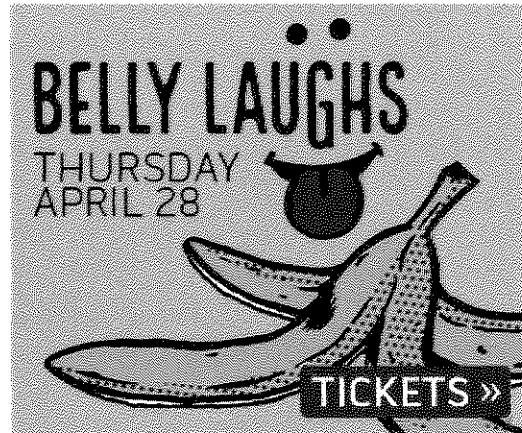
VTDIGGER.ORG, 4/15/16

Dozens of state legislators are asking federal regulators to review VTel's \$116 million telecom project, which was supposed to have provided broadband service to thousands of unserved Vermonters.

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Events**

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- Windsor Linux Users Group
WinCycle, Windsor, Tuesday, April 19.
- How to Teach Data Science
Main Street Landing Performing Arts Center, Burlington.
Wednesday, April 20.
- Cord Cutting 101
Fletcher Free Library, Burlington.
Thursday, April 21.



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TECH JOBS

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- Applications Developer, Gardener's Supply Company
- Warehouse Management Software Implementation, VIP
- Software Implementation Specialist, VIP
- Database Administrator, Vermont Agency of Transportation
- Systems Developer III/II, Vermont Department of Taxes
- Analyst/Programmer, Union Mutual
- Media Support Technician, SUNY Plattsburgh
- Technical Training Specialist Job, Howard Center
- Systems Administrator, SUNY Potsdam
- IT Field Technicians, Technology Consultants, Inc.
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Though the nuclear industry says there is a radiological basis for SAFSTOR, there also is a financial incentive: Vermont Yankee decommissioning is expected to cost \$1.24 billion, and the plant's trust fund – which at last report held \$583.2 million – needs time to grow.

Entergy's detailed trust fund projections, filed with the NRC on March 30, show the complex, fluctuating interplay of annual decreases due to decommissioning spending and annual increases due to investment earnings.

After net declines in the fund's value through 2023, the fund is expected to grow steadily as annual decommissioning costs level off. Big declines begin again in 2068, when the plant's dormancy ends and large-scale decommissioning work commences – with costs reaching as high as \$105.7 million in 2070.

The end result of all of those variables is a \$190.6 million trust fund surplus when cleanup is complete, according to Entergy's latest calculations.

While the company has said it is operating under budget thus far for Vermont Yankee decommissioning, Cohn declined to draw a straight line between that and Entergy's long-term projections. Rather, he cited the company's careful planning and expectations for prudent spending throughout the plant's cleanup process. "We've put out a decommissioning cost estimate," Cohn said. "We are confident in its content, and it has been reviewed by the NRC."

The Vermont Yankee trust fund, though, has been a bitterly contested matter. State officials, via regulatory filings and a lawsuit, have protested some of Entergy's proposed uses of the fund – especially hundreds of millions of dollars in spending for management of spent nuclear fuel.

The concern is that Entergy could run out of money. The NRC and a nuclear industry group both claim that can't happen, but four states including Vermont last month filed paperwork arguing that the federal agency's "woefully inadequate" financial regulations could leave states holding the bag.

On Friday, Recchia reiterated that concern. But he also said officials are working to ensure that Vermont Yankee's cleanup won't lead to any state liability. "I am focused entirely on making sure that does not happen, and that the site is cleaned up for any (reuse) as soon as possible," Recchia said.

Just as Vermont, Massachusetts, Connecticut and New York officials did in their NRC filing last month, Recchia cast doubt on the accuracy of decommissioning cost and trust fund income estimates made decades in advance.

"The further out you go – when you're talking 20, 30, 40, 50 years out – the assumptions you're making really become more and more speculative," Recchia said. "Obviously, the costs of labor, the costs of decommissioning will increase over time. And you're guessing about that increase as much as you're guessing about your (investment) income – probably more so."

State documents show that, as part of Entergy's 2002 purchase of Vermont Yankee, the company entered into a master trust agreement saying 55 percent of any excess money left after the plant's cleanup would be returned to Vermont Yankee Nuclear Power Corp. and Green Mountain Power.

Vermont Yankee Nuclear Power Corp. is the plant's former owner, and Green Mountain Power now owns that corporation. So, as it now stands, "the reality is that this pretty much all comes back to Green Mountain Power," Recchia said.

If the current surplus projection holds true, Entergy would turn over \$105 million at the end of decommissioning.

Vermont Yankee's trust fund was created via a per-kilowatt-hour fee charged to the state's electricity customers. When cleanup is complete, "we would expect ... that money would be returned to ratepayers," Recchia said.

HOUSE ASKS FEDERAL GOVERNMENT TO AUDIT VTEL WIRELESS PROJECT

APR. 15, 2016, 8:13 PM BY ERIN MANSFIELD [LEAVE A COMMENT](#)

ifty-one lawmakers are calling on federal regulators to conduct an audit of a \$116 million telecommunications project that started in 2010.

Five senators and 46 representatives have signed on to sponsor concurrent resolutions in the Senate and House asking the U.S. Department of Agriculture to examine VTel Wireless's performance in building out wireless broadband infrastructure.

The identical resolutions ask the USDA's Rural Utilities Service to also do a financial audit of the grant and loan that VTel received and to require VTel to finish building three remaining towers on the project.

Rep. Laura Sibilia, I-Dover, spearheaded the resolutions. The House passed H.R.19 on Friday. The Senate's version, S.R.13, has been referred to the Finance Committee.

VTel was awarded an \$81.7 million grant and a \$35.2 million loan in 2010 to run fiber-optic cable to households and major institutions in the Springfield area and build 119 towers and antennas to set up a system of wireless broadband in the state's most rural areas.

As part of the application to the USDA's Rural Utilities Service, VTel was also required to invest tens of millions of its own money into the project. The timeline to complete the project was extended in the summer of 2013. The company now advertises wireless Internet service in more than a dozen towns.

But the resolution says the following: "Despite the obligations VTel agreed to in accepting the RUS funding, it is apparent that the wireless project has failed to meet the stated objectives of the grant to the detriment of many expectant Vermont communities."

"VTel's wireless coverage seems neither as expansive nor robust as anticipated, and there is doubt that many of the 33,000 unserved households are now in range to receive a reliable signal," the resolution says.

"It also appears that VTel may have placed unwarranted focus on competing with the highest possible speeds in its previously existing service area rather than building out a new wireless system."

Michel Guité, the president of VTel Wireless, responded that the project, called World of Wireless, is largely complete. He said about \$24.3 million of the USDA Rural Utilities Service grant and \$10.5 million of the loan went toward the wireless project. The company used \$22 million in its licensing and \$22 million of its own money, he said.

Guité said the company built 124 towers and antennas, covering about 97 percent of the locations promised under the deal with the federal government. He said he has about 1,000 wireless customers in Vermont, "and it's a long, slow process because it's probably providing service to 10 or 15 people per town."

"Our plan was to get to about 8,000 over about four years, and I think that's probably achievable," Guité said. "There's nothing standing in the way. It's following the pattern that we had predicted."

Laura Sibilia

Rep. Laura Sibilia, I-Dover. File photo by Amy Ash Nixon/VTDigger

Guité said that would give him about 25 percent market share. But he cautioned that not everyone in rural Vermont would want the service he offers; some might prefer to buy Internet service through a satellite or cable company, he said.

"This is a long road," Stephen Dale, an Act 46 consultant, told board members at the March 29 session in Townshend. "And this is very early on in the process."

Nonetheless, John said Act 46 "is really the dominant issue on the agenda" for all of Windham Central's school boards. And the incoming superintendent, Dover School Principal Bill Anton, said he's confident that "we're all having the same types of conversations" about the future of education in the area.

Taking over the superintendent's spot in the midst of such changes "would be a lot more daunting if the capacity of the boards and the capacity of the principals was not as high as it is," Anton said.

The transition also is eased by the fact that Anton has known for the past year that he is succeeding John. That lead time has allowed him to get involved in supervisory union administration. "(John) goes out of his way to make sure that I am part and parcel of any kind of decision," Anton said.

A few more big decisions are still left for John due to the planned departures of DeBonis and Dorfman.

DeBonis took over as Windham Central's chief financial officer in 2014 and is leaving for a position in Orleans Southwest Supervisory Union.

It's possible another chief financial officer won't be hired in Windham Central. John said he is developing a plan for filling the position that he expects to disclose next month. "His departure presents the superintendent with an opportunity to examine the function of various people in the central office, particularly related to business and finance," John said.

Filling Dorfman's position is a more straightforward matter, and John said the application period closes today. "We have a committee that will review the resumes," he said. "We have quite a large applicant pool."

education

Emily Long, a Leland & Gray School Board member, stands with Steven John, Windham Central Supervisory Union superintendent. John is retiring at the end of the fiscal year. File Photo by Mike Faher/VTDigger

John said he'd like to be able to announce a new Leland & Gray principal by mid-May. But officials said it will be difficult to replace Dorfman, who is credited with enhancing everything from the school's curriculum to its food services.

Emily Long, a longtime Leland & Gray and Windham Central board member, said Dorfman has emphasized the importance of consistency throughout the supervisory union.

"I can't help but feel fortunate that we've been able to keep her this long," Long said. "She's worked really hard to make sure that we are looking at it as a pre-K-through-12 education system, and I feel grateful for her doing that. I think it has kept us focused."

Dorfman is taking an administrative position with the Burlington School District, where she will be closer to family. During her time at Leland & Gray, she has stayed in Townshend during the week but has maintained a home in Waterbury.

Miller, Lawrence

From: Dudley, Jahala
Sent: Wednesday, April 06, 2016 7:28 AM
Subject: MEDIA CLIPS FOR WEDNESDAY, APRIL 6

VPR NEWS:

Eyeing Connecticut River Dams For Purchase, State Forms Working Group

PETER HIRSCHFELD

A dam on the Connecticut River near Canaan, Vt. and Stewartson, N.H. Gov. Peter Shumlin and top lawmakers are considering the purchase of a series of dams along the Connecticut and Deerfield rivers.

Should the state of Vermont get into the energy business? That's suddenly become one of the most pressing questions in Montpelier.

International energy giant TransCanada is selling a series of large hydroelectric dams along the Connecticut and Deerfield rivers, and lawmakers are going to have to decide quickly whether the state should try to acquire them.

It isn't the first time policymakers have wrestled with this question. The dams were last up for sale in 2003. Vermont offered \$385 million for dams that, at the time, would have met nearly a quarter of the state's total electricity demand.

Vermont was outbid by TransCanada, which paid \$505 million for the assets. The company is now re-selling the dams to finance a merger, and top elected officials say it's a compelling opportunity.

"If this is a once-in-a-generation opportunity, we have to do whatever we can, whatever the timeframe, to make sure this isn't a lost opportunity," says House Speaker Shap Smith.

Smith, Senate President John Campbell and Gov. Peter Shumlin announced the creation Tuesday of a seven-member working group to vet the merits of a purchase.

"Really we're asking this working group to vet preliminarily whether full or partial acquisition of the hydro assets currently for sale is cost-effective, and to evaluate the benefits first and most importantly to Vermonters, to Vermont's economy, our utility ratepayers and our clean energy portfolio," Shumlin says.

The group won't have much time to come up with answers. Secretary of Administration Justin Johnson has been named chairman of the Vermont Hydropower Working Group, and he says he aims to have recommendations to the Legislature on how to proceed in three weeks, so they can consider the best course of action before they adjourn, likely in early May.

TransCanada has indicated it wants to have the transaction complete before the end of this year, and Johnson says he wants lawmakers to decide before they leave Montpelier whether they're willing to authorize an appropriation to purchase the dams.

TransCanada hasn't named a price, and will likely seek bids from interested buyers.

"It's a pretty big conversation that is likely going to have to happen in a time frame that not all of us are all that comfortable with, I suspect," Johnson says.

Johnson says the state could potentially leverage ownership of low-cost, reliable, non-fossil-fuel energy in ways that might benefit ratepayers, and spark economic development.

"But they come with some risks as well," Johnson says.

State Treasurer Beth Pearce enumerated some of them to lawmakers on Tuesday.

"Energy pricing has been a little volatile lately and what that would do in terms of impacting the income that would be used to pay down the bonds, in fact that's the way we went," Pearce says.

Officials say there are any number of ways the state could structure the bond used to cover the upfront acquisition, and that a public-private partnership is among the possibilities.

Shumlin says he also wants to look into buying a portion of the dams, as opposed to the entirety of the portfolio, which also includes about 20,000 acres of land and some fossil fuel energy plants.

Even if energy prices end up favoring the state, Johnson says there are all kinds of other potential risks, be they mechanical failures, unanticipated operating costs, struggles with re-licensing or simply the pitfalls of running a business.

"If we do have long-term financial agreements with other payments to buy power and they don't pay, then what happens?" Johnson says.

Pearce says she's excited about the possibility of an acquisition. But she says the working group needs to make sure that purchase of the dams won't pose undue risks to Vermont's bond rating.

Lawmakers will likely want answers to those questions and more before they're willing to sign off on a deal.

The Hydropower Working Group also includes Treasurer Pearce; former Public Service Board Chairman Michael Dworkin; Linda McGinnis, the former lead economist at the World Bank; Tom Dunn, CEO and president of the Vermont Electric Power Company; Mayor of St. Albans Liz Gamache; and Essex County State's Attorney and former state senator Vince Illuzzi.

With Tax Day Looming, 200 Vermonters Are Waiting On Tax Forms From Vt. Health Connect

TAYLOR DOBBS

With tax day less than two weeks away, more than 200 Vermonters are still waiting on paperwork from Vermont Health Connect that serves as proof of their health coverage under the Affordable Care Act.

Kathryn Nicoli is one of those Vermonters. She works a lot.

"I work seven days a week, about 104 hours a week, nine to 12," she says. "I worked back-to-back shifts every Friday, Saturday, and Sunday, and that's a day rate; when I work 24-hour shifts it is \$153.60 now. So I do that to try to make up for the \$12-dollar-an-hours."

Audio for this piece will be available by approximately 11 a.m. Wednesday, April 6.

She's doing math often to make sure she's making enough to cover her expenses, but this year when she did her taxes, the numbers didn't add up.

For Nicoli, who says she basically lives check-to-check, the problem could add hundreds of dollars to her tax bill.

She says she signed up for health coverage on Vermont Health Connect last May, but for her, the plan didn't cut it.

"With the insurance that I had, a copay on one of my medications was roughly \$230 a month, and I said I can't do this," she says. "I can't pay \$200 for insurance and pay \$230 a month for one medication while I do."

Nicoli used to be a Marine, so she went to the VA and found out that she qualified for need-based health care.

"I was told when I exited the exchange Sept. 30: 'Well you'll probably continue to get bills. Just ignore them because it takes a while for the system to catch up.'" — Kathryn Nicoli

She says she called Vermont Health Connect Sept. 15, 2015, to cancel her coverage, and they told her the coverage would stop at the end of the month.

"I was told when I exited the exchange Sept. 30: 'Well you'll probably continue to get bills. Just ignore them because it takes a while for the system to catch up,'" she recalls.

Well, she did get another bill, and Nicoli says she even called Vermont Health Connect and they confirmed that she didn't need to pay and her coverage was terminated.

Fast forward to this February, when she got an important tax document in the mail from Vermont Health Connect, her 1095-A.

"And the reason why that form is so important is because on the form it shows the federal subsidies that you received to offset the cost of the insurance," she explains. "So on that form I received, I believe it was \$228.40 a month in federal subsidies."

Nicoli ended up earning less than she'd expected, so the government is now asking her to pay back that subsidy money.

And she says she has no problem paying back the subsidy money she benefited from — she earned more than expected, so she had to pay back the money she ultimately wasn't entitled to. But the amount she owed was a surprise.

"I looked at it and realized, 'oh, this isn't right. it shows me being in the health exchange for the month of October,'" she says.

The feds are expecting her to pay them back for \$228 of subsidy money that she says she never received.

She called Vermont Health Connect, and she says they told her it was their fault and they'd send a new form.

That was February, and she still doesn't have a new copy. She says she kept calling and they kept telling her they'd send one right away.

And Nicoli's not alone.

Lawrence Miller, the head of the state's health care reform efforts, says there are 236 1095 forms that still need to be corrected and sent out. Miller says the state has already successfully sent out 1095 forms for more than 100,000 Vermonters, so the outstanding changes make up less than one half of one percent of the forms the state was responsible for sending.

He says the errors that made it onto the 1095 forms likely came before the state double-checked its numbers.

"We work through a year-end reconciliation process with the carriers," he says. "It's a process of making sure all the data is right in the VHC system, the premium processor, and the carriers, and clean up any errors or omissions at the end of the year."

Lawrence Miller, the head of the state's health care reform efforts, says there are 236 1095 forms that still need to be corrected and sent out.

For Nicoli, those errors and omissions could be costly.

The extra \$228, she says, is the difference between a manageable tax bill and outright hardship.

With the tax deadline looming, Nicoli has to choose between waiting on a new form at the risk of tax penalties or paying back the October subsidy on health care she didn't receive.

Then this week, she got another call. She says Vermont Health Connect is now claiming that Nicoli was covered in October, and she does owe the money.

If she doesn't want to pay up, Nicoli says the state put the onus on her to prove her case.

"So at this point they're sending me a form to fill out that says I have to [say] why the phone conversations of September 15 and October 16 need to be pulled," she said. "They're going to pull those conversations to validate that what I told her today is, in fact, the truth."

In other words, she says, "they're putting the burden of proof on me."

Until she proves her point, she says the state is refusing to send her a new form.

Update 7:30 p.m. The above text was updated to reflect comments from Lawrence Miller that more than 100,000 of the 1095 forms have been sent successfully.

Man Planning Futuristic Community In Vermont Also Has Plans In Utah

STEVE ZIND

A Utah man who has been buying land in Central Vermont to create a self-contained community of 15,000 to 20,000 residents that would produce its own food and energy has also been purchasing property in the city of Provo, Utah, where he lives.

Just as in Vermont, some people in Provo aren't happy about it.

When news broke that David Hall's NewVistas Foundation had purchased a total of 900 acres of land in Sharon, Tunbridge, Royalton and Strafford – and had plans to buy thousands more acres to build his community — people in those towns had a lot of questions.

Audio for this piece will be available by approximately 11 a.m. Wednesday, April 6.

Hall answered some of them over the phone from Provo during a crowded meeting at the Tunbridge Library last Thursday.

Meanwhile, in Provo, where he grew up, Hall has been purchasing homes in two neighborhoods.

He now owns 15 houses in a section of one neighborhood and plans to buy all of the roughly 45 homes in that area.

Some residents in Provo would like the opportunity to question Hall in the same way Vermonters did last week.

"You're telling your Vermont neighbors you'd be happy to meet with them. How about you come meet with your Provo neighbors?" — Paul Evans, chairman of the Pleasant View Neighborhood

"You're telling your Vermont neighbors you'd be happy to meet with them. How about you come meet with your Provo neighbors?" says Paul Evans, the chairman of the Pleasant View Neighborhood.

Evans says as Hall has continued to purchase houses around them, the remaining homeowners are confused about his plans and want answers.

"People have become fearful; just high levels of concern and anxiety," he says.

Evans says Hall has not accepted invitations to attend a neighborhood meeting similar to the one in Tunbridge.

But as far as Hall is concerned, a meeting called by Evans would be a "circus" that wouldn't be productive.

"I'm OK meeting citizens groups if the leader of that citizen group is willing to respect my point of view," Hall says, adding that he has spoken directly with many of the residents in the neighborhoods where he's purchasing homes.

"I'm OK meeting citizens groups if the leader of that citizen group is willing to respect my point of view." — David Hall
Hall says his plans are clear. In the short term, which may be 10 or 20 years or more, he will simply rent the homes he's buying.

Eventually he hopes to replace all the single family homes with multi-family dwellings and create a version of the NewVista community he envisions in Vermont. He says instead of 2,000 people living in the 5-acre area, there will be 20,000.

Evans says even in the short term, Hall is altering the area by turning all the homes into rental properties where residents live short-term and don't put down roots.

Hall is also buying homes in another Provo neighborhood called Spring Creek, where he's purchased 20 of 25 homes on one street. Eventually he wants to build a sustainable community there as well.

"Similar situation," Hall says. "There's one neighborhood chairman who's really opposed to it all."

Mary Millar is the chairman of Spring Creek Neighborhood.

"When I think of David Hall the two terms that come to mind are capricious and mercurial," she says.

As a 35-year resident, Millar says there have long been issues with Hall and a nearby manufacturing business he owned that she says has been a source of round-the-clock noise.

In 2014, the Provo City Planning Commission unanimously recommended that the city reject an application by Hall's company to rezone some lots it owns in the area from residential to industrial, citing concerns the company had not met past requirements to minimize noise in the neighborhood.

"He has destroyed this part of the Spring Creek Neighborhood. Absolutely." — Mary Millar, chairman of Spring Creek Neighborhood

Since Hall started buying residential property on her street, Millar says he has made changes to the homes that have altered its character.

"He has destroyed this part of the Spring Creek Neighborhood. Absolutely," she says.

As far as Hall is concerned, he is rescuing neighborhoods that are in decline and giving people a chance to sell their homes.

"This family needed to move, they needed the money. They got their best offer from us. What's the problem?" he says.

Millar and Evans say Hall's efforts are a threat to their well-kept, vibrant neighborhoods.

Hall acknowledges that his long-range plan to build sustainable communities in the neighborhoods where he's buying property will require rezoning and approval from the city, but just as he has said in Vermont, those plans are too far off for it to make sense to start the process anytime soon.

House Gives Preliminary Approval To Raising Smoking Age

BOB KINZEL

The House has advanced legislation that raises the legal age to purchase or possess tobacco products from 18 to 21. The proposal will be phased in over a three-year period. The vote was 84 to 61.

The bill also increases the state tobacco tax by 39 cents over the three years.

Backers of the legislation believe it will help reduce smoking rates because studies show that 90 percent of adult smokers started before they were 21.

Putney Rep. Mike Mrowicki urged his colleagues to support the bill.

"Our hope is that will help move Vermont to a culture with healthier youth, less government spending," says Mrowicki. "How do we gain those outcomes? Limit use of tobacco products and substitutes to those under the age of 21. Saves lives, saves money."

House members backed an amendment to dramatically increase fines for underage people who try to illegally purchase tobacco products.

They narrowly defeated another amendment that would have exempted military personnel from the new age limit.

The bill is expected to come up for a final vote in the House on Wednesday.

OFF MESSAGE:

House Panel May Write Its Own Marijuana Bill

TERRI HALLENBECK

A key House committee appears unlikely to embrace the marijuana legalization bill before it, but its members are considering alternatives.

House Judiciary Committee chair Maxine Grad (D-Moretown) said she can't envision a majority of her 11-member committee voting for the legalization bill that the Senate passed in February, which would allow the sale and possession of small amounts of marijuana in 2018. House leaders have been clear that the legislation faces tougher going in the House than it did in the Senate, where it passed 17-12.

"I don't know how far people can go," Grad said Tuesday.

"You think you can get six votes out of our committee for that? I don't know," committee vice chair Willem Jewett (D-Ripton) said Tuesday.

But there may be an alternative to set the stage for eventual legalization, Grad said. The committee is expected — by week's end — to start crafting its own bill designed to prepare the state for legal marijuana.

"We're hearing two things. Legalization is coming, so we need to be ready," Grad said. "Also, there are many things this discussion has shown us that aren't working in the current system."

The big argument I'm hearing is 'Get your ducks in a row,'" said Rep. Tom Burditt (R-West Rutland), a committee member.

Toward that end, the committee could consider establishing a trigger for legalizing marijuana after other states approve it, or after certain programs are in place in Vermont, Grad said. Or it could establish drug prevention and highway safety measures, such as a roadside test for drugs, in anticipation of eventual legalization.

Ideas the House Judiciary Committee considered Tuesday afternoon. The sticking point with those ideas, however, is finding the money to pay for the programs before tax money would be available from legal sale of marijuana, Grad acknowledged.

Grad's committee started work late Tuesday on assembling ideas for its own House bill instead of rewriting the Senate bill.

"There is some sense that building their own bill would allow them to find areas of agreement more easily," said House Speaker Shap Smith (D-Morristown), who said he expects the committee to vote on something this week or early next.

Logistically, that approach poses challenges and surprised supporters of the legislation. For the Senate to consider a House bill this late in the session, it would need approval from the Senate Rules Committee, a relatively conservative panel that would likely balk.

Smith said either a rewritten Senate bill or a new House bill would face tough odds.

When he heard Tuesday that the committee was considering a new House bill, Rep. Chris Pearson (P-Burlington), a legalization supporter, was dubious about its chances. "At first blush it doesn't look like a good way to get a bill to the governor's desk," he said.

Vermont to Consider Purchase of Hydroelectric Dams

NANCY REMSEN

Gov. Peter Shumlin speaks, flanked by (l-r) House Speaker Shap Smith, Senate Pro Tem John Campbell and Secretary of Administration Justin Johnson. Gov. Peter Shumlin and the leaders of the House and Senate agreed Tuesday that the state should consider purchasing the hydroelectric dams on the Connecticut and Deerfield rivers. Their owner, TransCanada, has announced it wants to sell 13 dams.

Shumlin, House Speaker Shap Smith (D-Morristown) and Senate Pro Tempore John Campbell (D-Windsor) announced that a seven-member working group will examine either a purchase or entering into a partnership to buy the dams. The panel will report back before the legislature adjourns to give lawmakers an opportunity to authorize next steps.

"We have to do whatever we can to make sure this isn't a lost opportunity," said Smith.

Secretary of Administration Justin Johnson will head up the working group, which will include State Treasurer Beth Pearce as well as members with economic, energy and business expertise.

The state investigated acquisition of these same dams in 2003 when the dams' owner, USGen New England, declared bankruptcy.

Vince Illuzzi, then a Republican senator and chair of the Senate Institutions Committee, pushed for the purchase. He bucked the initial skepticism of then-governor Jim Douglas and persuaded the legislature to set up the Vermont Renewable Power Supply Acquisition Authority to explore its feasibility.

Illuzzi said he backed the move because "it is the cleanest and greenest energy around." The dams were then in "top-notch condition," he said.

Mike Smith, secretary of administration for Douglas, became chair of the authority. It hired a consultant and conducted an analysis over the summer and fall of 2003. Smith recalled Tuesday that the panel concluded the state couldn't afford the purchase on its own.

But the state found a partner in Brascan and Emera, a Canadian power company, and submitted a joint bid. It fell well short of the \$505 million of TransCanada Hydro Northeast's winning bid.

In a phone interview Tuesday, Douglas said he remained skeptical throughout the previous evaluation, "but I wanted to give it a fair opportunity." Douglas hasn't changed his mind about public ownership of power-generating facilities, he said. "It is better to have the private sector undertake the risk, not taxpayers," he said.

Smith, however, argued that publicly owned power could be an asset that would benefit the state's clean-energy future and economic development goals. And he noted that the state has a long history of public ownership of generating facilities, citing the Burlington Electric Department and various electric cooperatives.

Campbell said he has asked several committees to take related testimony and to be ready to respond to recommendations from the working group. Two committees held a joint hearing Tuesday afternoon.

Lt. Gov. Phil Scott, a Republican candidate for governor, supports a review of the possible risks and benefits of a purchase. He also wants electric utilities in the state to conduct their own review to see whether they could lower electricity rates if they bought the dams.

Green Mountain Power had "significant concerns" about potential state acquisition 13 years ago, but supports the Shumlin administration's decision to vet the new opportunity, to "see how it connects with our commitment to keep costs down for Vermonters while investing in a cleaner energy future," said Dottie Schnure, company spokesperson.

Said Shumlin: "I feel like we missed an opportunity last time around to purchase these assets."

House Gives Preliminary Approval to Increasing Smoking Age to 21

NANCY REMSEN

Rep. George Till (D-Jericho) argues for raising the legal smoking age from 18 to 21. The House voted 84-61 Tuesday to give preliminary approval to a bill that would raise Vermont's legal smoking age from 18 to 21. The change would be phased in over three years, beginning next January.

To make up for the loss in tax revenue from tobacco sales, the bill calls for a 13-cent increase in the tax on cigarettes in each of the next three years. A single 13-cent tax hike would raise about \$900,000.

The House spent much of Tuesday on this measure. The first vote, to add the tax to the age-change bill, was close: 75 to 68. Critics argued the bill was another excuse to raise taxes.

"This is not a health bill, but just another tax and anti-business bill," Rep. Ron Hubert (R-Milton) said, explaining his no vote.

"This is a self-imposed tax," countered Rep. David Deen (D-Westminster) who voted in favor. "If you don't want to pay the tax, don't smoke."

Rep. Carolyn Branagan (R-Georgia) is vice chair of the House Ways and Means Committee, which recommended the tax to offset the reduced revenues. She argued that the higher legal age and the tax increase would make Vermonters healthier. "Reducing the number of young people who smoke will lower health care spending," she said.

Before taking the final vote of the day on the bill, the House agreed to Rep. Kurt Wright's (R-Burlington) proposal to raise the fine for underage people who try to deceive retailers. Wright called the current \$25 penalty for this violation "a slap on the wrist." He said that \$200 would be a better deterrent — and the House agreed, 136-9.

Rep. Bob Helm (R-Fair Haven) wanted to create an exception to the age increase for members of the military. If people who are 18 can fight for their country, he argued, then the state should "treat them like adults."

Rep. Mike Mrowicki (D-Putney) acknowledged that dilemma, but argued that the military doesn't want to encourage smoking.

Helm's amendment failed in a 70-72 vote.

The House is expected to give the measure final approval Wednesday. Its fate in the Senate, however, is uncertain. It is arriving there long after the date when House bills were due.

Senate President Pro Tempore John Campbell (D-Windsor) noted that the bill's tardy arrival gave senate committees little time to schedule testimony. He added: "I have heard quite a few of the senators have concerns about doing it."

Bernie Sanders Wins Wisconsin by Double Digits

PAUL HEINTZ

Sen. Bernie Sanders (I-Vt.) bagged another one Tuesday, winning Wisconsin's Democratic presidential primary by double digits.

With more than three-quarters of the votes counted shortly before midnight, Sanders was leading former secretary of state Hillary Clinton 56 to 44 percent. The Badger State will award 96 pledged delegates.

Sanders, who had camped out in Wisconsin for much of the week ahead of the state's primary, addressed the results Tuesday night from Wyoming, which hosts Democratic caucuses on Saturday.

"With our victory tonight in Wisconsin, we have now won seven out of eight of the last caucuses and primaries," Sanders told a crowd in Laramie. "And we have won almost all of them with overwhelming landslide numbers."

In his remarks, Sanders previewed the next major contest in the Democratic presidential campaign: the April 19 primary in New York, when 291 delegates are on the line. A week after that, another five mid-Atlantic and New England states are scheduled to vote.

"I know a little bit about New York," the Brooklyn native said. "I believe we've got an excellent chance to win New York and a lot of delegates in that state."

Clinton did not hold a public appearance Tuesday night, but she addressed the results via Twitter.

"Congrats to @BernieSanders on winning Wisconsin," she wrote. "To all the voters and volunteers who poured your hearts into this campaign: Forward! -H"

According to exit polls, Sanders attracted the most support from young, white and independent voters. Wisconsin, a relatively homogenous state in which independents are free to cast ballots in the Democratic primary, was well suited to Sanders' strengths. He cleaned up among voters under 30, who chose him over Clinton by a margin of 60 percentage points. Clinton led among those age 45 and older.

Heading into the night, Sanders trailed Clinton by 220 pledged delegates. Many analysts agreed that in order to close that gap ahead of July's Democratic National Convention, he would have to win at least 57 percent of the delegates in Wisconsin and each of the remaining primaries.

But even if he falls short of that in Wisconsin, his campaign will cite his recent string of victories as evidence that his fortunes are improving. And it will use the news to replenish campaign coffers.

Minutes after the AP called Wisconsin for Sanders, his campaign sent out a fundraising email imploring supporters to donate more to the cause.

"Tonight kicked off the most important three-week stretch of the campaign, and we did it with another overwhelming victory," Sanders wrote in the email. "If we can keep our momentum going through the states that vote and caucus over the next three weeks, we're going to win this election."

That strategy has worked in the past. Last month, Sanders out-raised Clinton \$44 million to \$29.5 million.

VERMONT POLITICAL OBSERVER:

A Confederacy of Consultancies

When last we met, I was exploring Bruce Lisman's campaign finance filing from March 15, trying to figure out how he managed to spend nearly \$600,000 before the race has really even started.

In my previous post, I looked at how much money Lisman is paying his campaign manager Shawn Shouldice*, who's a very experienced lobbyist (on behalf of big business, mostly) but has never run a campaign before, as far as I can tell.

*spoiler: it's a LOT.

This time, we'll explore the bewildering array of consultancies that have hitched themselves to the Lisman gravy train. There are so many different firms, that I wonder how their efforts can possibly be coordinated.

Or, to put it another way, how much money is being squandered by Lisman, currently standing at a brisk four percent in the polls. But first, a brief note about media spending.

As of March 15, Lisman for Governor had spent an astounding \$82,242 on TV ad time, which is more than many campaigns spend in an entire cycle. The bulk of that money went to WCAX-TV (\$38,080) and Comcast (\$32,937). WPTZ was a distant third with \$11,225. Lisman also spent \$11,475 for online advertising and a measly \$3,000 or so on radio.

Add it all up, that's close to 100 G's on media. Before March 15, for Pete's sake! Which doesn't include production costs — and Lisman, as we shall see below, hired a top-of-the-line conservative production firm to produce his ads.

Okay, back to the consultancies. There are roughly a dozen outfits that have each taken thousands from the Lisman campaign for "consulting" and such-like.

As you scan through this list, try to think like a manager. Ask yourself: how do all these parts fit together? Is Lisman just throwing money around, or is there an organizational plan behind this confederacy of consultancies? It's hard to tell because their duties are described so generically.

The Rogues' Gallery, presented roughly in order of interest to me:

The Jackson-Alvarez Group, \$5,000. A conservative firm based in Virginia that specializes in "opposition research," i.e. digging up political dirt. This expenditure came to light last September, when VPR's Peter Hirschfeld reported that someone was doing oppo research on Lt. Gov. Phil Scott. The obvious suspect was Lisman, Scott's Republican primary opponent. When asked about it, Lisman fumbled. He first said it was "possible" and he was "going to go find out." Later, he claimed that he hired Jackson-Alvarez — but only to do oppo research on himself. He further claimed that if the firm also researched Scott, it was not his idea.

Hard to believe a tough DC hit squad would dig into someone without getting paid for it. Anyway, now we know how much Lisman paid for whatever they did for him.

McLaughlin & Associates, \$21,752 for consulting plus \$29,427 for polling. A high-powered New York firm that does survey research and strategic consulting for corporations and conservative politicians, nationally and internationally. Hopefully its poll will give Lisman a better showing than The VPR Poll's measly four percent.

Jamestown Associates, \$12,628. (Jamestown has also done major media buys for the Lisman campaign.) A prominent "Republican political consulting firm" based in New Jersey. Its client list features many a Tea Party favorite, including Rick Perry, Mark Sanford, Kansas Sen. Ben Sasse, and Kentucky Gov. Matt Bevin. Among many other things, Jamestown produces campaign advertisements with a style that combines hard-knuckle attacks with biting humor. The recent Lisman spot with the Peter Shumlin mannequin saying "BLAH BLAH BLAH" has Jamestown's fingerprints all over it.

Cogent Strategy, \$15,857. Cogent is headed by Karen Marshall. If that name sounds familiar, cast your memory back to January of 2013, when Marshall left a job as Governor Shumlin's "broadband czar" to take an executive post with VTel, a recipient of state and federal broadband funds. Only a month before joining VTel, she had cast a vote in favor of a \$5 million state grant for the company. At the time, it was widely criticized as a prime example of Montpelier's revolving door at work.

Well, she's not at VTel anymore. Her current shop doesn't seem to have a website; according to Marshall's LinkedIn page, "The firm offers services in media placement, strategic planning, project management, talent recruitment and coaching for performance, marketing and sales channel effectiveness."

You see the same buzzwords over and over, which is why I wonder how all these consultants who do the same kinds of stuff can all work effectively without serious overlap.

Marshall's firm, by the way, was registered with the Secretary of State in July of last year. Seems kind of recent, which is a recurring pattern in this list.

Radial Marketing, \$22,120. Vermont firm that "assists clients with integrated strategic marketing and management planning." Whatever. Radial is owned by Doug Grahn, a Republican from Middlesex; in 2012 it formed an "affiliation" with Shouldice's lobby shop Capitol Connections. It's one of at least three CC-related firms that have gotten a taste of Bruce Lisman's Wall Street fortune. Lesson: It pays to know Shawn Shouldice.

Oh yes, Grahn is listed as a "Partner" in Lisman's advocacy group Campaign for Vermont. As of 2013 he was listed as "Coordinator" for CFV, and had a "doug@campaignforvermont.org" email address.

And here's a blast from the past: Grahn was on Tom Salmon's "exploratory committee" back in 2011 when the Democratic-turned-Republican Auditor was mulling a challenge for Bernie Sanders' Senate seat, ha ha.

Angelique McAlpine, \$12,022 plus another \$8,614 for website development. McAlpine is a Vermont resident and purveyor of "Strategic Visual Solutions," her words, which includes graphic design and marketing, and something she

calls "Graphic Recording." What that is, apparently, is that she convenes a group of people, facilitates a discussion, and creates a large-scale visual representation thereof. A sample, taken from her website, is nearby.

McAlpine graphicSounds like snake oil to me, but then, I once suffered through a two-day corporate retreat based on "Who Moved My Cheese?" Couldn't stand it. I kept wondering, "Why did they move my cheese?" And "What kind of cheese-moving are my bosses preparing to launch?" If McAlpine did a visual representation of the Lisman campaign, I'd love to see it.

On second thought, no I wouldn't.

A separate firm, Studio Four Nine (\$5,908) is also listed as providing "website development" services for the Lisman campaign. Man, that's gotta be one hell of a website. Studio Four Nine is a Vermont firm that has taken assignments for Capital Connections in the past, and has also done work for Lisman's Campaign for Vermont.

Madmotion LLC, \$11,375. Vermont firm listed as "independent contractors," but Madmotion's in the video production business. (As they put it, "Digital Storytelling.")

Digital Media Creations, \$12,539. Another Vermont firm listed as providing "media consulting," and like MadMotion, its core business is video and digital production. I don't know how DMC, Madmotion, and Jamestown fit together; maybe they were hired sequentially, maybe the Vermont firms shot the local video and Jamestown did the actual conceptualizing and production. Hard to say because, again, the Lisman campaign finance report offers nothing more than a one- or two-word description for each consultancy.

Burlington Consulting Services, \$8,694. It doesn't have a website; a Google search only turned up a reference to the firm being "registered and doing business in Vermont since 12/14/2015." Aww, just a baby. BCS is registered with the Secretary of State's office; the Registered Agent is Jennifer Tedeschi, who happens to be the Lisman campaign's finance director.

Okay, now, if Lisman wants to pay his finance director, I've got no problem with it. But why the rigmarole? Why, apparently, create an LLC to funnel money from his campaign to his finance director? Where is the transparency, as Lisman himself would say?

Tedeschi is also head of something called the Naitonal Gardening Association. Lisman is the chairman of the nonprofit's board. Also serving on the board is one Erik Beal, which brings us to...

Riverhall LLC, \$8,000. I could find no trace of Riverhall online, except for a Secretary of State registration dated 11/14/2015. Another brand new corporation, created after Lisman's campaign launch! And yes, Riverhall's Registered Agent is Erik Beal.

FYI, both Tedeschi and Beal are "Partners" in Campaign for Vermont. Which may or may not mean much, since the list of "Partners" runs to the hundreds of names. I think it includes anyone who's ever given money to CFV or signed up for its mailing list.

Wilderness Communications, \$3,173. PR/communications firm owned by Chris Adams, a partner in Shouldice's lobby shop Capital Connections. And oh look, it was registered as an LLC on November 2, 2015. Another Lisman campaign startup. (Hey, the guy's creating jobs and small enterprise, right?)

The Schuman Group, \$4,500. Burlington-based "sales training and consulting firm." Before opening his own shop, Philip Schuman was Director of Sales for the Lake Champlain Regional Chamber of Commerce.

Question: Why does a political campaign need training in sales? Is this part of Lisman's "run government like a business" worldview?

Well, that's it. The list of consultancies that have all pulled down four- and five-figure paychecks from the Lisman campaign. Most of the Vermont shops have past connections to Shouldice and/or Campaign for Vermont; three of the companies were created in the closing months of 2015, after Lisman launched his bid for governor.

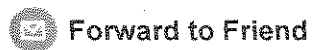
It's all very cozy, and lacking in the kind of transparency that Lisman advocates every time he opens his mouth or writes an opinion piece. He's not setting much of an example.

Note: I'm sure I don't know all the players and the connections. If anyone has additional information, please post it in the Comments below. And preferably, provide documentation in the form of a weblink or reference. Thanks.

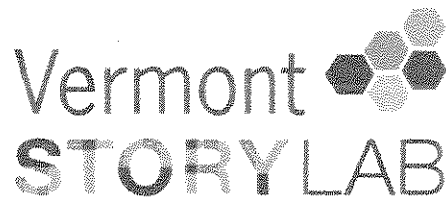
Miller, Lawrence

From: Lauren-Glenn Davitian <coordinator=commongoodvt.org@mail27.atl111.rsgsv.net> on behalf of Lauren-Glenn Davitian <coordinator@commongoodvt.org>
Sent: Monday, March 28, 2016 7:01 AM
To: Miller, Lawrence
Subject: Vermont Legislative Digest 3/28/16: Senate Contemplates AHS Overhaul

[View this email in your browser](#)



VERMONT NPO LEGISLATIVE NEWS 3/28/16

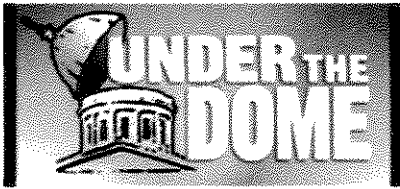


POLISH YOUR POLICY TALK

[Storytelling for Grantwriting on 4/21](#)

[Vermont StoryLAB on 4/28](#)

APRIL IS STORYTELLING MONTH

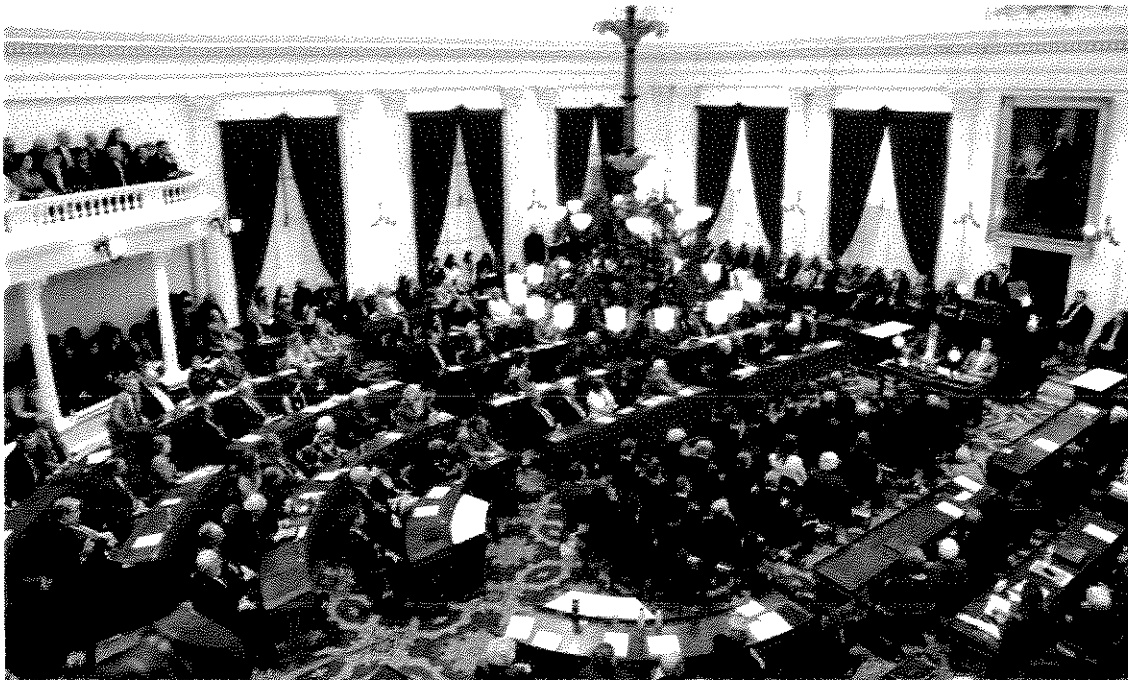


MONDAY @ 11 AM

WATCH LIVE & CALL IN

**Under the Dome:
FY17 BUDGET UPDATE**

DON'T MISS: VT Education Restructuring and Financing 3/21



House Passes FY17 Tax Package

The \$5.77 billion state budget for the next fiscal year passed on a vote of 94 to 40. Lawmakers passed the miscellaneous tax bill on a voice vote. The House chamber approved both bills after hours of wrangling over nearly a dozen amendments, debating state worker security, Vermont Health Connect, electronic cigarettes and more.

(VTDigger/Hewitt)

UVM Medical Center Offers \$15 Million Excess Revenue for Public Benefit

(VTDigger/Erin Mansfield)



Restructuring of AHS on the Horizon

The Vermont Senate has given its preliminary approval to the biggest restructuring of state government in almost 50 years.

(VPR/ Kinzel)

IN THE NEWS...

- Since the start of the recession in 2007 Vermont has seen an increase in service sector jobs and a decline in production jobs. (Public Assets Institute/ Cillo)
- House Education Committee members took testimony from independent schools (e.g., Sharon Academy) student democracy, evaluation and governance. (ORCAMedia)

- VTEL pulls back on rural cell build out. (Valley News/ Lippman)
- While DPS Commissioner Recchia makes no apologies for his agency's self-assessment report. (VTDigger/Galloway)
- Governor Shumlin signed an executive order for a disability employment working group, the results of civil rights advocacy efforts. (ORCAMedia)
- The Senate voted to allow publicly financed candidates to run earlier. (7Days/ Hallenbeck)
- A proposal to establish a new ethics committee is hitting snags. (VPR/ Kinzel)

Don't Miss Vermont Arts Advocacy Day on March 29th.





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**Watch: VT Nonprofit Legislative Day 3/11:
Issue Briefings**

**Watch: VT Nonprofit Legislative Day 3/11:
Issue Briefings**

Economic Driver Report: VT's Nonprofit Sector

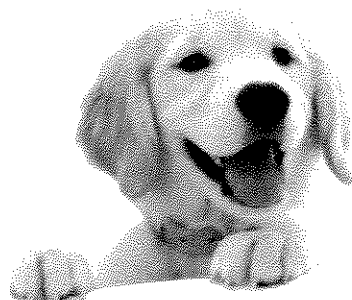
Public charities employ 20% of Vermont's workforce and generate 20% of the State's Gross Product. Get the story behind this vital sector in a time of change.

[Watch the Video](#) | [Read the the Report](#)

Want More Legislative News?

[VTDigger.org](#), [VPRNews](#) and [SevenDays](#). [ORCAMedia](#) provides ongoing coverage of legislative committee meetings.

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inescapable conclusion that our current prohibition system has failed, and failed miserably.

According to the Vermont Department of Health, over 75 percent of Vermont high school seniors find marijuana “easy to get” (compared to just over half of adults over age 35!), and 1 in 4 smoke pot at least once a month. Comprehensive surveys funded by the National Institutes of Health show similar results nationwide – 80 percent and 20 percent, respectively. Simply put, even though selling marijuana in Vermont is a felony carrying up to a 15 year jail sentence, there is no shortage of drug dealers willing to sell to our kids.

And, worse yet, underground drug dealers don’t care whether it’s marijuana our kids are buying, or something much more harmful. A sale is a sale in their eyes. By leaving marijuana profits in the hands of criminals, we are effectively underwriting the distribution of heroin and other highly dangerous, highly addictive substances that destroy so many Vermont lives.

Vermont can change this dynamic. By legalizing marijuana and putting in place a comprehensive regulatory framework for sale to adults over the age of 21, we can squeeze out the drug dealers and replace them with licensed, taxpaying retailers that follow the rules. A regulated retailer, who has paid the state tens of thousands of dollars in license fees, spent tens of thousands more on lease payments and building out a store, and who can reach legitimate customers in a secure environment will be far less sell to kids and put that significant investment at risk than a petty criminal with nothing to lose.

We should insist that our legislators include loss of licensure for selling to minors in the bill being debated. Further, I call on our legislators to include a requirement that licensed marijuana retailers be majority- owned by Vermonters, so that community ties can further encourage responsible behavior.

Some have argued that by legalizing marijuana, the state will be sending a message to kids that marijuana is OK, resulting in an increase in underage drug use. While this fear stems from genuine concern, the facts not only don’t support the proposition, they show the exact opposite is happening. Since 2010, while the percentage of high school seniors who think marijuana is harmful has declined by nearly 25 percent, and the percentage of students who morally disapprove of marijuana has declined by about a tenth, actual teen use rates have held steady. Colorado’s underage use rates slightly decreased between 2011 and 2013 (they are now below the national average), and 20 percent fewer Colorado high school seniors think marijuana is “easy to get” as compared to their nationwide counterparts.

With legalization, we can use the RAND-estimated \$20-\$75 million in annual revenues generated by license fees and excise taxes to fund effective youth education and prevention programs, as well as much-needed treatment for opiate addiction, which is the real drug problem we face. Today, that money goes to organized crime instead.

Sometimes, reality is counter-intuitive. But facts are facts, even if they don’t meet our initial expectations. It’s time we face up to the facts and stop pretending that prohibition is somehow keeping our kids safe. Strange as it may seem, legalization will work reduce underage access to marijuana in Vermont, not increase it.

VALLEY NEWS:

VTel Pulls Back Plan to Bring Cell Service to Remote Areas

By John Lippman

A plan to bring cell phone service to nearly 1,000 miles of Vermont roads that do not get any signal reception has been sharply curtailed four years after the project was announced with great fanfare.

VTel Wireless, a subsidiary of Springfield, Vt.-based Vermont Telephone Co., has dropped plans to provide cell phone service along roads in 35 unserved areas around the state, according to the Federal Communications Commission. The company will move forward with providing cell phone service along about 343 miles of roads in 11 areas in Vermont, mostly in northern part of the state.

The 11 areas in which VTel will provide mobile phone service include parts of Bennington, Caledonia, Essex, Orleans, Rutland and Windham counties. The 35 areas where it dropped plans to offer mobile phone service are in parts Addison, Franklin, Lamoille, Orange, Washington and Windsor counties. VTel also withdrew plans to offer mobile phone service in parts of Bennington, Caledonia, Essex, Orleans, Rutland and Windham counties, according to the FCC.

The cell phone service to be provided by VTel is part of the FCC's Mobility Fund Phase I program, a federal funding initiative that set aside \$300 million for telecommunications companies to cover so-called "black holes" around the country where cell phone service is unavailable.

The funding was awarded through a "reverse auction" in which the FCC sought the lowest bidder willing to undertake the job of providing mobile phone service to rural pockets left unserved by providers.

VTel's decision not to move forward with tapping the funding for the 35 sites it initially sought from the FCC put the company in "default" of its award, and as a result is liable for a default payment. The payment amounts to 5 percent of the funding awarded for each site, for a total of about \$86,000.

Under the original plan, VTel was awarded \$2 million by the FCC that was to go toward the installation of infrastructure to extend cell phone coverage along 941 miles of Vermont roads. As it now stands, VTel will tap only \$262,000 of the money made available to the company under the award.

VTel has until March 12, 2019, to complete the project or the funding expires.

"We're disappointed VTel is not going to be providing the cellular service it said it would to Vermont areas that do not receive it," said James Porter, director of the telecommunications and connectivity division of the state's Department of Public Service.

Although the state didn't have any role in VTel's federally funded project, Porter said his department is working with Cambridge, Mass.-based Coverage-Co to build 500 cell sites around the state that would bring coverage to unserved areas. CoverageCo contracts with cell phone providers to extend coverage so that customer calls are not dropped when traveling through a "black hole."

Porter said the CoverageCo project, which is "requiring a lot of resources," should be completed within the next 12 to 18 months.

"Once that project is completed we'll start looking at potential other areas" to extend cell phone coverage, he said.

VTel president Michel Guite did not respond to request seeking comment. But he told Vermont Public Radio that VTel decided not to move forward with a majority of the sites because of federal regulations regarding

the provision of a cell phone caller's geographical location for 911 emergency calls. He said the 911 requirements are not compatible with the 4G LTE technology that VTel plans to deploy in its network. (The voice portion of mobile wireless communications typically is carried over 3G networks.) The FCC-funded cell phone project is one of two mobile phone projects that VTel has contracted to deploy in the state.

The other is mobile voice service over the company's statewide wireless broadband 4G LTE data network that it built with federal stimulus funding. VTel received a \$2.6 million grant from the former Vermont Telecommunications Authority in 2013 to add mobile voice service onto its data network, although that service also has not yet been deployed.

Although the wireless broadband network has been built and VTel has begun advertising its availability, the company has not said how many customers have signed up.

Guite has said in interviews that network is in a testing phase before it becomes fully operational. VTel says on the company's website it will begin offering voice-over-LTE, known as VoLTE, in 2016, although it has not provided any more specific information.

THE VPO:

Your Daily Free Press, a shell of its former self

A bit of unintended irony in Friday's Burlington Free Press. Page A13 featured a nice article about the awards given to the Freeploid by the Vermont Press Association.

Which, okay, whatever. The Free Press ought to take home a bunch of awards from the VPA. It is, by far, the biggest newspaper in the state. For the Freeploid, winning VPA awards is kind of like a 14-year-old faking his age and playing in Little League. Substantial built-in advantage.

But then, on page C3, there was a prime example of the Free Press' diminished status. The page contained a column of Business Briefs, a series of items ripped straight from press releases and deployed to occupy space on a day when ad sales fall a bit short.

The first of the three started like this:

Walmart gives pay raises to 753 in Vermont

Walmart gave the largest single-day, privatesector [sic] pay increase ever on March 10 to more than 1.2 million Walmart and Sam's Club employees in the United States, including 753 in Vermont. All employees hired before Jan. 1, 2016, will earn at least \$9.60 an hour.

Well, isn't that nice. How generous of an enterprise not known for its generosity.

But wait. Didn't Vermont's minimum wage just go up?

Why yes, in fact, it did. On January 1, the state minimum wage increased to... wait for it... \$9.60 an hour.

Great. Walmart is bragging about something it was required to do by law. And the Free Press let 'em get away

with it. In fact, it wrote a headline in support of the baseless brag.

In fairness, these blurbs are shoveled into the paper with absolutely minimal editorial oversight. Also in fairness, this is a national press release salted with state-specific numbers. A slightly altered version probably ran in every Gannett paper in the country, including plenty of states with lower minimum wages.

But still. This was not advertising, it was what they used to call “news.” (The kids today call it “content.”) It was given the imprimatur of Vermont’s award-winning newspaper. And it amounted to a reach-around for a major advertiser.

Deliberate or careless? I’m guessing careless, but either way, it’s another example of what we can expect from the Newsroom Of The Future.

More obstructionism from anti-renewable lawmakers

The Northeast Kingdom has become a hotbed of anti-renewable sentiment. They think they’re overburdened by the renewable buildout in their neck of the woods — although they seem to be just fine with Bill Stenger’s ambitious development plans, which would include a dramatic expansion of the Jay Peak resort with the concomitant loss of open space and wildlife habitat.

The Kingdom’s nominally Democratic Senators, Bobby Starr and John Rodgers, have proposed a bill that would effectively hamstring development of solar energy projects. They have a cover story, as they always do; this isn’t about energy, it’s about farming!

... the bill would apply Act 250 standards to renewable energy developments proposed for high-quality farmland.

Starr told finance committee members that he wants to balance the need for renewable energy with the need to conserve farmland, and he said the proposal could encourage solar development on more appropriate locations, such as rooftops.

Right. Rooftops. Vermont has so many of those.

There are a few problems with this bill. In no particular order:

— Vermont has a whole lot of farmland that’s not in use, and won’t be anytime soon. There is no shortage of farmland.

— According to VTDigger, the state’s comprehensive energy plan calls for roughly 12,000 acres of solar panels. The state contains nearly 400,000 acres of “prime agricultural soil.” Which means a maximal solar build-out would have little effect on the availability of farmland — even if every single solar panel is placed on prime land.

— There’s a far bigger threat to agricultural lands. It’s development pressure. And development — residential, industrial, or commercial — is much harder to undo than solar installations. If Sen. Starr wants to conserve farmland, he should seek much tougher limits on developing prime soils.

Of course, he is not really committed to conserving farmland, as one of his colleagues pointed out:

Sen. Virginia Lyons, D-Williston, said there should have been the exact same response from the public and lawmakers “when the Wal-Mart went up in St. Albans — that’s some of the best soil in the world; it’s good soil.”

At the time, Jeff Davis, the developer, thanked Starr for his longstanding support at the project’s groundbreaking in 2014.

Yeah, thanks, Bobby, for your stalwart environmental stewardship.

— Solar development is relatively easy to undo. Decommissioning a solar farm causes little or no impact on soil.

— There’s also the underlying assumption that we would naturally want a lot more agriculture. Do we really? How much clear-cutting would be involved if our ag sector made use of all the prime land?

How much worse would the pollution of Lake Champlain and other waters become? Agriculture is the number-one factor in Champlain’s degradation. Here’s a factoid worth pondering, courtesy of the EPA:

One dairy farm with 2,500 cows produces as much waste as a city with around 411,000 residents.

And yes, Vermont does have some dairy farms that are that big, or nearly so. And if a city’s waste was as lightly regulated as a farm’s, it’d be a national-scale scandal.

Farming gets a free pass because it’s so darn Vermonty. But in fact, it carries significant environmental implications — far more than a solar farm. Even an “industrial-scale” solar farm.

Speaking of which, how come we never apply that adjective “industrial” to farms? How many solar panels make an installation “industrial”? How many cows make a farm “industrial”? Is the Gervais Farm, with an estimated 1,800 head of cattle, “industrial”?

Of course it is. And of course we will never call it that. Because farms are, y’know, friendly little natural things, manure and all. Whereas solar arrays are cold, metallic, alien, a blight on the landscape.

I tell you what, though. If we somehow closed all the farms and replaced them with solar arrays, our environment would dramatically improve — even if you don’t include the carbon-free energy we would generate.

That is not realistic or desirable, it’s just a hypothetical. But it does point out an unrecognized double standard: if something is familiar, we accept it. If something is new or different, we reject it.

Sometimes, though, the familiar isn’t the best.

This is all beside the point. Starr and Rodgers are not serious about this bill. They know it won’t pass; they just want to make a point. It’s not a good point, and it does nothing to enhance Vermont’s environment or our energy future. But introducing bills is one of the prerogatives of a sitting lawmaker. We can’t stop them from introducing counterproductive legislation; we can simply point it out when they do.

Miller, Lawrence

From: Vermont Tech Jam <yourfriends=sevendaysvt.com@mail26.atl51.rsgsv.net> on behalf of Vermont Tech Jam <yourfriends@sevendaysvt.com>
Sent: Monday, September 21, 2015 5:54 PM
To: Miller, Lawrence
Subject: Champlain Mini Maker Faire This Weekend; Steve Jobs-Inspired Design Ideas

Check out the DIY delights at this weekend's Champlain Mini Maker Faire at Shelburne Farms.

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Monday, September 21, 2015

Countdown to the 2015 Vermont Tech Jam

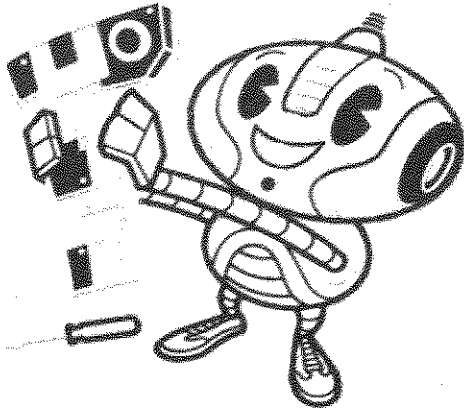
The 9th Vermont Tech Jam takes place Friday and Saturday, October 23 and 24, at the Sheraton Hotel and Conference Center in South Burlington — just over a month from now. Programming and schedule coming very soon. Still haven't signed up to exhibit? [Email us here.](#) And there's a ton of tech stuff happening between now and then. See some highlights, below.



— *Cathy Resmer*

FESTIVAL

COMPETITION



Champlain Mini Maker Faire This Weekend

Vermont's maker community comes out in full force for this annual showcase of DIY delights. See teams of robotics enthusiasts compete in the Champbot Challenge and root for your favorite quadcopter in the Drone Derby. Saturday and Sunday, September 26 and 27, Shelburne Farms Coach Barn.

[Buy tickets](#)



Hack the Climate

Can you create an app to address climate change — in just 24 hours? Give it a try at the 5th annual HackVT, which takes place at the FairPoint Technology Hub (VCET@Burlington). Winners split \$20,000 in cash and prizes. Friday and Saturday, October 9 and 10.

[Register here](#)

TECH NEWS



Waiting for VTel to Come Around

SOURCE: VTDIGGER.ORG/VALLEY NEWS, 9/20/15

According to this story from the *Valley News*, thousands of VTel customers are still waiting to be connected to the high-speed internet service they were promised after VTel received federal stimulus funds.

STEM Grants to K-12 Teachers Available From VASE

SOURCE: UNIVERSITY OF VERMONT, 7/22/15

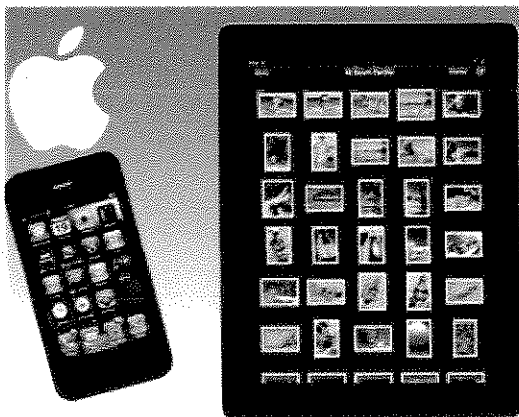
If you're a K-12 teacher who wants to go beyond the typical laboratory experience, the Vermont Academy of Science and Engineering is offering equipment grants to help. The deadline to apply is September 30.

Norwich University's Gaming Software Used in Cybersecurity Exercise

SOURCE: VTDIGGER.ORG, 9/18/15

More than 80 U.S. financial institutions tested their ability to respond to a coordinated cyber attack in "Quantam Dawn 3," a large-scale simulation made possible by gaming software developed at Norwich University in Northfield.

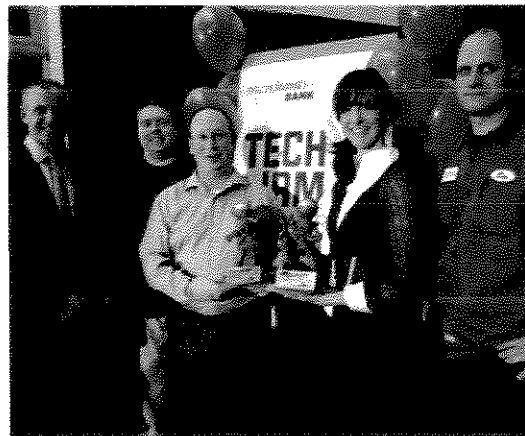
IDEAS



Design Lessons From Steve Jobs

UX expert Everett McKay presents key design insights from Apple and Steve Jobs at the Vermont Technology Alliance's monthly Lunch and Learn. Wednesday, September 23, at CCV in Winooski.

RECOGNITION



One Week Left to Submit Nominations

Nominate local innovators and tech ambassadors for the annual Vermont Tech Jam awards, organized by the Vermont Technology Alliance. The deadline is Tuesday, September 29, at

[Register here](#)

noon. Pictured: 2014 winners from
Foundline and Greensea Systems.

[Nominate someone](#)

Featured Tech Events

• [Girl Develop It: September Code and Coffee](#)

Excelerate Essex, Essex Junction.
Thursday, September 24.

• [Vermont Game Developers: Narrative Design and Player Agency](#)

Farrell Hall, UVM, Burlington. Thursday,
September 24.

• [VITL Health Care Technology Summit](#)

Sheraton Hotel and Conference Center,
South Burlington. Wednesday
and Thursday, September 30
and October 1.

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As U.S. Senator

Bernie Sanders

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the Bernie Beat, keeping track of
his political career from its early
roots to the current campaign.



TECH JOBS



• [IT Manager](#), AllEarth Renewables

• [Advance Assembler/Technician](#), Kalow Technologies

• [Systems Developer II](#), Agency of Natural Resources

• [Junior Software Engineer](#), RSG

• [eHealth Specialist](#), VITL

• [System Administrator](#), Physician's Computer Company

- Software Solutions Specialist, Physician's Computer Company
- Meredith Content Licensing Software Engineer, Eating Well
- Systems Developer II, Vermont Agency of Natural Resources
- Security Administrator, VITL
- Technical Specialist, Innovation Space, Saint Michael's College

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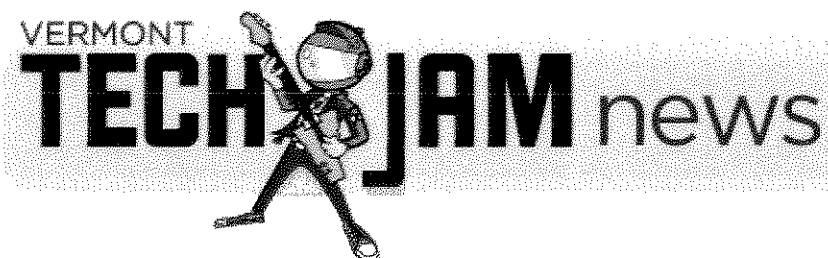
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Miller, Lawrence

From: Vermont Tech Jam <yourfriends=sevendaysvt.com@mail137.atl171.mcdlv.net> on behalf of Vermont Tech Jam <yourfriends@sevendaysvt.com>
Sent: Monday, August 10, 2015 4:42 PM
To: Miller, Lawrence
Subject: Champlain Game Academy Trains Teens; BTV Ignite Seeks Executive Director

High schoolers from around the country came to Vermont this summer to learn how to design video games and speak foreign languages.

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Monday, August 10, 2015

BUSINESS



Will PlanBTV Disrupt the South End Scene?

Business owners disagree on how a proposal to allow housing in the Sound End "Enterprise Zone" will affect Burlington's tech companies and manufacturers.

EDUCATION



Teens Got Game at Champlain Academy

Nearly 80 high school students from around the country came to Burlington last month to learn to make video games at the Champlain College Game Academy.

[Read more](#)

[Read more](#)

TECH NEWS

Special Report: VTel and its \$116 Million Promise

SOURCE: VALLEY NEWS/VTDIGGER.ORG, 8/2/15

In a three-part series posted on VTDigger.org, the *Valley News* examines VTel's ambitious, federally funded broadband project, which has yet to deliver on its promise of widespread connectivity.

Middlebury Interactive Languages Runs High School Language Academies

SOURCE: KIDS VT, 7/21/15

English was off-limits during these immersive language academies run by Middlebury Interactive Languages each summer. The tech company produces digital tools that help K-12 students learn foreign languages.

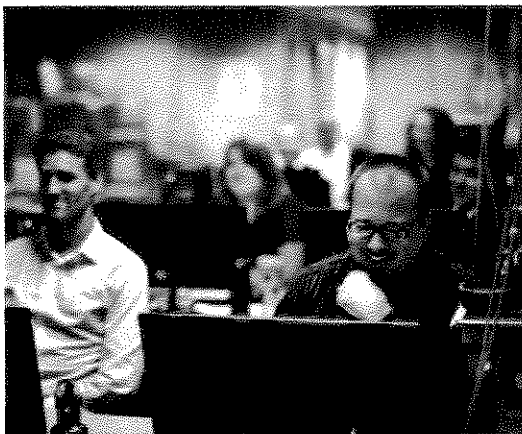
Middlebury and Bennington Among Nation's Most Entrepreneurial Colleges

SOURCE: FORBES.COM, 7/29/15

Middlebury College's Center for Social Entrepreneurship gets a big shout-out in this story about turning liberal arts colleges into startup factories.

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Featured Tech Events

Intuitive UI With Everett McKay

Vermont Energy Investment Corp.,
Burlington. Monday, August 10.

August WordPress Meetup

Daft Labs, Burlington. Wednesday,
August 12.

Mac Users Group

WinCycle, Windsor. Thursday, August 13.

Drone User Group: FPV Racing Planning Session

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Bernie Beat

As U.S. Senator
Bernie Sanders
runs for president,

Seven Days is on
the Bernie Beat, keeping track of
his political career from its early
roots to the current campaign.



Starbucks, South Burlington. Sunday,
August 16.

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TECH JOBS

- [Executive Director](#), BTV Ignite
- [Senior Microsoft Engineer](#), NPI
- [IT Support Technician](#), NPI
- [Network Administrator](#), Porter Medical Center
- [Enterprise Content Management Specialist](#), Vermont Agency of Human Services
- [Systems Developer III](#), Vermont Agency of Natural Resources
- [Information Technology Specialist III](#), Vermont Office of the Secretary of State
- [Techie Administrative Professional](#), Capstone Community Action
- [Programmer/Analyst](#), Burlington Drug Company
- [EMR Training/Implementation Specialist](#), Counseling Service of Addison County
- [Information Security and Privacy Officer](#), University of Vermont
- [Information Technology Manager III](#), Vermont Agency of Natural Resources
- [Database Specialist](#), United Way of Chittenden County
- [Web Developer](#), Perrywinkle's Fine Jewelry
- [Job Fair](#), iSystems
- [Senior Software Engineer](#), Eating Well
- [Entry-Level Service Technician](#), Small Dog Electronics
- [IT Manager/Database Administrator](#), VPIRG

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Miller, Lawrence

From: Senator Bernie Sanders <bernie_sanders@sanders.eneews.senate.gov>
Sent: Tuesday, July 22, 2014 3:52 PM
To: lawrence.miller@
Subject: Vt. Bernie Buzz: An Innovative Approach to Education

If you are having trouble viewing this message or would like to share it on a social network, you can [view the message online](#).

THE VERMONT BERNIE BUZZ

NEWS *from* SENATOR BERNIE SANDERS

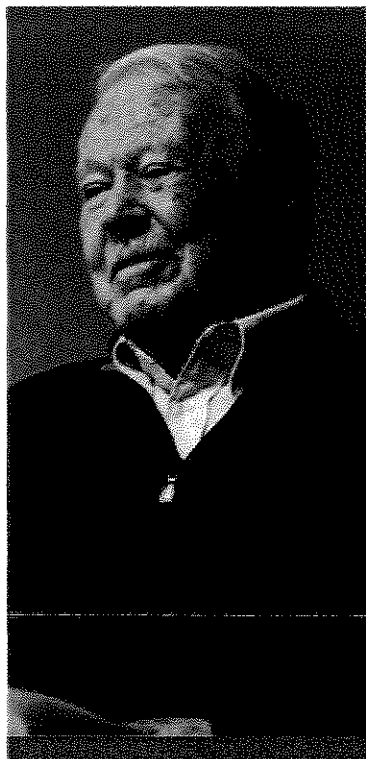
VIDEO: [2014 Vermont Teacher of the Year](#)



AN INNOVATIVE APPROACH TO EDUCATION

Just steps away from Northfield High School sits a modest ranch-style house. It's the home of the STAR program, an alternative program for high school students in Northfield, Vermont, who struggle in a traditional classroom setting. "I was having a hard time at school," said Cody Prior, 18, who just graduated from Northfield High School. "This was kind of my last chance." Students who participate in the school's STAR program, taught by the 2014 Vermont Teacher of the Year, perform better in their traditional classes: attendance improves, grades rise and behavior problems fall dramatically. "It works better because it's not traditional. It's hands on. We incorporate the academics with real-life skills," said Kelsea Bourne, another recent graduate.

 [LEARN MORE: VIDEO AND ARTICLE](#)



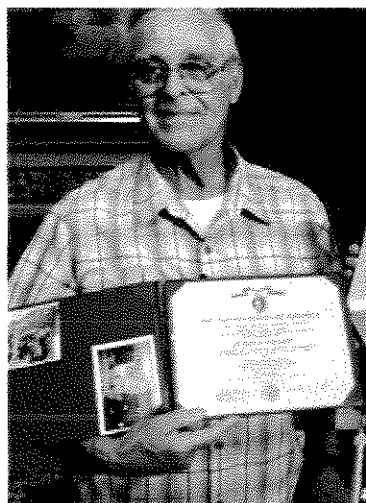
HONORING FORMER VERMONT GOV. PHIL HOFF

During a speech on the Senate floor last week, Bernie, along with Sen. Patrick Leahy, honored former Gov. Phil Hoff's 90th birthday and recognized his enormous contributions to the state of Vermont. Phil Hoff's election in 1962 marked the first time in more than 100 years that a Democrat was elected governor of Vermont. In his first inaugural address, Hoff said, "The people of Vermont have clearly said that they don't want to continue with the old ways, and if we fail to respond to forces at work in our society, we face a bleak future."

"Phil Hoff was an intrepid leader at a time when Vermont's state government was in need of sweeping reform," Bernie said.

[!\[\]\(6605b201d6f14d9b3bcb8ab5f274d107_img.jpg\) READ BERNIE'S REMARKS](#)

[!\[\]\(96cc62f861fdd6e50510c0224a756dff_img.jpg\) VT. HISTORICAL SOCIETY: 'THE DEMOCRAT WHO TOOK VERMONT'](#)



HONORING A VERMONTNER'S BRAVERY

Ninety-six years after Cpl. John Demag of Essex, Vermont was wounded fighting in France during World War I, his son and daughter received a Purple Heart on his behalf in a Statehouse ceremony. "To leave Vermont to defend our country in combat overseas demonstrates a level of bravery and service for which our country strives," Bernie said. "I am very pleased my office was able to help obtain this medal for Cpl. Demag."

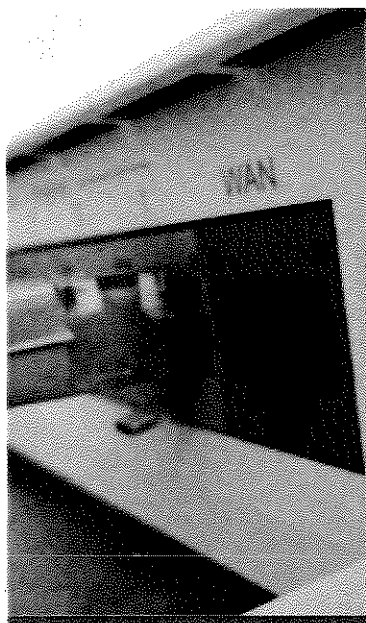
[!\[\]\(f95dab70c751fda7d824b8b03650f7aa_img.jpg\) READ AN ASSOCIATED PRESS REPORT](#)



STANDING WITH VERMONTERS

National Public Radio spent a couple of days outside the Washington Beltway talking to Vermonters about their independent senator. "He's not intimidated by large money," Randy Meade, a Northeast Kingdom dairy farmer, told NPR. "He's not intimidated by well-dressed people with, you know, \$2-, \$3,000 suits. That's not Bernie. And that's not us either."

[!\[\]\(e9474ce1d70442456f8fe9c393ea149c_img.jpg\) LISTEN TO THE NPR REPORT](#)

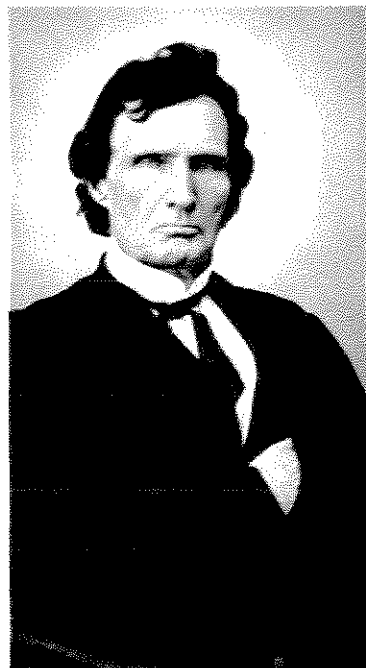


CONNECTING VERMONT

Universal broadband coverage marched a step closer for Vermonters earlier this month, as VTel launched its federally funded wireless service. The wireless broadband service began by reaching more than 20,000 homes and businesses. Bernie helped secure \$174 million for Vermont in federal stimulus funds to connect Vermonters with state-of-the-art Internet connections. When complete, these projects will make Vermont the first state in the United States with near-universal broadband coverage.

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 [MORE THAN 400 COMMUNITY INSTITUTIONS THROUGHOUT VERMONT NOW HAVE FIBER-OPTIC CONNECTIONS](#)



RECOGNIZING A VERMONT HERO

The House of Representatives passed legislation Bernie introduced in the Senate, which renames the Danville, Vermont post office after U.S. Rep. Thaddeus Stevens. The measure the Vermonter's efforts to pass the 13th amendment to end slavery during the Civil War-era. "Stevens was adamant and unrelenting in pursuing bold legislation that would fulfill his belief in equality and social justice. He was a man whose views were far, far ahead of his time," Bernie said, adding his thanks to Rep. Peter Welch for guiding the legislation through the House. The legislation is expected to be sent to the president later this year.

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Miller, Lawrence

From: Gray, Laura
Sent: Tuesday, July 15, 2014 7:36 AM
To: Gray, Laura
Subject: MEDIA CLIPS FOR TUESDAY, JULY 15

BRATTLEBORO REFORMER:

More delays for hydro projects

By MIKE FAHER

TOWNSHEND — After years of planning and development work, two proposed hydroelectric plants still aren't ready for construction.

Blue Heron Hydro LLC has requested a third extension from the Vermont Public Service Board to complete projects on the West River at Townshend Dam and Ball Mountain Dam in Jamaica.

The request comes as a previous extension is scheduled to expire Oct. 31. Blue Heron is citing continuing delays in obtaining permits from the U. S. Army Corps of Engineers, which owns both dams.

"The (Army Corps) approval process, including its timing, is outside of the board's and Blue Heron's control," a representative of the developer wrote in papers filed with the state.

Blue Heron is the corporate name under which New Jersey-based Eagle Creek Renewable Energy is pursuing development of hydroelectric stations at Townshend and Ball Mountain. Prior to Eagle Creek's acquisition of the projects in summer 2012, each already had been granted 50-year licenses from the Federal Energy Regulatory Commission.

Also, there are long-term power-purchase agreements in place through the state's Sustainably Priced Energy Enterprise Development program.

The hydro plants are modestly sized, with a combined predicted power output of 3.1 megawatts. But it has proven difficult for Blue Heron to move the projects forward.

The initial power-purchase agreements were finalized on Dec. 30, 2009, with a three-year commissioning deadline. In May 2012, the Public Service Board granted a one-year extension, moving that deadline to Dec. 31, 2013.

In April of 2013, after a request from Blue Heron, the board granted another extension to Oct. 31 of this year.

In new documents filed with the state, the developer says it "has been working with diligence and in good faith to achieve the commissioning deadlines." But Blue Heron also notes that the Army Corps "must approve the design, construction and operational plans for the projects."

And that has not yet happened, which has led Blue Heron to ask for yet another commissioning- date extension to Oct. 31, 2015.

Army Corps approval "continues to take longer than anticipated as a result of conditions and events outside of

the control of Blue Heron,” wrote Elijah D. Emerson, a Montpelier-based attorney representing the company.

Asked about the status of the project, Tim Dugan of the Army Corps’ New England District said the agency “has received engineering and technical information submitted by the project proponent for these proposed projects, and that information is under review by the Corps.”

The hydro stations need Secretary of the Army approval, a requirement for any project that modifies an Army Corps structure, Dugan said.

Also required is a Clean Water Act permit from the Army Corps. That would follow Secretary of the Army approval, Dugan said.

He did not cite any hangups in the process. As for a schedule, “I can’t speculate on when the engineering and technical reviews will be completed,” Dugan wrote in an e-mail to the Reformer.

In his letter to the Public Service Board, though, Emerson cites a variety of possible factors in the delay.

“As one of the primary agencies responsible for reacting to major storms and flooding events, USACE has had a major role in responding to the major storms that have affected the United States over the past few years. As one of the more heavily affected districts, the North Atlantic Division was impacted by both Tropical Storm Irene and Hurricane Sandy,” Emerson wrote.

“In addition to the large impact to the regional USACE district as a whole, the dams at which the projects will be located are becoming the focus of even greater attention because of their role in protecting life and property from floods,” the Blue Heron attorney wrote, adding that “the USACE has been operating under reduced resources and manpower as a result of the federal budget sequestration of 2013 and resulting budget cuts.”

Construction-scheduling constraints also play a role.

“Due to certain characteristics of the dams and how they are operated by the USACE, Blue Heron has a limited window in which to accomplish certain necessary evaluation and construction activities. This window closes after June 15th,” Emerson wrote. “Thus, a delayed USACE approval has an greater impact on the ability to construct the projects than other projects with a larger construction window.”

In response to a request for comment, Eagle Creek Chief Executive Officer Bud Cherry said the company’s filing with the state “adequately describes the current status of the two facilities.”

In an e-mail to the Reformer, Cherry added that “Eagle Creek remains committed to adding clean, reliable hydroelectric generation to Vermont.”

The Public Service Board has not acted on Blue Heron’s extension request, which was filed July 3. The state Department of Public Service, a separate entity, has been invited to submit comment on the matter.

Any takers?

Halifax seeks interested businesses for broadband project

By CHRIS MAYES

HALIFAX — After areas were designated as business broadband improvement districts by the Vermont Telecommunications Authority, a request for information went out seeking responses from business owners interested in subscribing to a potential broadband service.

“We didn’t really receive any responses from Halifax,” said VTA Executive Director Chris Campbell. “We have been turning over some stones, doing some digging and making some calls to see if there is perhaps anyone interested in this.”

Campbell visited with the Halifax committee that specializes in broadband, cell service and economic development on July 9. He told the committee that the VTA would not be able to assist with every district approved around the state. Halifax had three districts approved. “If we could help two that would be a good start then we’ll see where we’re at with money,” he said.

The committee will move forward by asking several business owners in town if they’d be willing to make a customer commitment, a term that Campbell used to imply a willingness to pay.

In past situations, the VTA has assisted with the price of getting the service established. He said potential customers would get a price quote before a commitment was required. The Thomas Hill area in town was identified as most feasible for the VTA to assist with. Campbell said the VTA had letters and literature that could be sent if the committee could identify addresses in that location.

“We give them a limited amount of time to respond, then we have to move on,” he added.

Other areas previously identified by the VTA and committee could end up with better coverage through other various projects.

Using a map, Campbell pointed out where FairPoint had recently made broadband available to residents where there was no access before and where the proposed VTel wireless tower would generate additional access. He also mentioned the federally funded Vermont Fiber Connect Project will run through two of the districts approved by the VTA.

After that meeting, Campbell planned on visiting the Stamford-based Vermont Broadband Cooperative, which he said began as an effort initiated by a group that seemed to be in a similar situation as the Halifax committee. This was a group that Campbell believed could potentially share information with the Halifax committee.

The possibility of collaborating with a cable company such as Comcast and establishing a line extension policy was also discussed.

“A customer can make a customer contribution and the company is obligated to extend that line if that contribution is paid,” said Campbell. “(That’s) used to expand service in areas where no one was willing to volunteer.”

Committee members weighed in on their efforts. The committee began its task of improving broadband access roughly four years ago. It is currently looking for a fifth member.

“I’m desperate,” said committee member Jessica Bruno, who has an accounting business and sells items on the art website Etsy.

“We struggle with the overlapping grants and the overlapping of when might this actually happen,” said committee member Edee Edwards. “I think that’s a big part of the reason it’s very hard to get the commitments. We’re all kind of saying, ‘When am I going to have other options?’ It’s a challenge.”

The committee will be making attempts to find interested businesses, especially in the Thomas Hill area. Addresses on Hosea Fisher Road, Hale Road and Lucier Road will be sought. Meanwhile, individual residents will also be asked if they have any interest in broadband or cable services.

Edwards noted the difficulty in giving up a part of the project that the committee devoted so much time to. However, the other two identified districts are closer to the proposed VTel tower.

The application for the tower was filed with the Public Service Board on June 30. The site was moved closer to the road. Committee members voiced concern about the risk of the 90-foot structure collapsing. Edwards said she'd bring up that concern to the Selectboard at its next meeting as she is also a member of the board. There was a 21-day response period.

Our opinion

Taking our time to do it right

Perhaps the best advice state officials received during a meeting in Brattleboro on July 12 came from a former Selectboard and Development Review Board member.

"It is, I feel, very important that we don't rush into projects and use this money helter-skelter," said Spoon Agave, who has been a frequent critic of what he has perceived to be government profligacy.

Agave was one of about 30 people who turned out to the meeting to discuss the \$10 million coming to Windham County courtesy of Entergy, which recently announced it would be closing its Vermont Yankee nuclear power plant in Vernon by the end of this year. The \$10 million, which will be paid out over the next five years, is intended to help Windham County communities cope with the economic impacts of the plant's closure. The state of Vermont has already received \$2 million from Entergy and is in the process of determining how best to disburse the money to maximize its return. In addition, half of the \$5.2 million Clean Energy Development Fund, also from Entergy, is targeted to Windham County. A notice of funding opportunity will be noticed soon.

The Vermont Agency of Commerce and Community Development is in the process of developing the Windham County Economic Development Program and the application standards and has been taking public comment on how the process should work and what projects should qualify for funding.

But at this stage, it is known that municipalities, non-profit organizations and governmental agencies will be eligible for grants. Businesses in search of financing will have access to a revolving loan fund administered by the Vermont Economic Development Authority.

Because the state does not have any in-place grant programs for businesses, ACCD and VEDA hope to offer flexible and favorable loan terms while seeking to ensure that borrowed funds are repaid and revolve in perpetuity to assist with long-term economic recovery and job creation. Thus, the revolving loan fund, which is a source of money from which loans are made at low interest rates. The fund is replenished as the loans are paid back, creating the opportunity to issue other loans to other projects.

How this money will be divided between grants and loans, and whether a revolving loan fund is even the best way to get money to businesses, has proven to be a thorny issue for ACCD to resolve.

"If the community is not interested in a revolving loan fund, then OK," Patricia Moulton, secretary of ACCD told the Reformer. But some other program will need to be put in place to get funds to eligible businesses, she said. "We need to get the systems in place to avoid being back in this place 20 years from now."

During the July 12 meeting, officials heard plenty of suggestions on how that cash should be used. Some pushed for microgrants for small businesses, while others wondered whether the money might cover water and sewer projects, stipends for new residents or even credit refinancing.

“We have not made any decisions about what portions of these funds will be utilized for grants and loans, other than we know we’re going to be able to do both,” Moulton said during the meeting, finding the need to remind people that the money is meant to fuel job creation.

“We are looking for permanent, full-time, year-round jobs, because that’s what we’re losing with Vermont Yankee.”

Prior to the July 12 meeting, Moulton told the Reformer there will be strict limitations on who can receive loans or grants.

“Does it have a potential to create jobs and is it related to the Comprehensive Economic Development Strategy produced by the Southeastern Vermont Economic Development Strategies? If not, this fund is not for you.”

VEDA, ACCD and the Vermont Economic Progress Council will be involved in the disbursement of the funds, which has rankled some of the people who sweated over the CEDS. In late June, the board of SeVEDS passed a resolution calling on the state to recognize the process created by CEDS document and asking for representation in the disbursement process.

“Despite the good efforts of the state agencies to develop a plan to put these funds to best use, we are hearing consternation, confusion and concern from the region’s businesses, residents and towns,” Chairwoman Jenna Pugliese told VTDigger. “There is a growing sense that the well-intentioned efforts of the agency are actually unintentionally undermining the region’s years of work to grow the regional economy and deal with the significant economic impacts of the VY shutdown.”

And one of the region’s most influential thought-leaders, Jeff Lewis, the former executive director of the Brattleboro Development Credit Corporation and a founder of SeVEDS, believes a revolving loan fund might not be the best way for disbursal of the funds.

In a column published in the Reformer on July 1, Lewis wrote that while its intent is to create jobs, a revolving loan fund won’t solve the problem of finding workers for those jobs.

“Our local businesses that need high quality workers of all kinds have a terrible time hiring and the higher the level of skill or education required the harder the recruitment and retention. So why set out on an explicit course of job creation when what is desperately needed is workers to take the jobs that exist now?”

Lewis wrote that funds can be best spent by developing methods that create “an entire new set of businesses and jobs to strengthen the local economy, and building and recruiting a new set of workers to staff those and the existing businesses.”

We at the Reformer are not experts on economic development, but one thing we are is observers of the way people in our coverage area operate. If we were asked for advice on this whole project, we would reiterate what Agave said at the beginning of this editorial; adding a few more months to develop the process and consider the ramifications of the implementation of the program (while also re-evaluating who should be involved in the decision-making process) won’t sink Windham County. We’ve struggled this long to keep our heads above water. We can stay afloat for a few more months.

As Moulton said “This is a rare opportunity. We need to do it right.”

BENNINGTON BANNER:

New state-run website encourages flood preparedness

DEREK CARSON

BENNINGTON — The state of Vermont launched on Monday a new website designed to help town officials and homeowners be more prepared in the event of a flood disaster.

Floodready.vermont.gov brings together data and tools related to every possible aspect of flood preparedness, including how to identify flood hazards, how to find funding to reduce risk to existing buildings, suggestions for updating community plans, and simply information on what other communities in the state are doing.

The site also explains how towns can qualify for Emergency Relief and Assistance Fund money after a flood. According to the site, communities who have taken four mitigation actions will qualify for increased assistance in any flood after Oct. 23 of this year. Flood Ready Vermont allows users to browse their databases and see what communities have done to qualify and what their next steps may be.

On one page, the site asks viewers, “Why act now?” State assistance increases when you act, it reads, weather is intensifying, planning ahead avoids crisis and cost, mitigation funds come to those who plan, and that the best solutions may not be available in the future. There are links for more information on each bullet point. “Tropical Storm Irene lives vividly in our memories,” reads the paragraph that follows, “We all know people whose lives were turned upside down. Homes washed away. Bridges and roads were decimated. The costs for a small state were immense — about \$65 million in insurance claims, \$153 million in state and local costs, and a staggering \$603 million in federal outlays — all from one storm. The costs were unprecedented in this small state, but the flooding was anything but. Since 2000, Vermont has had more than one federally-declared disaster per year.”

The site offers numerous tools for fostering a deeper understanding of flood preparedness, but also takes the time to explain to the user how to best utilize them. For example, the site includes a database of maps, including maps of watershed boundaries and topography, lakes and rivers, forested areas and wetlands, river corridors and floodplains, special flood hazard areas, roads, bridges, and culverts, critical facilities, dams, hazardous materials sites, and geomorphic data. Included with these are definitions, and important questions that town officials should be asking about their communities.

Finally, the website includes a “Making it Happen” section that shares the stories of how other Vermont communities are increasing their flood preparedness. For Bennington County, at this early stage, the only towns highlighted are Sunderland and Arlington. There is also a link for towns to submit their stories, and an email listserve for town planners and other concerned officials to ask and receive answers to flood-related questions.

Project continues to draw heavy opposition

KEITH WHITCOMB JR.

BENNINGTON — A proposed \$5.5 million housing project off Silver Street continues to draw heavy public opposition, mainly from residents in that neighborhood, but also local landlords and politicians.

A group of about 70 people showed up at the Select Board meeting Monday, ahead of a Development Review Board meeting where details about the project will be heard. That meeting is Tuesday at 6:30 p.m. at 130 River St., third floor of the Bennington Fire Facility.

The project is being headed up by Shires Housing, a non-profit housing corporation which wants to build 24-rental units on the undeveloped portion of the Appleridge Condominiums. Shires Housing, formerly known as the Regional Affordable Housing Corporation has built units off North Branch Street and refurbished many

other existing structures.

The board is involved in the discussion because for Shires Housing to receive a \$700,000 grant from the Vermont Housing and Conservation Board, the town must act as the recipient. The board has agreed to do this, but it can opt to reject the grant should it be awarded.

Shires Housing intends to sell tax credits to make up the rest of the project cost.

To be built, the project, dubbed "Monument View Apartments," would need approval from the Development Review Board, which already approved the site years ago for development by Applejack Real Estate, the current owner of the property. Applejack sought to develop the area into condominiums but only a few were built.

Introducing many of the people who spoke against the project Monday was David Fredrickson, who repeated many points he raised in a guest column printed in the Banner and accused Shires Housing Director John Broderick of blackmailing him.

According to Fredrickson, Planning Director Dan Monks suggested he speak with Broderick about the project in much the same way that had been done with Applejack Real Estate in 2006.

"He said he would be willing to make an written agreement regarding fences, lighting, et cetera, if I would not actively oppose the project," said Fredrickson. "I kind of paused and said, 'That sounds like blackmail.'" In an interview, Broderick said that was not how he remembered the conversation. "I recall asking if there was anything we could do to get him not to oppose the development, but it was not blackmail," said Broderick.

Fredrickson said that according to a statement release by board Chairman Greg Van Houten, the board can reject the grant if the project creates "burdensome" conditions. He said the project will unfairly compete with local landlords, increase the tax burden on the schools, harm property values, and increase traffic.

Ken Swierad, chairman of the Bennington School Board, said the schools in the district are full. He said the state is projected to raise the local school tax rate by eight cents, and given that the last budget failed twice there is little room for expansion.

"I don't think it's a good thing for the community to attract another group of people who are going to be a cost," he said.

He said he feels there are people in the community who do not wish to work, or can not pass drug tests to get jobs.

House Rep. Mary Morrissey, R-Bennington 2-2, took issue with a number of procedural issues the board had undertaken. She criticized Van Houten for signing his name on the released statement as "Board Chairman," saying it made it look like the statement was from the full board. She asked a number of questions of board members along the lines of if they supported the project given the community backlash.

Two board members oppose the project, John McFadden and Justin Corcoran. McFadden said he found the release insulting, while board member Thomas Jacobs said he was opposed it because he did not think it was strongly worded enough.

The one person who spoke in favor of the project was Amelia Silver, who is on the Vermont Housing and Conservation Board but recused herself when the application was heard. "These are not the low-income housing units you are all thinking about," she said, saying that the people living in these types of places are in the

workforce, or elderly. "I probably couldn't afford to live in some of these units."

The meeting had to be adjourned for five minutes because Silver and Morrissey got into an argument. When Silver got up to speak, Morrissey announced that Silver is on the VHCB and took issue with her speaking. Silver began to talk and said Morrissey had told the VHCB that her "husband" David Silver, is on the Shires Housing Board. She then explained her recusal.

David Silver and Amelia Silver are divorced.

Morrissey denied saying anything, and Silver said it had been something she was told from a person she had little reason to doubt.

The meeting was fairly calm after that, with many opponents of the project generating applause.

A few who spoke said they were not in favor of the condominium project to begin with, and said the town had caught "Appleman fever" in 2006, letting the owner of Applejack Real Estate move ahead with a number of projects that were never realized.

Many said they were in favor of Shires Housing's rehabilitation projects, but that this proposed development would drastically change the character of the neighborhood.

"There was a tremendous amount of frustration expressed about a huge range of issues including plant closures, stores that are closing, property taxes, heroin addiction, all over a housing development," said Broderick in an interview. "While there are serious concerns, tonight seemed like a vent session about a lot of important issue."

He said Shires Housing is committed to "being part of the solution and finding a way to improve our community and strengthen our housing stock."

WCAX:

State police: K-9 teams to patrol Vt. prisons

By Kristin Kelly

WATERBURY, Vt. - Another sign of the hold opiates have on Vermont. Corrections officials say the most smuggled drug in Vermont prisons is an opiate substitute.

Now, the Department of Corrections is turning to dogs for help cracking down on the drug trade behind bars.

Officers at the Chittenden Regional Correctional Facility search pieces of mail destined for inmates looking for contraband especially drugs about 100 times a day.

"We're not finding illegal drugs daily, but it is something that is not infrequent, said Edward Adams, Chittenden Regional Correctional Facility superintendent.

The mail is just one way drugs are sneaking into Vermont's prisons. Officials say prison visiting rooms, work crews and inmates hiding drugs in their bodies when they know they're heading to jail are the other ways Vermont offenders get their fixes behind bars.

"A quantity of powder found in one of the living units we have," said Adams.

Corrections officers search common areas every 24 hours, check cells regularly and visitors are screened. But now corrections is upping its approach contracting with the Vermont State Police to have its K-9s do random sweeps on a regular basis.

"We're using this as a proactive model as opposed to a reactive model," said Mike Touchette, Vermont Department of Corrections.

State Police K-9's are nothing new in Vermont jails, but random sweeps are. Up until now drug dogs were only called after suspected drugs were found. And while officials say the drug problem in jail has been ongoing, they cannot quantify how bad it is or whether it has gotten worse.

Reporter Kristin Kelly: Have drugs become a bigger problem in Vermont prisons?

Touchette: We don't have the data to quantify that, to say there is an increase in it. We are always conscious of the amount of contraband in our facilities. Its a safety issue for our staff and inmates.

What corrections officials do know is that the most smuggled drug has changed over the last decade.

"What used to be, when I started my career, marijuana and occasionally some issue with cocaine, everything now seems to be focused on buprenorphine and tobacco," said Adams.

Buprenorphine is a prescription drug, like methadone, used to help opiate addicts kick their habits and withdrawal symptoms. It can be powdered or on a very thin strip and the strip is easy to hide inside a letter or postcard.

"And they're very valuable inside a correctional facility," said Adams.

The Chittenden Regional Correctional Facility houses between 140 and 150 women. And Corrections officials there estimate upward of 75 percent of them are there for crimes tied to substance abuse or have a substance abuse history.

"The population that we manage oftentimes comes to us with significant substance abuse histories and just because they've entered the doors of the correctional facility doesn't mean substance dependencies are gone overnight," said Touchette.

Opiate addicts already enrolled in treatment before they go to prison can continue to get methadone and buprenorphine while serving time. Corrections transport them to local clinics for their doses, but officials say those are the minority. Other addicts who enter prison do not have access to treatment behind bars and that can fuel demand on the black market.

The state is spending \$25,000 on the contract for the K-9s and officials expect the random searches will deter more drugs from coming into prison than they actually find.

New plans to bring more business to Rutland

By Elizabeth Keatinge

RUTLAND, Vt. - Rutland's downtown business is the strongest it has been in over 15 years and now new initiatives plan to bring even more business to the city.

When we caught up with Lisa Whelen she was buying a gift in one of the Rutland's newest stores. Pure Original opened just over a month ago.

"I live near the ocean, so I just thought, coming to an area that is more rustic and out in the mountains would be a nice change," said Whelen of Brewster, Massachusetts.

Pure Original is one of Rutland's more than 300 businesses. The Rutland Downtown Partnership says first floor retail now is at 93 percent occupancy, the highest it has been in 15 years.

"We're really excited about that and it's been a long time since we've been able to get to this level, but again we are not taking our foot off the gas pedal. We are going to continue on," said Michael Coppinger of the Downtown Rutland Partnership.

Yankee John has been a Rutland resident for 16 years. He says he's seen the city of 16,000 come full circle.

"Some stores went out of business and stuff, but I've also seen how Rutland's come back and diversity, and how it's growing," said John.

Officials say new initiatives, like the revitalization of the Northwest neighborhood, just mean it's time to invite more people to see Rutland. That's why the Rutland Redevelopment Authority has kicked off a fundraising initiative to finance four signs that will be placed at four entrances to the city.

"It will be a great way to kind of show travelers that they are entering into Rutland City and we're really feeling very positive right now about all the great things that are occurring," said Brennan Duffy of the Rutland Redevelopment Authority.

They hope to direct more travelers, like Lisa Whelen, to come visit.

"I love it. Yeah, it's very quaint um, very eclectic, it's just a nice town," said Whelen.

The Rutland Redevelopment Authority has commitments from area organizations to sponsor the signs. They are continuing to raise funds, and hope to have the signs in place by ski season.

The Rutland Redevelopment Authority says the idea for the signs has been around for decades, but with all that the city has going on, they think now is the time to finally make it happen.

State tackling paperwork on 2,000 vanity plates

CONCORD, N.H. (AP) - The New Hampshire Division of Motor Vehicles is hoping to start processing more than 2,000 backlogged vanity plate applications in the next 60 days.

The DMV put vanity plates on hold after the state's highest court said the rules governing the tags were too vague. An interim rule that became effective Monday prohibits language that relates to sex, violence, drugs, gangs or bigotry.

Division of Motor Vehicles Director Richard Bailey said his office usually gets 300 to 400 vanity plate applications every month. There's been a small increase in the applications lately.

Bailey said currently, there are about 1.5 million automobiles registered in New Hampshire, 162,000 of which have vanity plates.

Vanity plate applications generate approximately \$6.6 million in revenue for the state each year.

VPR:

Rutland Methadone Clinic Sees Success, But Also Some Tension With Other Agencies

By NINA KECK

West Ridge Center for Addiction Recovery, more commonly known as Rutland's methadone clinic, opened last November amid high hopes that it would help ease the city's growing heroin problem. Clinic officials say they're currently serving about 350 patients and should have no trouble meeting their goal of 400 by the end of the year.

Rutland Police Chief Jim Baker believes the clinic is part of the reason the city has seen a 24 percent drop in the calls for police services in the first six months of this year.

"It's early to declare victory, and I'm not saying it's just the treatment piece," Baker says. But the chief says larcenies are down significantly, which he believes is an early indicator of the clinic's positive impact.

Rutland Police Chief Baker says larcenies are down significantly, which he believes is an early indicator of the clinic's positive impact.

But while many are celebrating the clinic's successes, there have been some issues with the clinic interacting with other agencies.

Officials at the Open Door Mission, a Rutland homeless shelter, soup kitchen and thrift store recently announced they would no longer welcome patients from the nearby methadone clinic, saying they were fed up with patients' allegedly abusive and disorderly behavior. Sharon Russell, the mission's director, says the breaking point came when a member of her staff was assaulted by someone coming from the West Ridge clinic. At that point, she said, "I'd had enough."

Meanwhile, across town, at the Turning Point Center, a substance free community center that provides those in recovery with a safe place to gather, officials say they've been surprised by the lack of collaboration with West Ridge.

Jessica Coleman, a recovery coach based at the Turning Point Center, says a number of her clients are getting help at West Ridge. "It's made a difference," she said. "People are able to get on the medication faster; the waiting lists have definitely gone down. But in my opinion there's more to getting well than just getting your medication every day."

Coleman believes patients who receive daily doses of buprenorphine or methadone to curb their opiate cravings need every resource available to beat their addiction, including the various group activities offered at the Turning Point Center. Yet she says so far, there's been little if any collaboration. It doesn't make sense, she says for two organizations on the same team not to work more closely together.

But Jeff McKee, Director of Behavioral Health Services for Rutland Regional Medical Center, which oversees the West Ridge Clinic, says he's surprised by the criticism. He believes the lack of outreach has more to do with the workload in getting the clinic up and running than any negativity toward the Turning Point Center.

"Collaboration is part of our mission at the West Ridge Center," says McKee. "So whether its primary care, recovery centers, 12-step groups, families and other support folks, we feel like all of those things are absolutely necessary to help people maintain a successful recovery. So to the extent that someone feels we are not being collaborative enough," says McKee, "we'll work harder."

As to the clinic's relationship with the Open Door Mission, mission director Sharon Russell says Jeff McKee called her to set up a meeting this week and she's optimistic the two organizations will figure out a way to work together.

Welch Favors Gas Tax Increase For Road And Bridge Repairs

By PETER HIRSCHFELD

You don't have to look too hard underneath the Interstate 89 overpass here in Waterbury to see signs of wear and tear. Exposed rebar and rusty steel beams betray the structure's deteriorating condition. And a bright orange sign underneath the overpass warns pedestrians to watch out for falling concrete.

Rich Tetreault, chief engineer at the Vermont Agency of Transportation, says the overpass is far from a lost cause.

"If we replace the steel and decks here we can save much of the substructure," Tetreault says. "If we wait any longer, than we're into potentially a full blown bridge replacement, which is a lot more costly."

But the lion's share of the money used for interstate upkeep in Vermont comes from a federal pot that's scheduled to run out of money at the end of the month. And despite the looming deadline, federal lawmakers remain split over how to replenish the Federal Highway Trust Fund.

"This is a serious situation right now that we're facing, and it really is Exhibit A, regrettably, of congressional dysfunction," Rep. Peter Welch said Monday.

The Democratic congressman used the Waterbury overpass as a backdrop to his call for a long-term revenue package for the federal fund. Congress has three options: do nothing, and force states to absorb the loss of the federal money on which their current year transportation budgets were based on; come with a short-term funding bridge to cover this year's expenses; or approve a long-term financing package that would support anticipated federal transportation expenditures for the next six years.

Welch says he favors the latter, and is willing to back a politically unpopular solution to the problem.

"I'm sponsoring a gas tax – I think that's part of it," Welch says. "You know, that's tough, it's tough on folks."

Difficult as it may be for struggling residents to absorb yet another increase in the cost of gasoline – Vermont lawmakers approved an increase in the state gas tax last year – Welch says postponing needed infrastructure investments would be far more damaging. Vermont stands to lose out on as much as \$100 million in federal funding Congress fails to act.

That sum represents nearly 20 percent of the state's entire annual transportation budget, and would, according Vermont Secretary of Transportation Brian Searles, postpone or cancel up to 38 road, bridge and rail projects this summer and fall.

"And we need to get some money into the fund well before the August recess so we can continue with what is the busiest construction season we've ever had," Searles says.

Republicans in the U.S. House of Representatives this week will offer up a short-term funding solution that would generate the more than \$100 billion needed to pay for this year's state highway programs. The proposal allows private companies to put less money toward future pension benefits, which would have the effect of increasing corporate income tax revenue. Republicans would then earmark that money for transportation.

Welch says it's a bad idea.

"So we should not be looking to folks depending on a pension to pay for potholes in our roads and bridges," Welch says.

According to a report from the Congressional Budget Office in May, federal lawmakers would need a 10-to 15-cent increase in the gas tax to bring Federal Highway Tax Fund revenues in line with expenditures.

A deal for short-term funding, whatever the revenue source, would solve Vermont's immediate funding problems. But Welch and Searles say a longer-term fix would provide state highway officials with the financial stability needed to optimize construction planning.

Cathy Lamberton, executive vice-president of Associated General Contractors of Vermont, says federal inaction would staunch the flow of money into the local economy, and result in the loss of as many as 970 construction jobs in Vermont.

"It affects the unemployment rate. It affects the ability to support your family. It affects their ability to purchase health care," Lamberton says.

In similar situations in the past, Congress has tapped general fund money to replenish the Federal Highway Trust Fund. Congress is expected to debate a funding package this week.

Group Petitions Regulators To Reconsider Pipeline Approval

By TAYLOR DOBBS

When regulators approved Phase 1 of Vermont Gas Systems' pipeline project last year, they didn't have accurate information about the cost of the project, the Conservation Law Foundation says.

Now, the environmental group is asking the Public Service Board to put a stop to the project until it can reconsider the approval with new numbers in mind.

The new cost estimates, announced at the beginning of July by Vermont Gas, are 40 percent higher than those approved by the Public Service Board last December, bringing the project cost to \$121 million.

"The approval they received was based on information that is no longer accurate." - Sandra Levine, Conservation Law Foundation

The Public Service Board has the authority to revoke or modify the "certificate of public good" it issues for utility infrastructure projects in the state. CLF's petition argues the board should force Vermont Gas to reapply for a new certificate.

"The approval they received was based on information that is no longer accurate," said CLF senior attorney Sandra Levine. "Certainly, small cost increases may be expected, but a 40 percent increase is substantial," she said.

Vermont Gas spokesman Steve Wark says the CLF petition "doesn't make sense," and that it "misses several points." The most important, Wark said, is that "there are still significant economic and environmental benefits to this project."

Natural gas is cheaper than other heating fuels and emits smaller quantities of greenhouse gases when it burns,

he said. Wark added that if those benefits are brought to customers along the route of the proposed pipeline, they outweigh the increased cost.

Vermont Gas has filed an application for a certificate of public good for Phase 2 of the pipeline, which would extend service from the Middlebury area under Lake Champlain to the International Paper mill in Ticonderoga, N.Y.

Protests Greet New England Governors And Eastern Canadian Premiers

By SAM EVANS-BROWN

Protesters gathered Sunday to push back against energy development ahead of a meeting Monday between the New England Governor's and Premiers of the Eastern Canadian Provinces.

Energy and trade will be the focus of the dignitaries, who last met in Quebec in September.

Northern Pass opponents gathered a few miles from the Mount Washington Hotel in Bretton Woods, the site of the conference, and waved signs to passing cars.

Will Abbot, with the Society for the Protection of New Hampshire Forests the proposal to connect Quebec's hydro-power dams to New England.

"We hope that the governors will follow Governor Hassan's lead in suggesting there may very well be a better way of doing it than what's being proposed," Abbot said.

Meanwhile, just across from the hotel, activists with Tar Sands Free Northeast, like Dorian Williams, pushed against Canada's extraction of oil from the Alberta Tar Sands, and a proposal to build new natural gas pipelines in Massachusetts.

"All the New England Governors signed a letter to NEPOOL asking that they increase electric rate-payers fees in order to pay for Kinder-Morgan and Spectra to be building these pipelines," Williams said.

Last September the delegates signed a non-binding resolution emphasizing energy efficiency and energy trade.

ST. ALBANS MESSENGER:

Vermont can't depend on windfall estate tax revenue

Rep. Carolyn Branagan Franklin-1, Georgia

Officials at the Governor's office are putting the best spin possible on end of the year FY 2014 revenue numbers. But let's look a little deeper at what has really happened. Readers will remember that since the state fiscal year goes from July 1 until June 30, the first week in July is always exciting.

Pennies are still being counted to get exact numbers, but it is safe to say that for this year there is good news and bad news. Let's start with the bad news.

The Education fund and the Transportation Fund were both below estimates. That means those funds did not bring in as much revenue as predicted. This is due to a number of factors, but we can sum it up by saying Vermonters remain very cautious about their spending habits.

Is there good news? Well, that depends on your point of view. The General Fund did very well by the end of the

year. Overall Vermont revenues cleared estimates with \$2.5 million to spare. That's good, and normally I'd be cheering over the strengthening economy but this year nearly \$16 million of unanticipated revenue in the General Fund came from Estate Tax. That is a tax that is always a one time revenue for obvious reasons. We cannot count on Estate tax money another year.

I found myself getting dizzy during most of this past year watching the General Fund weave in and out of reaching the predicted level of revenue. For most of the year the General Fund was very shaky, and readers will remember several letters expressing this concern. General Fund revenues include Personal Income tax, Corporate Income tax, Insurance tax, Rooms and Meals taxes, Real Estate Transfer tax, Sales and Use tax and Estate taxes. Most troubling for me is the fact that Personal Income taxes were below by 3.2% at the end of the year. That's just over \$22 million. We have to figure out why Personal Income tax isn't more stable. Until they are more stable, we cannot say Vermont is recovering from the recession.

Even counting the \$16 million overage received from the Estate tax, the state fell just short of making its target in revenues for FY 2014, but it was close enough for the Gov's Office folk to say we 'made it'.

The problem is windfall revenue is unpredictable. So if we take Estate Tax revenue out of the estimates for FY 2015, some adjustments will have to be made in order for ends to meet at the end of the year.

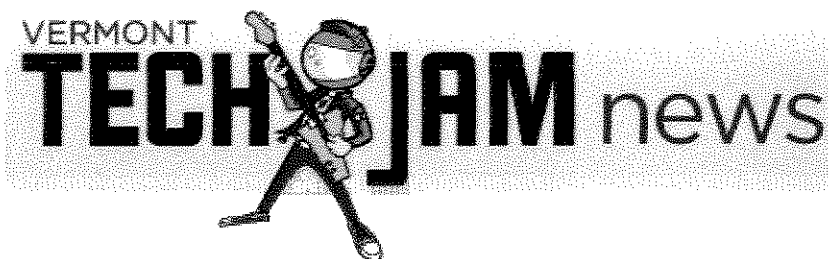
Miller, Lawrence

From: Seven Days VT Tech Jam <yourfriends=sevendaysvt.com@mail101.atl111.rsgsv.net> on behalf of Seven Days VT Tech Jam <yourfriends@sevendaysvt.com>
Sent: Monday, July 07, 2014 1:03 PM
To: Miller, Lawrence
Subject: Retreating From Patent Trolls; Investors Hit the Road; New Arcade With Old Games Opens

In this issue: What happened with Sen. Leahy's patent troll legislation? Also, inside last week's net neutrality hearing in BTV.

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MONDAY, JULY 7, 2014



GOVERNMENT

Vermonters Try to 'Save the Internet' at Hearing

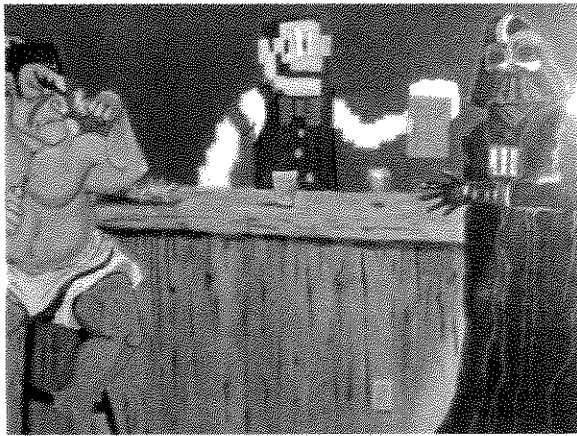
Vermont entrepreneurs — and a former FCC commissioner — testified at the Senate Judiciary Committee hearing at the University of Vermont last week. The speakers asked for regulations that would prevent a two-tiered system of internet traffic. [Click here for the story from Seven Days.](#)



BUSINESS NEWS

Patent Troll Fight Ends in Retreat

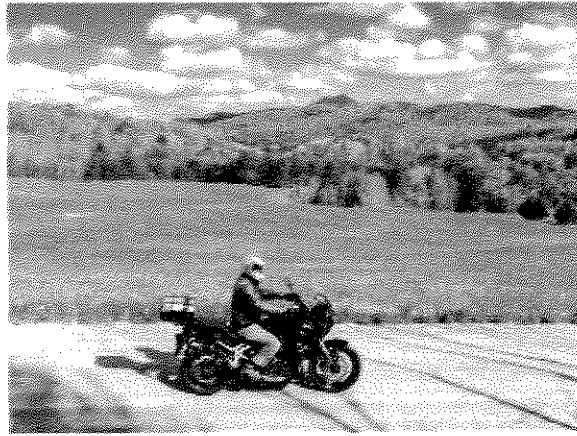
Vermont tech companies and the state's senior senator failed in their fight against patent trolls this spring. The *Burlington Free Press* explores the details of the bill's derailment. [Click here for the story.](#)



LEISURE

Tilt Classic Arcade and Ale House Opens

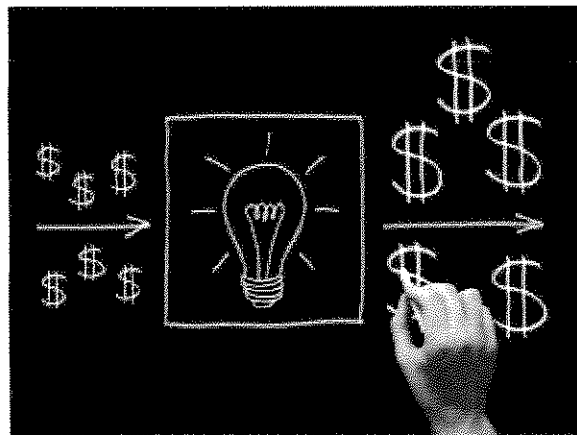
Get your Asteroids, Galaga and Centipede fix while sipping a microbrew at a new arcade and ale house in South Burlington. *Seven Days'* Alice Levitt was there on opening night. [Click here for a peek inside.](#)



INVESTMENT

Vermont Venture Capitalists Hit the Road

FreshTracks Capital is known for its Peak Pitch events, which get entrepreneurs and investors out on the slopes. In August, the firm hosts its first summer event — a 350-mile motorcycle tour of 11 of Vermont's 13 counties. [Click here to read the story from the *Wall Street Journal's* Venture Capital Dispatch blog.](#)



MONEY

New Rules Make it Easier to Invest Locally

New rules took effect in June that make it easier for Vermonters to invest small amounts in local companies. What could that mean for Vermont tech companies? VTDigger explains the changes. [Click here for the story.](#)



JOBS

Vermont Tech Jobs

The latest in *Seven Days* includes:

- **Development Manager**, Vermont Mutual
- **Adjunct Faculty, Information and Technology Services Division**, Champlain College
- **Technical Support Specialist, Mobile Apps**, Sheridan Dartmouth Journal Services

- **Information Technology Specialist I & II**, Vermont Department of Information and Innovation
- **IT Systems Administrator**, Vermont Agency of Natural Resources
- **PHP/Drupal Developer**, University of Vermont
- **Technical Program Specialist**, University of Vermont

[Click here for more jobs.](#)



CONNECTIVITY

Public Hearing on Future of Burlington Telecom

On Tuesday, July 8, the Public Service Board is holding a hearing about Burlington's plans to transfer ownership of its municipally owned telecom company. Do you care who owns BT? This is your chance to speak up. [Click here for details.](#)

COMMUNITY

Rutland Putting History a Click Away

Rutland's historical photos and documents are becoming easier to find online thanks to volunteers from the Rutland Historical Society. [Click here for the story from VPR.](#)

CONNECTIVITY

VTel Launches First Wireless Broadband Towers

VTel announced last week that 12 of its wireless broadband towers are now operational, connecting all or most of 24 Vermont towns. The company plans to erect another 157 towers in the next year, according to VTDigger. [Click here for the story.](#)

CALENDAR

Coming Up:

- **July 8, Public Service Board Hearing: Burlington Telecom**, Burlington City Hall.
- **July 8, Git and Github Project Night**, Dealer.com, Burlington.
- **July 8, Building Websites With Wordpress**, Studio 266, Burlington.

- **July 9, Rutland Developers and Designers Socialize**, Coffee Exchange Café, Rutland.
- **July 10, Tech Writers Gathering**, Skinny Pancake, Burlington.
- **July 10, StoryCodeVT July Meetup**, Young Writers Project, Burlington.
- **July 10, Generator Membership Orientation**, Generator, Burlington.
- **July 12, Generator Membership Orientation**, Generator, Burlington.
- **July 12, Free Weekly 3D Printing Workshop**, Blu-Bin, Burlington.
- **July 14, Barre Open Systems Institute 'Adult Swim,'** Location TBA, Barre.
- **July 14, VTdotNET: Microsoft Azure Storage**, MyWebGrocer, Winooski.
- **July 16, Bio & Tech Beer Event**, Queen City Brewing Tasting Room, Burlington.
- **July 17, Social Hour at the Generator**, Generator, Burlington.
- **July 18, BeagleBone Black Workshop**, Logic Supply, South Burlington.
- **July 18-20, SolarFest Mini Maker Faire**, Tinmouth.
- **August 2, Burlington Ruby Conference**, Main Street Landing Performing Arts Center, Burlington.

Want your event listed? **Email us to submit it.**

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SEVEN DAYS
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Miller, Lawrence

From: VTel Wireless <info@vtelwireless.com>
Sent: Tuesday, July 01, 2014 10:09 AM
To: Miller, Lawrence
Subject: Ribbon Cutting in Hardwick Today!

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VTel Wireless

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FOR IMMEDIATE RELEASE
Contact: Diane Guité
dguite@vermontel.com
(802) 885-7705

VTel Wireless Expands Service to 20,000 Rural Vermont Homes; VTel Fiber Reaches 4,000th Rural Vermont Home

Hardwick, Vermont, July 1, 2014 - VTel Wireless, of Springfield, VT, is hosting a ribbon cutting in Hardwick, Vermont for commercial launch of high-speed wireless broadband in 24 unserved and underserved rural Vermont towns, and reaching more than 20,000 homes and businesses with broadband signal, on July 1, 2014. The demonstration will also officially launch VTel's GigE Active Fiber service to 14 towns and villages in southern Vermont, with 4,000 of VTel's 16,000 homes connected today.

"We're deeply honored that Senator Patrick Leahy, Congressman Peter Welch, Governor Peter Shumlin, and Rural Utility Services Assistant Administrator Keith Adams will be part of the event," said Diane Guité, Vice President of VTel Wireless.

VTel Wireless, in conjunction with its partners at Sprint and Ericsson, will showcase several exciting technologies over the course of the day:

- **Unprecedented wireless broadband speeds.** VTel Wireless recently announced a technology-sharing relationship with Sprint allowing VTel Wireless to offer unprecedented wireless broadband speeds to rural Vermonters. Sprint's wireless technology has the ability to accommodate download speeds, wirelessly, of over 100 megabits per second, using VTel's FCC wireless licenses. "To the best of our knowledge, Hardwick will be the first rural community in North America to see these speeds," said Miss Guité. "We're so pleased that Sprint has agreed to share this important technology with us."

- **Voice over LTE calling.** VTel expects to offer mobile phone service in late 2014/early 2015, as soon as VoLTE handsets become widely commercially available. Ericsson will be using 2 experimental Sony phones to demonstrate the first rural VoLTE call in America.
- **Groundbreaking 4G/LTE wireless applications** for agriculture, medicine, education, smart-homes, and more.
- **High-definition video-conferencing,** which is key to driving success in distance learning.

The VTel Wireless 4G/LTE network is ramping up statewide connectivity for Green Mountain Power's Smart Grid. "Green Mountain Power is building one of the world's first system-wide Smart Grid networks. We're proud to be working with them," said VTel President Michel Guité.

VTel Wireless is the first 100% 4G/LTE carrier in America.

VTel Fiber is also celebrating several recent achievements, and will demonstrate billion-bit-per-second Internet-to-home speeds and high-definition television:

- VTel's fiber-to-the-home project is bringing the fastest Internet in America to over 16,000 homes and businesses in Southern Vermont.
- VTel's pricing for Gigabit Fiber is the lowest in the country.
- VTel's broadband adoption rate for Internet amongst VTel customers with fiber is over 83%, one of the highest in the world.
- Ookla ranks VTel's download speeds #1 in Vermont, at over twice next ranked speed, and over four times the national average, dramatically raising the state average as a whole.
- VTel's state-of-the-art video head-end offers hundreds of channels of video over IPTV - the robust new standard of video delivery.
- VTel offers high-definition voice calling to all VTel telephone customers, at no additional cost.
- VTel's partnership with Google has provided VTel with over 400 Chromebooks to distribute to economically challenged households and first-time Internet users in Vermont.

"Senator Leahy, Senator Sanders, Congressman Welch, and Governor Shumlin have all become important national leaders advocating for rural broadband, and I'm pleased we at VTel are able to do our small part to help," said VTel President Michel Guité. "We are so pleased to be a part of Rural Utilities Service's and NTIA's shared vision for bringing broadband to all of rural America."

In 2010, VTel received awards through the American Recovery and Reinvestment Act, administered by Rural Utilities Service and the National Telecommunications and Information Administration, to build fiber-to-the-home to 16,000 homes and businesses in its service footprint, wireless broadband to much of rural Vermont, and fiber statewide to serve community anchor institutions like schools and hospitals.

"We are tremendously excited by the prospect of integrating GigE fiber technology pioneered by Google, and 100 Meg wireless technology pioneered by Sprint, to serve rural Vermont homes," said Justin Robinson, Chief Technology Officer for VTel.

Event details:

The event will run between 12pm and 4pm, with ribbon cutting promptly at 1:30pm.

This event will be broadcast over VTelevision, on channel 1001, using a combination of VTel Wireless 4G/LTE technology, and VTel's IPTV head-end.

This event is open to the public; Families, children, and friendly pets are welcome. Locally-produced refreshments will be served, and we will be giving away goodie bags.

###

VTel Wireless, Inc. is building America's first 100% 4G/LTE network from the ground up, delivering world class technology with down home service. The company provides fixed and mobile Internet services to customers across the state. Through a partnership with industry leader Ericsson, VTel Wireless will make high-speed wireless broadband available to 96% of Vermont households by the end of 2015. For more information, visit www.vtelwireless.com.

VTel is a small family-owned telephone company, serving 14 rural Vermont villages, based in Springfield, Vermont. In 2010 the company received American Reinvestment and Recovery Act awards of \$92 million to improve telecommunications infrastructure in Vermont. VTel operates a four-state optical fiber network from Vermont to New York City, Boston, and Montreal, serving some of the most intensive and demanding data users in the northeast. The company is committed to improving Vermonters' quality of life by supporting community groups, creating jobs in the local economy, and adhering to best environmental practices to reduce waste and carbon emissions. For more information, visit www.vermontel.com.

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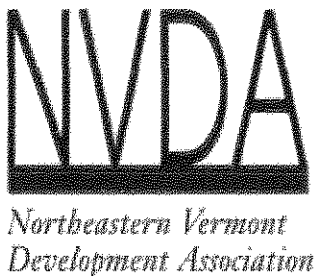
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Miller, Lawrence

From: Northeastern Vermont Development Association <lhiggs@nvda.net>
Sent: Monday, June 30, 2014 4:57 PM
To: Miller, Lawrence
Subject: NVDA News & Announcements - June 2014



Regional Planning & Economic Development in the Northeast Kingdom

David Snedeker, Executive Director
dsnedeker@nvda.net

NVDA News & Announcements - June 2014

VTel Wireless Celebration in Hardwick

On July 1st, VTel (Vermont's independent telephone company) celebrates the official launch of its statewide high-speed wireless network with a ribbon cutting event at Atkins Field in Hardwick. Wireless broadband service is now reaching more than 20,000 homes and businesses across the state. For information about new products and services including VTel Fiber-to-Home, expanded VTel Wireless services and recent technology developments, go to www.vermontel.com or call (802) 885-4444.

The Model Neighborhood Project will make the Northeast Kingdom a hub of wood pellet heat use

- The Model Neighborhood Project is part of the Northern Forest Center's renewable energy program designed to bring high-efficiency wood pellet boilers to concentrated geographic areas. The *Model* program will help lower heating costs, increase the demand for wood pellets, and keep money circulating in the local economy. Nine northern towns are eligible to convert heating systems in homes and non-residential buildings located in Lyndon, Burke, Sutton, Newark, East Haven, Sheffield, Wheelock, Kirby and Stannard.

The Northern Forest Center is partnering with RuralEdge, Efficiency Vermont and NVDA to bring the Model Neighborhood Project to the Northeast Kingdom. Dave Snedeker, NVDA's Executive Director said, "This is a great opportunity for our region. Switching to pellet boilers will reduce heating expenses and create demand for a local renewable energy source that supports jobs in

forest-based and working-lands businesses. Buying our energy locally is a sustainable way to support our economy." For more information about the Model Neighborhood Project, contact Maura Adams, Program Director, Northern Forest Center madams@northernforest.org

Congratulations Craftsbury!

Craftsbury and Craftsbury Common have received Village Center Designation from the VT Department of Housing and Community Development. The Designation Program supports local revitalization efforts and provides funding and staff assistance to help municipalities build and foster strong communities. Once designated, a community is eligible for benefits including tax credits and priority consideration for grants and services.

For more information, contact Alison Low, NVDA Senior Planner Alison@nvda.net (802) 4241418 or Richard Amour Richard.Amore@state.vt.us (802)828-5229
http://accd.vermont.gov/strong_communities/opportunities/revitalization/village_center

USDA Announces Rural Community Facility Awards - This federal funding provides incentive for rural communities to invest in facilities, equipment, and services that improve the quality of life in Vermont's towns and villages. Three NEK communities received grants:

- Brighton Fire Department - \$33,100 to purchase turnout gear including helmets, hoods, gloves, boots, jackets and pants for 19 firefighters.
- Burke Town School District - \$50,000 to replace an existing oil heating system with a wood pellet furnace and backup generator to improve heating efficiency in the K-8 public school.
- Sheffield-Wheelock Volunteer Fire Department - \$16,400 to purchase a wild lands truck to replace an older, less versatile pumper, and a rescue vehicle to promote increased safety in remote locations.

Rolling Out the Shoreland Protection Act - The Vermont General Assembly passed shoreland protection legislation that applies to activities within 250 feet of the mean water level of all lakes greater than 10 acres in size. The Shoreland Protection Act, effective July 1st of this year, establishes a new state regulation for guiding shoreland development. The intent of the Act is to prevent degradation of water quality in lakes, preserve habitat and natural stability of shorelines, and maintain the economic benefits of lakes and their shorelands by defining standards for the creation of buildings, driveways and cleared areas in shorelands.

The VT Department of Environmental Conservation (DEC) Lakes and Ponds Program will be administering the Shoreland Protection Act and is currently working to implement the program. As part of their implementation plan, they are preparing guidance materials, creating a website, and reaching out to interested parties. Go to www.watershedmanagement.vt.gov for more information or contact Dan Homeier, DEC Environmental Analyst dan.homeier@state.vt.us

Public Hearings on Proposed Amendments to the Vermont Water Quality Standards

- July 29th 10:00 am - National Life Building, Montpelier (webinar access available)
- August 5th 5:30 pm - Rutland Free Library
- **August 8th 1:00 pm - Eastside Restaurant, Newport** (this public hearing will be held with the Memphremagog Watershed Association's annual watershed workshop. All are welcome.)

Vermont's Watershed Management Division, Department of Environmental Conservation invite the public and stakeholders to attend the above hearings regarding the proposed amendments. Comments may be submitted electronically or in writing to Neil

Kamman Neil.Kamman@state.vt.us email correspondence should use the subject heading: "Public Comment on Water Quality Standards"

Full text of the Water Quality Standards with proposed markup can be found at:

<http://www.vtwaterquality.org/rulemaking/html/rules.htm>

St. Johnsbury Receives Grant for EV Charging Station

The VT Agency of Natural Resources and the VT Downtown Program provided funding for electric vehicle charging stations to be located in designated downtowns. St. Johnsbury submitted a grant application in March and received approval in early June. The town will partner with Green Mountain Power to implement the installation of a Phase 2 EV charging station located on Pearl Street between Eastern Avenue and Maple Street. The installation should be complete before the end of the year.

Human Resources Seminar July 15th 8:30-3:30 / Capitol Plaza Hotel, Montpelier

The Associated Industries of Vermont (AIV) will host a human resources seminar providing overviews and critical updates on significant changes and emerging issues for employers dealing with employee health and leave benefits, workplace rules and regulations, unemployment insurance and Workers' Compensation taxes and premiums, and other important issues. AIV members and non-members are welcome to register by July 11th. An agenda and registration form are available at www.aivt.org. For more information call (802) 223-3441 or info@aivt.org

Vermont Municipalities & New Energy Efficient Construction - 2 Resources

Contact Paul Markowitz, Community Energy Program Manager pmarkowitz@veic.org

www.encyvermont.com (888) 921-5990 x 7608

- *Municipal Guide to Vermont Energy Codes and Above-Code Programs* by Efficiency VT and the Energy Code Assistance Center, provides information on code requirements and the process from application through documented compliance. This guide outlines support available from Efficiency VT for builders, homeowners, municipalities and permit applicants to meet or exceed Vermont's energy codes.
- *Enhancing the Role of Vermont Municipalities in Improving Efficiency in New Construction*, addresses specific municipal responsibilities associated with implementing energy code-related requirements under Act 89. (For immediate support, builders, contractors and permit applicants can contact the Energy Code Assistance Center (ECAC) (855) 887-0673)

Hilltop Family Housing

RuralEdge recently completed its redevelopment project on Portland Street in St. Johnsbury consisting of ten energy efficient rental units for low income families. USDA Rural Development's investment in the *Hilltop Housing Project* helped to create this housing complex. Financing from the public and private sectors on the project include the Low Income Housing Tax Credit

Program, Passumpsic Savings Bank, Union Bank, VT Community Development Program, VT Community Loan Fund, Boston Capital, and the VT Housing Finance Agency.

Jim Greenwood, NVDA's Economic Development Coordinator in Newport is retiring on July 1st - Before joining the staff in 2011, Jim represented Essex-Orleans in the Vermont Senate. His background experience in the legislature and at the Vermont Department of Labor gave him valuable insight into improving economic opportunities in the Northeast Kingdom. Thank you Jim, for your community leadership and service!

Grants & Loans

- **Distance Learning & Telemedicine (DLT)** Deadline July 7th. The DLT program is designed to meet the educational and health care needs of rural America. Vermont and New Hampshire have received funding for 23 projects since 2000 in this nationally competitive grant program. <http://www.gpo.gov/fdsys/pkg/FR-2014-05-22/pdf/2014-11700.pdf> Deborah Maguire, USDA Rural Development Community Program Specialist Deborah.maguire@vt.usda.gov (802) 828-6024
- **FY15 Municipal Planning Grants:** MPGs are used to carry out statewide planning goals and help fund community planning efforts. Up to \$20,000 will be awarded to eligible municipalities chosen through a competitive selection process. Applications are due September 30th. Contact Annina Seiler, Grant Administrator Annina.Seiler@state.vt.us (802) 828-1948. www.accd.vermont.gov/strong_communities
- **The Vermont Farm Fund** - A Business Builder Loan Program that supports farms and local food producers who are investing and innovating to grow their business, increasing the availability of local foods in Vermont. www.vermontfarmfund.org/loan-programs

JULY- Calendar of Events:

- July 1st - VTel Wireless Ribbon Cutting 12-4 pm Atkins Field, Hardwick
- 15th - Human Resources Seminar 8:30 am-3:30 pm Capitol Plaza, Montpelier
- 29th - Public Hearing: VT Water Quality Standards National Life Bldg., Montpelier

###

Back issues of NVDA's monthly *News & Announcements* and NEK Economic Development Initiative *Progress Reports* are available online: www.nvda.net click on *Resources & Opportunities / Newsletter Archives*.

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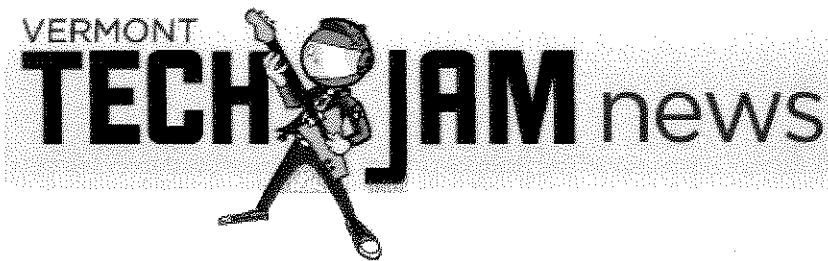
Miller, Lawrence

From: Seven Days VT Tech Jam <yourfriends=sevendaysvt.com@mail150.wdc02.mcdlv.net>
on behalf of Seven Days VT Tech Jam <yourfriends@sevendaysvt.com>
Sent: Friday, June 27, 2014 5:49 PM
To: Miller, Lawrence
Subject: Senate Judiciary Committee to Visit VT for Net Neutrality Hearing; Preparing for a Post-IBM Future

In this issue: The Senate Judiciary Committee is coming to Burlington next week for a field hearing on net neutrality.

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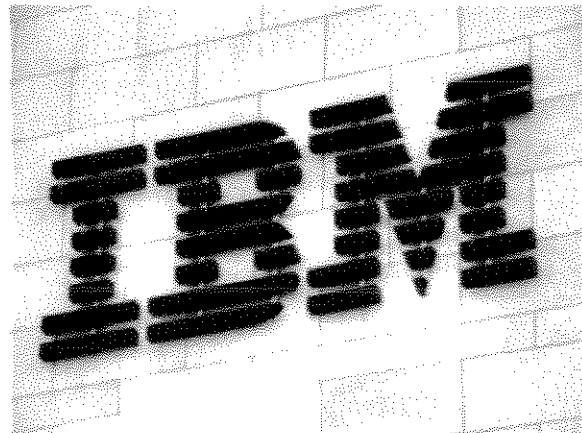
FRIDAY, JUNE 27, 2014



GOVERNMENT

Sen. Leahy Brings Judiciary Committee to UVM

The Senate Judiciary Committee will hold a field hearing at the University of Vermont on Tuesday, July 1. The subject, according to Leahy's office: "Preserving an Open Internet: Rules to Promote Competition and Protect Main Street Consumers." Speakers include former FCC Chairman Michael Copps and



BUSINESS NEWS

Vermont Braces for a Post-IBM World

Will Vermont lose its largest private sector employer? Business leaders called a press conference this week to announce economic incentives aimed at keeping IBM's Essex Junction facility open. [Click here for the story from Seven Days.](#)

Lisa Groeneveld, co-owner and COO of Logic Supply. [Click here for the press release.](#)



TINKERING

Makers Talk Technology, Ecology and Art at the Generator

Members of Vermont's maker community gathered at the Generator in Burlington last week to eat lobster rolls and talk about the DIY movement as an antidote to consumerism. [Click here for the story from *Seven Days*.](#)



JOBS

Vermont Tech Jobs

The latest in *Seven Days* includes:

- **Front-End Web Developer**, EatingWell
- **UI/UX Designer**, Middlebury Interactive Languages
- **Web Manager**, Chittenden Central Supervisory Union
- **Development Manager**, Vermont Mutual
- **Technical Specialist**, Saint Michael's College
- **Business Analyst**, Physician's Computer Company
- **Software Solutions Specialist**, Physician's Computer Company

[Click here for more jobs.](#)

BUSINESS NEWS

Confidence is Key for Women in Tech

Women are still underrepresented in high-tech fields, but local women in the industry are working to change that. [Click here for the story from the *Burlington Free Press*.](#)

CONNECTIVITY



VTel Wireless Launches High-Speed Service

VTel Wireless is hosting a ribbon-cutting on Tuesday, July 1, to celebrate the launch of its last-mile, high-speed internet initiative. Also, they'll be serving free, locally sourced food. [Click here for the announcement.](#)

CALENDAR

Coming Up:

- June 28, Drone "Fly In" Day, Stowe.
- June 28, Free Weekly 3D Printing Workshop, Blu-Bin, Burlington.
- June 28, Generator Membership Orientation, Generator, Burlington.
- June 30, Barre Open Systems Institute "Adult Swim," Hedding United Church, Barre.
- July 5, Free Weekly 3D Printing Workshop, Blu-Bin, Burlington.
- July 7, Barre Open Systems Institute "Adult Swim," Hedding United Church, Barre
- July 8, Git and Github Project Night, Dealer.com, Burlington.
- July 8, Building Websites With Wordpress, Studio 266, Burlington.
- July 10, Generator Membership Orientation, Generator, Burlington.
- July 12, Free Weekly 3D Printing Workshop, Blu-Bin, Burlington.
- July 18-20, SolarFest Mini Maker Faire, Tinmouth.
- August 2, Burlington Ruby Conference, Main Street Landing Performing Arts Center, Burlington.

Want your event listed? [Email us to submit it.](#)

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Miller, Lawrence

From: VTel Wireless <info@vtelwireless.com>
Sent: Thursday, June 26, 2014 9:41 AM
To: Miller, Lawrence
Subject: Reminder-Ribbon Cutting on July 1!

Having trouble viewing this email? [Click here](#)

VTel

Call us: 802-885-4444
VTel | VTel Wireless

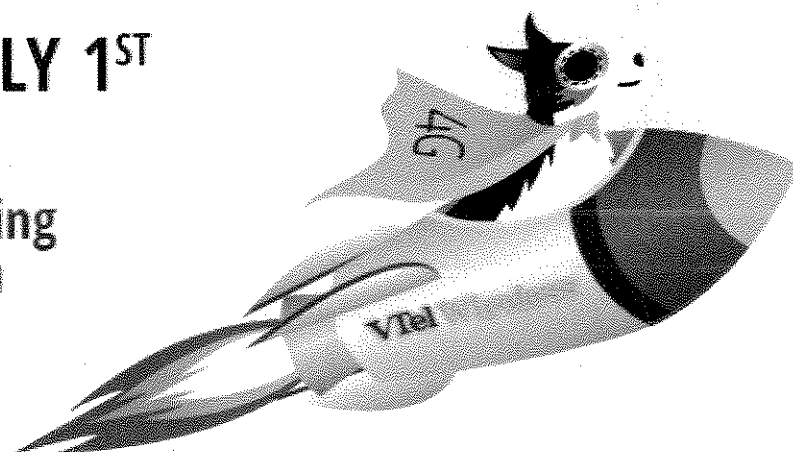
Please join us for the
VTel Wireless
RIBBON CUTTING CEREMONY

TUESDAY, JULY 1ST

12pm - 4pm

with ribbon cutting
promptly at 1pm

ATKINS FIELD
HARDWICK, VT



RSVP HERE

Dear Neighbor,

Please join us on July 1st in Hardwick to celebrate the official launch of our statewide high-speed wireless network, and to learn more about exciting recent technology developments at VTel. This event will be an opportunity to celebrate and thank Vermont's broadband leaders - including **Governor Peter Shumlin, Rural Utilities Service Administrator John Padalino, Senator Patrick Leahy, Senator Bernie Sanders, Congressman Peter Welch**, and many others - for their commitment to statewide broadband. It will also be an opportunity for VTel to describe our new products and services and outline information on project progress.

WE HAVE A LOT TO CELEBRATE!

VTel Wireless

- On July 1st, we will commercially launch our high-speed wireless broadband service in towns across Vermont, reaching more than 20,000 homes and businesses statewide. We will continue to bring more towers online every week between now and next summer.
- We are the first 100% 4G/LTE carrier in America, bringing the most advanced technology in the world to Vermont.
- We have partnered with one of America's major wireless carriers, and are leveraging their technology to be able to offer unprecedented broadband speeds over wireless. We will unveil additional details about our partnership at the ribbon cutting.
- Our network will provide connectivity for Green Mountain Power's statewide SmartGrid network, one of the first examples of this type of partnership in America.

VTel Fiber-to-the-Home

- Our fiber-to-the-home project is bringing the fastest Internet in America to over 17,000 homes and businesses in rural Vermont.
- Our pricing for Gigabit Fiber is the lowest in the country.
- Our broadband adoption rate for internet amongst VTel customers with fiber is over 83%, among the highest in the world.
- Ookla ranks VTel's download speeds #1 in Vermont, at over twice next ranked speed, and over four times the national average, dramatically raising the state average as a whole.
- Our state-of-the-art video head-end offers hundreds of channels of video over IPTV - the robust new standard of video delivery.
- We offer high-definition voice calling to all VTel telephone customers, at no additional cost.
- Our partnership with Google has provided us with over 400 Chromebooks to distribute to economically challenged households and first-time Internet users in Vermont.

**We are honored that several distinguished guests will be attending the ceremony
(listed alphabetically):**

Rural Utilities Service Administrator John Padalino, confirmed
Senator Bernie Sanders, invited
Governor Peter Shumlin, confirmed
Congressman Peter Welch, confirmed

Event highlights will include:

- Free VTel goodie bags
- Free food and drinks featuring locally-produced products from the Vermont Food Venture Center and the Hardwick Village Market
- Demonstrations of VTel Wireless services available today:
 - High-speed wireless Internet with download speeds of up to 50mbps available at fixed locations
 - Exciting applications for wireless services, including medical and agricultural monitoring programs
- Demonstrations of VTel Wireless services that will be available in the near-term (late 2014/early 2015)
 - High-definition mobile phone service
 - Speeds of 100mbps+, for both mobile and fixed devices, available in late 2014 in select towns across Vermont
- Literature describing wireless pricing and plans
- Announcement about an exciting partnership between VTel Wireless and a major US cellular carrier, including demos of data speeds that this partnership will facilitate
- Demo of VTel's fiber-to-the home products (services available only in VTel's ILEC territory)
 - 1 Gig Internet speeds
 - High-definition voice service
 - VTelevision
- Demo of our integrated network, highlighting how fiber and wireless work together
 - The event will be televised, with a live video broadcasting of the ribbon cutting streamed over a wireless signal, to a VTelevision channel and watched by viewers in Springfield, Vermont
- Cody-Bandit, the VTel Wireless mascot, will be there to greet everyone! Other dogs welcome.

If you're planning to attend, please RSVP!

RSVP HERE

All the Best,
The VTel Team

Stay connected!



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Vermont Telephone Company, Inc. 354 River Street | Springfield | VT | 05156

Miller, Lawrence

From: VTel Wireless <info@vtelwireless.com>
Sent: Friday, June 20, 2014 2:45 PM
To: Miller, Lawrence
Subject: Ribbon Cutting on July 1!

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VTel

Call us: 802-885-4444
VTel | VTel Wireless

Please join us for the

VTel Wireless

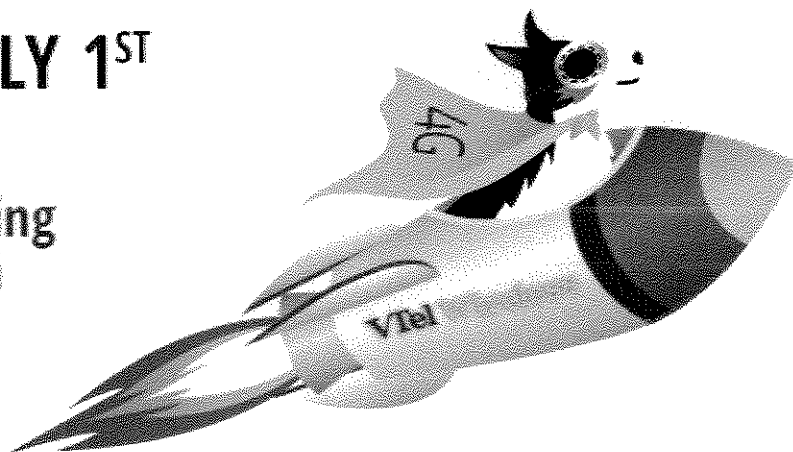
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All the Best,
The VTel Team

Stay connected!



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Miller, Lawrence

From: Bourgeois, Kiersten
Sent: Wednesday, March 12, 2014 5:00 PM
To: Miller, Lawrence
Subject: FW: VTel

fyi. sorry for missed cc

From: Bourgeois, Kiersten
Sent: Wednesday, March 12, 2014 4:57 PM
To: Porter, James
Cc: Miller, Elizabeth; Spaulding, Jeb
Subject: VTel

I just had a strange call with Kevin Ellis. I obviously didn't let him know that we had just spoken with RUS.

I reiterated to him that we'd be happy to consider signing on to a letter/announcement to communities that are 30-60 days out from getting VTel service. He is still "working on VTel", presumably meaning that they are paying him only for his lobbying efforts, not PR/external affairs stuff. I am going to go straight to Diane.

Speaking of lobbying efforts, Kevin also informed me that he spoke to Shap and Botzow about VTel's coming up to talk about their desire to see 248a extended. Shap told him that he (they) should wait until Ashe sends his bill over from the Senate.

I also let him know that all four SHPO hang-ups are really with VTel. I'll send D. Guite an email once I get specifics from the HP team as far as suggested next steps are concerned. Better to give them a roadmap then let them guess or freelance.

And finally, Kevin is prepping VTel for the Putney meeting. I'll stay in touch with him on that point. I suggested that he recommend that VTel not place the blame on the state...

Miller, Lawrence

From: Bourgeois, Kiersten
Sent: Friday, March 07, 2014 7:40 AM
To: Allen, Susan
Cc: Miller, Elizabeth; Miller, Lawrence
Subject: FW: VTel Event

VTel has asked if the Gov would be available on 7-1 for an event in Hardwick. They also want to invite the delegation and RUS.

They said that commercial service would be available by then – which is much better than their original suggestion of doing it w/ only beta testers.

From: Bourgeois, Kiersten
Sent: Monday, March 03, 2014 1:17 PM
To: Miller, Elizabeth; Allen, Susan
Cc: Spaulding, Jeb; Porter, James; Miller, Lawrence
Subject: RE: VTel Event

Diane also said that if we want to do an event where this actual commercial service available, sometime around July 1 is better.

Let me know your thoughts.

Thanks,
Kiersten

From: Bourgeois, Kiersten
Sent: Monday, March 03, 2014 12:11 PM
To: Miller, Elizabeth; Allen, Susan
Cc: Spaulding, Jeb; Porter, James; Miller, Lawrence
Subject: VTel Event

I just rec'd an email from VTel asking whether we'd be interested in doing an event in Hardwick sometime during the week of 6-2. Their beta tests are showing that folks about 2 miles from a tower are getting download speeds of 41Mbps, and upload speeds of 18Mbps. If we could get some of the cool businesses up there to participate, including the Food Venture Center, this might be a good event. Could talk about how great VTel service is, how they are hitting rural Vermont and employers/employees are truly benefitting. They hope to offer commercial service by 1 July and want to have 150-200 beta testers using the service by June. So, I guess it will be a commercial for VTel as well...

As an FYI - I have also attached a neat map that Stone made to reflect cellular improvements that have been made from 2010-2013. I have the supporting data town-by-town if anyone is interested.

A question for you all – there's some good, new data that we are getting based on some requests we are making of Stone. For example, we have a 4/1 map that shows that about 77% of Vermonters have access to that speed. We have these new cellular maps. Any preference on where we should post them? And whether we want to build a press release around any of this?

In other news, I am still working with VTel on their mailing/outreach. I should have that done shortly – waiting on some VTel responses.

Thanks,

Kiersten

Miller, Lawrence

From: Bourgeois, Kiersten
Sent: Monday, March 03, 2014 7:40 AM
To: Miller, Elizabeth
Cc: Miller, Lawrence
Subject: FW: West Hill Area Broadband / Town Meeting

A few thoughts –

- 1) It might not hurt for the folks in Putney to actually talk to VTel. We now know that there will be another lag in Putney due to the permitting issue for one of the towers – and likely that VTel will blame the state – but they are responsible for serving a lot of Putney.
- 2) I will push the VTA to move more swiftly with their BBID project; they do love to analyze, plan, brainstorm, etc. There is not guarantee, but I can ask them to direct \$ to the town if there's a promise by a provider (of the non-wireless variety) to help things along
- 3) The funding that has been made available – most recently to GAW – was based on responses to the NOFA for unserved addresses. We haven't considered the Putney addresses of much of the most vocal residents as being unserved: there's a plan in place and much of it is VTel.

Let me know if you want me to talk with Mike. Also, I have another email drafted to another group that is cranky in Putney which I will send today – I need some confirmation from Chris C. that they can move more quickly. I'll see him in about an hour.

As an aside – I see that the Gov is going to Richmond tomorrow for Town Meeting – he might get an earful about 248a. Public Service is working with the Town and AT&T is as well. Richmond received a flurry (okay, four) of 248a applications which sparked concern about the process. He may also hear about proposed redevelopment at the Richmond Creamery site. I am working with them to figure out a way to best utilize the property given that it's a brownfield. They want to build a senior center at the site and are on a quest for \$\$\$.

Nothing big going on in Georgia, except for four wind turbines that generate a lot of conversation...

Thanks,
Kiersten

From: Mike Mrowicki [mailto:MMrowicki@leg.state.vt.us]
Sent: Sunday, March 02, 2014 9:51 AM
To: Miller, Elizabeth
Cc: Bourgeois, Kiersten
Subject: FW: West Hill Area Broadband / Town Meeting

Hi Liz,

I'm forwarding the latest from a group of Putney residents still waiting for anything resembling Broadband internet.

I know we have had several meetings that all conclude with assurances that something will happen and to date, the status quo of dial up service remains.

what becomes more frustrating is hearing upgrades announced in other towns while these folks in Putney somehow are still without.

After Town Meeting break, I would appreciate meeting with the Governor to see if we can actually get something done.

thanks,

mike

Mike Mrowicki
Vermont State Representative
Windham 4 District - Putney, Westminster, Dummerston
802.387.8787

From: Billy Straus <billystraus[REDACTED]>
Sent: Sunday, March 02, 2014 8:50:16 AM
To: Amer Latif; Ruby McAdoo; Hugh Silbaugh; Jessie Heller; Melissa Johnson; Robert Schelling; Jeff Shumlin; Carl Noe; Michael Wilner; Michael Hornsby; colivier[REDACTED]; greenough[REDACTED]; handytim[REDACTED]; info@apartvermont.org; Evan Darrow; nancykbraus[REDACTED]; Pat Babbitt; Alice Laughlin; carol[REDACTED]; carolyn.olivier[REDACTED]; dmischke1[REDACTED]; mary[REDACTED]; netbanjoian[REDACTED]; schelling[REDACTED]; eerago[REDACTED]; John Caldwell; emmarker[REDACTED]; Lynne Weinstein; Penelope J Wilner; Jim and Carolyn Olivier; cleghorn[REDACTED]; emriched[REDACTED]; kirstenhjeppe[REDACTED]; rallard[REDACTED]; Richard Jacobs; sbdiconst[REDACTED]; pmcmahon83[REDACTED]; susan[REDACTED]; vermontlisa[REDACTED]; Mark Baker; from Janet; Joseph Fichter; karen schelling; cohoshforestry[REDACTED]; Laughlin Josh; gfletch[REDACTED]; rfletch[REDACTED]; Mike Mrowicki; Jeanette White
Cc: Cor Trowbridge; Billy Straus; Ward Ogden; Lyssa Papazian; Rebecca Coffey; Jane And John
Subject: West Hill Area Broadband / Town Meeting

Dear West Hill Neighbors -

Today I write to share my own thoughts on where we go from here with Town Meeting coming up Tuesday.

To recap what you all know, we are working with the VTA on trying to secure funding through a Business Broadband Improvement District (BBID) grant. While I remain cautiously optimistic about this process, it is not quite the assured path as we had initially been lead to believe, and in any case it will not be an expeditious process.

What is new here is that on Friday I received a call from Beth Fastiggi, President of Fairpoint in Vermont. She was very focused and straightforward. She confirmed they are now in possession of the RFI (request for information) sent out by the VTA downstream of our meeting with them about a month ago, in connection with the BBID process.

Beth reiterated to me the well documented problem we face in the West Hill area of Putney: because our footprint was designated as 'served' under the VTel/WOW deal, Fairpoint (and the other providers) have been effectively precluded from securing federal and/or state funding assistance to roll out the wired service that everyone else in Putney (and most of the state) has.

She freely acknowledged the Kafka-esque absurdity of have so many (hundreds) of unwired addresses in close proximity not only to each other, but ALSO to the fiber backbone that Fairpoint and others already have in place, running up and down West Hill Road among other roads. In more than a few cases, our homes are less than 100 yards from this robust, state of the art fiber data network yet it remains inaccessible. In addition, Fairpoint technicians have echoed to me and others their ongoing mystification at how available resources are

being deployed to bring their DSL service to locations in Windham County that already have other means of high speed connectivity, such as cable television from SVCable, while our section of Putney remains without any mass-market broadband.

The good news for *some* of us on this list is that FP *is* actually about to wire up a chunk of our area along the Hickory Ridge/Windmill Hill/Brook Road/Tavern Hill corridor, to the best of my understanding. (This jibes with what some of us have reported based on seeing FP crews on various Putney roads recently.) These addresses are apparently OUTSIDE the "WOW" designated zone, so Fairpoint was able to secure funding to offset some of the capital investment, and that is why some of us will now be getting served.

But not all of us by a long shot. And in any event, this represents a serious community issue that we ought to address as a community. So what else can we do while the VTA/BBID process runs its course along in order to assure this problem is addressed for ALL? A few thoughts:

- 1) In East Dover, Fairpoint President Beth Fastiggi explained to me that they had a similar situation where there was no funding available due to restrictive designations in parts of that town. So the town itself made a deal with Fairpoint and provided the funding needed so that Fairpoint could provide high speed DSL service to everyone in East Dover. Now the town is fully served and everyone who wanted wired, high speed internet has it.
- 2) We will work on meeting with FP to find out what the numbers would look like to do this in Putney. We need to know what it would cost so that if the BBID funding does not come through or is too long in the tooth to happen, we can look to other scenarios. Also this would allow us to get competitive bids from other providers.
- 3) I would like to see us more actively engage the Putney Selectboard in the process. They are of course supportive of helping solve this problem, and having the town formally invested in the process will only help if we decide to pursue alternative methods of getting this done.
- 4) If you feel strongly about this subject, please **SPEAK UP** at town meeting. We need to get the problem in front of the townspeople, and focus the issue with more intensity.
- 5) WE, the end users and taxpayers, ought to have the choice of deciding who our provider is going to be, NOT the state. To this end, we should have been consulted before being relegated to a wireless technology we have yet to even see. We could easily have redeployed a fraction of those funds to another proven provider of hard-wired broadband, and we would long since have been served.
- 6) We must, above all else, refuse to accept any metered, wireless technology as a solution to this problem.

In closing, what has happened is that by designating us as 'served' under an inferior, wireless protocol, the state ironically and unwittingly created a situation which has barred several hundred Putney residents from access to the same level of service - unmetered, hard wired, high speed broadband - that the rest of Putney (and much of the state) has. It is not unlike the state saying to the same few hundred homeowners in Putney that instead of offering wired, electrical service from the utility company, we're just going to give you a small diesel generator and a gas can to keep it full.

For the record, I have heard of several cases now of home sales/rentals in Putney that did not happen (and in one case a family that was going to move to Putney Mtn Rd but instead moved to Brattleboro) because of lack of hard-wired, broadband internet service. This is bad for our town and bad for home values.

While we will continue to diligently pursue the BBID angle through the VTA, we must now seek and demand alternative solutions to this issue.

Respectfully,

Billy Straus

Miller, Lawrence

From: Miller, Lawrence
Sent: Thursday, February 27, 2014 5:25 AM
To: Bourgeois, Kiersten
Subject: FW: West Hill Area Broadband Update - 2/26/14

--

Lawrence Miller, Secretary
Agency of Commerce and Community Development
National Life Building, Sixth Floor
Montpelier VT 05620-0501
(802) 828-5204 office
(802) 989-0569 cell
lawrence.miller@state.vt.us

From: Miller, Elizabeth
Sent: Wednesday, February 26, 2014 10:57 PM
To: Peter Shumlin
Cc: Miller, Lawrence
Subject: Re: West Hill Area Broadband Update - 2/26/14

Obviously, we should let them know that the Vtel project is federally funded. That is probably the first and most important point to make.

It won't matter to them but VTel is in fact proceeding with its buildout.

Miller, Lawrence

From: Bourgeois, Kiersten
Sent: Thursday, February 20, 2014 11:30 AM
To: Miller, Lawrence
Subject: FW: VTel Follow-up and Planning

From: Bourgeois, Kiersten
Sent: Thursday, February 20, 2014 11:27 AM
To: Miller, Elizabeth; Spaulding, Jeb; Porter, James; Recchia, Chris
Subject: VTel Follow-up and Planning

I spoke at length with Kevin Ellis this morning to get VTel's take on yesterday's meeting and discuss next steps as it relates to our involvement. According to Kevin, Michel was fine with the meeting and thought that we were all "nice people"...

I asked him to get a list of sites within each cluster and an expected light-up date for each. That piece was obviously missing from yesterday's conversation and will inform the letters/outreach. We also talked in considerable detail about an event and Hardwick seems like a reasonable place to do it – it's in the NEK, there are well-known businesses that might be able to participate, etc. And finally, we discussed how we can shake loose some of the individual site hold-ups – including helping find some sites.

One thing (among many) that struck me was the fact that they only have 41 beta testers and want to get to 1,000 by 1 July. I basically wrote a PR plan for Kevin that included the suggestion of finding a new term for "beta testers" and starting to tout some of the good things that Vtel is doing beyond paying for fireworks on July 4 in Springfield. We also talked about the need for grassroots community relationship building and he is desperately trying to get MG to do that.

I do have a question about our messaging: we have been enthusiastically talking about the 99% success/solutions in place for nearly all Vermonters. I am assuming that when we stand next to Michel at an event such as the one we are proposing for Hardwick, our msg will include the 99% points; highlight the fact that rural Vermont now has high-speed options; talk about how continued investment in broadband is critical to Vermont residents/biz community? And of course, thank the feds/delegation? We have claimed near-victory, but VTel really hasn't been a part of that success. There are something like 2,000 truly unserveds that VTel will hit out of the 66k that they intend to serve.

VTel will be back up here next week to talk to Botzow and Shap about 248a. I strongly suggested that Kevin sit down w/ me and Jim prior to that...

Pls let me know if you have any questions – Kiersten

Kiersten Bourgeois | Senior Project Manager
Vermont Agency of Commerce & Community Development
1 National Life Dr, Davis Bldg, 6th Floor | Montpelier, VT 05620-0501
802-828-5220 office | 802-793-4899 cell | 802-828-3383 fax
accd.vermont.gov

Miller, Lawrence

From: Gray, Laura
Sent: Monday, February 17, 2014 7:08 AM
To: Gray, Laura
Subject: BLOG CLIPS FOR MONDAY, FEBRUARY 17 (FINAL)

VTDIGGER:

HOFFER PROPOSES \$488,000 ADDITION TO AUDITOR'S OFFICE **ANNE GALLOWAY**

The state auditor is asking for the Legislature to approve a \$488,000 addition to his office on State Street.

Doug Hoffer says that now that his office is fully staffed — he has 15 full-time workers in his employ — the 1,740 square foot building is no longer big enough. One employee is working in a hallway; another is housed in a building next door and the conference room has been partitioned into two offices.

The auditor's office is at 132 State Street in Montpelier. Auditor's office photo

The 1,200-square-foot, two-story addition is a "bare bones" project, Hoffer says. The addition would include new office space, a garage, a new staircase, mechanical improvements, a small porch and an accessibility ramp. Renovations to the historic building are not part of the plan. The cost would be roughly \$400 a square foot.

Hoffer is asking lawmakers for a \$20,000 feasibility study this year to prepare for the addition.

"This was entirely driven by my observation that professional staff were working in less than optimal office space," Hoffer told lawmakers on Thursday.

The auditor's proposal — complete with floor plan, elevations and construction estimates — was greeted with a less than enthusiastic response from the House Corrections and Institutions Committee. The project is not on the committee's 10-year must-build list, and the state is already in the middle of three big-ticket construction projects — the Waterbury State Office Complex, the Health Lab and the Vermont Psychiatric Care Center.

Rep. Alice Emmons gently suggested that perhaps the auditor could move to an already open space in the capital complex in Montpelier.

Hoffer bristled at the idea. "I don't want to be blended, spindled, folded in with other offices — we need to remain independent," he said to the committee.

Rep. Mary Hooper, D-Montpelier, said the auditor could trade spaces with the Vermont Commission on Women and military affairs, located three doors down. "We're having a hard time spending that much money," she explained.

"We're not saying we're going to meld you in with executive branch," Emmons said. "We're looking at other buildings that are out there that may be more suitable for your needs instead of investing money in this building that may be suitable for someone else's needs. That's an option we need to look at first."

Michael Obuchowski, the commissioner of the Department of Buildings and General Services, told lawmakers

the project “isn’t a slam dunk right now.” He is now reviewing the list for fiscal year 2016 projects, and he says “very frankly” the project needs are “scary.” The fiscal year 2015 capital bill is roughly \$180 million, according to a spreadsheet from the Joint Fiscal Office, and it includes expenditures on the Waterbury State Office Complex. Next year’s capital budget could be \$134 million, Obuchowski said.

Rep. Butch Shaw, R-Florence, said Hoffer needed to get the approval of the capital commission for the project.

“You might want to consider a relocation plan,” Shaw said. “You’re not even in the 10-year plan. We’d have to push someone off the list.”

SANFORD: ISSUES OF FOOD PURITY AND LABELING ARE CENTURIES OLD

Editor’s note: This article is by Gregory Sanford, who was the Vermont’s state archivist for 30 years, retiring in 2012.

Vermonters have traditionally sought government assurance about the food they purchase and consume. They turn to government to prevent or punish fraud, to protect the public health from potential harm, and to advantage Vermont agricultural products.

As E.H. Jenkins told the 1903 Vermont Dairymen’s Association convention, “The subject of this talk is no new one. Fraud in food is as old as Adam. The Serpent introduced the business into the Garden of Eden. By a gross deception regarding the nature of the fruit which he offered, he cheated the agricultural community into which he came and ‘brought death into our world’ ...”

Jenkins argued that consumers have a right to know, expressed through labeling, about what was in the food they ate. He articulated two concerns. The first was adulterating food to fraudulently pad profit margins. The other was the use of preservatives and other additives to extend the shelf-life of foods. Underlying both concerns were questions about the consequences to the health of the consumer.

Vermonters’ concern about fraud dates back, if not to the Garden of Eden, to at least a 1787 law regulating weights and measures. The state treasurer was to maintain a set of scales and other measures to standardize the sale of locally produced goods. Pecks, bushels, ale quarts, wine gallons, gills, etc., had to conform to these standards. Municipalities elected officers charged with applying these standards. Weighers of coal, sealers of leather, inspectors of hops, and other municipal officials provided quality control assurances. By 1797 the quality of the food also came under government regulation through laws such as “An Act for the inspection of meat, pork, flour, and kiln dried meal.”

As Vermont’s dairy and maple industries emerged as significant cash crops after the Civil War they turned to state government for protection. Butter and cheese quality were protected by an 1865 law establishing fines for anyone selling adulterated milk to a creamery. Act 108 of 1888 and subsequent laws further regulated milk quality.

By at least 1884 the Vermont maple sugar and honey producers received similar protection through laws against the adulteration of “maple sugar, maple syrup, and bees’ honey.” A push was made to regulate the increasing use of corn syrup and glucose as adulterants. The maple sugar producers wanted the state to assure the purity of their products by outlawing the use of any substitutes.

After 1873 the dairymen faced a new threat — the use of oleomargarine as a substitute for butter. An 1889 law required that margarine be labeled as such in letters at least one half inch in size. An 1886 law required restaurants offering margarine to post, in letters at least three inches high, a notice that “oleomargarine used here.” By 1890 margarine had to be colored pink.

A similar New Hampshire law was struck down by the U.S. Supreme Court in 1898 as a violation of the Commerce Clause. Congress, urged on by the dairy state delegations including Vermont's, responded in 1902 by enacting a law leaving the regulation of oleomargarine to the states.

The maple sugar producers also turned to Congress for protections from adulterated products. Annually the Vermont Maple Sugar Producers Association passed resolutions calling on Vermont's delegates to support a federal pure food act. The pure food act passed in 1906 and Vermont maple products began to carry labels asserting compliance with the act.

Vermonters initially focused on protecting the purity, and economic success, of their agricultural products. E.H. Jenkins's 1903 address to the Vermont Dairymen Association brought public health concerns to the mix. For 10 years Jenkins had tested a wide range of agricultural products in Connecticut. He told the dairymen of his findings on milk, meat, seafood, cereal, pepper, sugar, tea and coffee, etc. Pepper, for example, often contained, as "make-weights," starch, wheat, buckwheat balls, coconut shells, charred vegetable matter, sawdust and chaff.

Jenkins found that maple syrup, honey, and sugar were often adulterated with glucose (corn) syrup. While he did not believe this to be a health threat, Jenkins felt glucose was added to "deceive the purchaser."

Jenkins was particularly concerned by the use of preservatives to extend the shelf life of food. "[B]orax, formaldehyde, boric, salicylic and benzoic acid" were typical preservatives.

Part of the concern remained fraud. "These modern drugs make no sign. An oyster pickled in vinegar can never pass for a fresh oyster just out his shell. But an oyster pickled with borax may be a week out of his shell, dead for some days and saved from spoiling only by the embalmer's art, and yet pose before the public as if he was quite in the bloom and freshness of youth."

Of particular interest to the dairymen was Jenkins' work with milk. A small but significant percentage of milk tested by his Connecticut lab was adulterated with borax or formaldehyde.

These practices raised public health issues with Jenkins: "Whether or not these preservatives, which have come into extensive use of late years, are proved to be harmless when administered in moderate amount to healthy adults, it is necessary in the interests of public health that the purchaser be informed in all cases of their presence in the food products which he consumes, as he is informed when salt, vinegar, or wood-smoke are used."

Jenkins cited a Jan. 2, 1897, article in *Lancet*, the British medical journal, that asserted whether or not preservatives were known health risks, "vendors of food products containing them nevertheless be required by law to state, on labels or otherwise, the name of the preservative and also the quantity used." To this Jenkins added, "Let these chemical additives be used so long as it cannot be clearly shown they are decidedly injurious to health, but insist that when they are used, the seller in every case be informed of their presence." Jenkins cited Vermont's oleomargarine laws as an example of appropriate labeling.

Jenkins felt that it was easy to bring perishable goods to the consumer without preservatives as long as sufficient care and cleanliness was used in their production. The use of preservatives simply shielded the producer from the consequences of poor management in food production. To Jenkins the use of preservatives without labeling was "immoral."

Over the years many of the preservatives Jenkins cited, such as borax and formaldehyde, became associated with health risks and prohibited from use in foods.

Science and technology have blurred definitions of what is an additive or preservative. Agribusinesses emerged

that have the resources to vigorously defend their products, as Vermont discovered when trying to label bovine growth hormones.

The purity of "Vermont" products has become more difficult and expensive to regulate. In 2010 the state had to drop its Vermont Seal of Quality program for lack of resources. There are now a host of economic interests, legal protections, regulations, etc., that complicate questions about food safety. Yet the original question from 1903 remains: Do consumers have a right to know what is in the food they eat?

STOWE REP PUSHES ETHICS BILL MODELED AFTER CFV PROPOSAL

ANNE GALLOWAY

Vermont is one of three states that does not require public officials to disclose financial information, and it is one of eight states that does not have an ethics commission, according to the National Conference of State Legislatures.

While ethics policies are standard elsewhere, state officials have long maintained such rules aren't necessary because Vermont has a citizen Legislature that is unusually accessible to the public.

Rep. Heidi Scheuermann, R-Stowe, disagrees with the conventional wisdom.

"Just because our state is small, and we're very accessible to our constituents doesn't mean that transparency and accountability are there," Scheuermann said. "I'm not accusing anyone of anything but I think it's important. Even the perception of a conflict of interest can be reality. In politics, perception is reality. That perception or true conflict should be considered."

Scheuermann wants to see the General Assembly adopt guidelines for ethical behavior that would establish strict rules of conduct for lawmakers, statewide officeholders and appointed officials. Her bill, H.846, also includes the formation of a Vermont Ethics Commission.

H.846, is sponsored by 23 other lawmakers, Republicans and Democrats, and it is modeled after a proposal floated by Campaign for Vermont, a 501c4 advocacy group that has been critical of the Democratically controlled Legislature.

Scheuermann's bill would address the "revolving door" phenomenon in which state officials leave public office to lobby on behalf of unions and corporations, or work for the very entities they once regulated. Several recent examples include Vince Illuzzi, the longtime senator from Essex County who lobbied for the Vermont State Employees Association nine months after he left office, and Karen Marshall, who led the governor's ConnectVT initiative and then left to work for VTel, a broadband company in Springfield.

Under the proposal, an official who has served as an elected official or appointee would be restricted from appearing before the Legislature for a two-year period.

Certain conduct for current officeholders and appointees would also be prohibited, including: use of a position to secure special privileges; personal use of state property; any action taken in which the official has a conflict of interest; actions that "materially advance" the interests of a potential employer; the solicitation of favors, gifts or trips; and stock trades or business transactions based on privileged information gained from service in the Legislature.

An official who is charged with regulating a company would not be allowed to conduct business with that entity.

The policy would apply equally to representatives, agency secretaries, appointees of the governor and the governor himself. Though Gov. Peter Shumlin signed an executive branch order establishing a code of conduct it applies only to appointees of the governor.

H.846 also creates a five-member Vermont Ethics Commission that would have the authority to investigate violation complaints, complete with subpoena power. The commission's findings would not be subject to Vermont's Public Records Act. Annual reports about the number of complaints and investigations would be made available to the public.

The civil penalty for violating the code of conduct would be as much as \$10,000 per violation. An official would also be responsible for reasonable attorneys fees associated with enforcement.

Scheuermann says this component of the bill is important because currently when there is a question about conduct in the Statehouse there is no one to go to. "If we did think there was some impropriety or something not above board there's no place to go to say anything or have an inquiry," Scheuermann said.

The financial disclosure language in the draft now circulating in the House Government Operations Committee is not likely to survive the cutting room floor. Scheuermann says she doesn't oppose pulling the provision, which currently requires all officials to disclose the name of their business or employer, assets of more than \$5,000, and the source of any income that exceeds \$30,000.

"It's a part-time Legislature, it's a citizen Legislature, we have a difficult time recruiting people to do this kind of job," Scheuermann said. "I don't want to make it so really qualified people wouldn't run."

Rep. Donna Sweaney, D-Springfield, chair of Government Operations, hopes to move a proposal forward this session, though she is concerned that the Senate will be less inclined to take it up, and there isn't a clear signal that the governor would endorse legislation. It may be more effective, she says, to adopt new House rules.

LONG-FOUGHT FARM BILL SUBSTITUTES DAIRY SUBSIDY PROGRAM WITH INSURANCE ANDREA SUOZZO

After more than two years of negotiation, Congress early this month passed a compromise farm bill that reduces spending by an average \$16.6 billion per year and sets a course for the next five years of farm policy under the U.S. Department of Agriculture (USDA).

"It has been a long trip getting this far," Sen. Patrick Leahy, D-Vt., said in a statement last week. Leahy serves on the Senate Agriculture Committee and had a spot on the conference committee that hammered out a compromise bill that both chambers were able to pass.

Vermont Secretary of Agriculture Chuck Ross said last week that despite the many compromises that went into writing the bill, it is "a win for agriculture both in Vermont, and on a national level."

The omnibus Agricultural Act of 2014 governs spending and programs within the USDA. The Congressional Budget Office projected the bill's cost to be \$956 billion over 10 years, or close to \$100 billion per year. Of that, about 79 percent is allocated to nutrition programs like the Supplemental Nutrition Assistance Program (SNAP) and Women, Infants and Children (WIC).

Dairy policy and nutrition spending were the two major sticking points during the lengthy congressional negotiations, which began early in 2012. The 2008 farm bill expired in September 2012, though Congress extended many of its provisions for the next year.

Senate President Pro Tempore Patrick Leahy (D-Vt.), signs the Farm Bill Feb. 4, hours after it passed the Senate. United States Senate photo

During that time, the Senate and the House repeatedly failed to agree on nutrition provisions, with the House passing one version of the bill that reduced nutrition spending by some \$39 billion over 10 years. The bill that ultimately passed includes a projected \$8.6 billion nutrition spending decrease over 10 years.

Vermont's congressional delegation expressed disappointment that the bill cut nutrition spending at all, but relief that the cuts were relatively minimal. In a statement last week, Sen. Bernie Sanders, I-Vt., said, "It is both morally and economically wrong to cut assistance to families in a very difficult economy," and said he would work with Gov. Peter Shumlin to restore SNAP benefits to those who will lose them through new restrictions in the farm bill.

NO SUPPLY MANAGEMENT

The farm bill's dairy provisions were the last to be solidified in the conference committee.

Initial versions of the bill, including versions that passed the full Senate and the House Agriculture Committee, included a dairy market stabilization program designed to rein in wild fluctuations in dairy commodity prices.

The so-called supply management program, which had been a major hope for many Northeastern dairy farmers, would have required farmers participating in a new dairy crop insurance program to reduce milk production when dairy prices fell. The program would have scaled back milk payments for farmers who produced more than their average seasonal output instead of leading to an oversupply of milk on the market and further decreasing commodity prices. These provisions aimed to stabilize the market and, in turn, reduce the need for USDA price supports.

House Speaker John Boehner, R-Ohio, called the supply management reforms "Soviet-style," and blocked their inclusion in the bill. Late in the farm bill process, however, Leahy reinstated the margin insurance program in the bill, though not the supply management program.

Leahy called supply management "a common sense dairy policy," pinning its failure on Boehner and "some of the very powerful, huge industry figures from out West."

The margin insurance program replaces the Milk Income Loss Contract (MILC), which paid dairy farmers when prices dropped below a certain amount in order to supplement their milk checks. With the new program, dairy farmers must pay insurance premiums, with very low costs for farms producing less than 4 million pounds per year — about 150 cows — and higher premium costs for larger farms.

The program no longer issues payouts based on the price of milk; rather, payments are triggered when the difference between feed price and milk price falls below a certain amount. This new program attempts to reflect a farm's expenses and income, rather than income alone.

The bill also creates a new program that authorizes the U.S. Secretary of Agriculture to purchase surplus dairy products for donation to food banks when dairy margins are low.

Ross said last week that the new program will provide "a necessary safety net for the bedrock industry of Vermont agriculture."

Bob Wellington is a senior vice president and dairy economist at the milk cooperative Agri-Mark, which owns Cabot.

He agreed that the margin protection was good news for Vermont farmers, but said the proposed dairy market stabilization program would have made even more sense financially, for the federal government and for Vermont farmers.

“We had a program that was going to save money, work better in the marketplace, and they said they didn’t like it,” he said. “Unfortunately, (the margin insurance program) is probably going to end up costing the government more money if milk prices drop.”

Prices in Vermont have remained above \$20 per hundred pounds of milk, or hundredweight (cwt), since September 2012. This is in stark contrast to the lows of 2009, when milk prices hit \$12 per cwt, well below the cost of production for most dairy farmers.

But Wellington said that a recent dip in corn prices, and continuing high milk prices, mean that dairy farmers will begin increasing production, which could send milk prices falling as early as next year. And though it’s predictable, there’s little that Vermont or Northeastern producers can do to impact that cycle.

“Sometimes (dairy farmers are) their own worst enemy because they’re so efficient and so productive,” Wellington said.

On balance, however, Wellington said the bill could have been worse.

“Speaker Boehner did a lot of damage,” he said. “The only thing that kept it from being a very bad farm bill on dairy was that Leahy stepped in.”

CONSERVATION, ORGANICS, DIRECT PAYMENTS, HEMP

Among the 2014 farm bill’s other provisions, it:

- Eliminates the direct payments program (in which farmers were paid per acre of farmland) for all crops except cotton. The programs are replaced with disaster and crop insurance programs.
- Preserves conservation compliance, requiring farmers who participate in federal crop insurance programs to adhere to environmental guidelines on their farmland.
- Funds the organic cost-share program, which helps producers to cover the cost of organic certification.
- Provides beginning farmers and ranchers with help paying for crop insurance programs.
- Provides additional disaster assistance to fruit and vegetable farmers.
- Allows research institutions and agricultural agencies in states that have legalized industrial hemp production to conduct test plantings without federal repercussions. Vermont is one of nine states that allows industrial hemp production.

The bill also allows states to apply for grants to fund maple research, which Rep. Peter Welch, D-Vt., said was one of his legislative priorities.

“This bill is far from perfect but America and Vermont need a farm bill,” Welch said.

MARK LARSON: NEWSWEEK'S FAILURE

Editor's note: This commentary is by Mark Larson, commissioner of the Department of Vermont Health Access, the home of Vermont Health Connect. It was also submitted to Newsweek magazine.

I feel obligated to respond to the story "Doubling Down on Obamacare" by Lynnley Browning that was published on the website Newsweek. Despite providing Newsweek with a list of inaccuracies in the story, only two of which have been corrected, there are more inaccuracies with the story and the reporting that deserve a public response.

Where to begin is easy. It was clear from the first sentence of this article that a premium would be placed on sensationalism over actual reporting. "If Obamacare gets blown up by Congress later this year, you might want to thank (or blame, depending on your prejudices regarding the Affordable Care Act) the state of Vermont. If it can't make it there, some argue, it can't make it anywhere," Ms. Browning wrote. Really? Despite the hyperbole, no single state, let alone one that represents only 0.5 percent of Congress and has actually been one of the more effective states at implementing Obamacare, will cause Congress to "blow up" the president's single biggest domestic achievement.

The bigger issue here is that Ms. Browning built her story on the premise that the Affordable Care Act is not working in Vermont. The reality is actually quite different. Everyone knows the rollout of Obamacare has been problematic, and Vermont has not been immune to the challenges. But despite those troubles, Vermont has consistently been one of the most effective states in signing up individuals. According to the non-profit Kaiser Family Foundation, Vermont has enrolled 33.4 percent of its eligible population through its Obamacare exchange. That's a percentage nearly two times higher than almost every other state.

In addition, the central charge in Ms. Browning's story, based on conversations with an anonymous source, is that CGI, the contractor building Vermont's exchange, willfully mislead and pulled the wool over Vermont's eyes. The allegation centers around one test on July 26, more than two months before the Oct. 1 launch date, that CGI told the state of Vermont was designed to show connectivity to the federal data hub and the ability to determine a hypothetical customer's eligibility. The test did exactly that. Ms. Browning asked me about the test, and I answered her questions. However, she never asked me to respond to the key, anonymous allegation that the test was a fraud. Had she been forthright about her angle, I would have gladly provided her with documentation that showed Vermont's exchange had passed a number of tests, both before and after the date in question, demonstrating the successful connection to the federal data hub.

Ms. Browning also inaccurately reported why Vermont ended contract discussions with the company Oracle. She failed to report the real reason despite the fact I explained it to her. The decision to end discussions with Oracle was made because the company would not agree to the state's legal terms. In retrospect, given the difficulties of rolling out exchanges in Vermont and around the country, it was absolutely the right call to insist on legal protections for the state of Vermont. But that didn't make it into the story.

Lastly, it is clear from the substance of the story that Ms. Browning worked closely with two Republican opponents of Vermont's Gov. Peter Shumlin in writing her story. Nearly every allegation in Ms. Browning's story has already been raised by either Randy Brock, the 2012 Republican gubernatorial candidate, or his campaign manager Darcie Johnston. And this isn't just conjecture. Brock told Vermont reporters in subsequent news reports that he helped Browning with the story, passing her materials, emails and public record requests. Johnston even described her influential role in getting the story published in a fundraising email to supporters of her anti-health care reform group.

It's not that Johnston and Brock don't deserve to have their voices heard. They do. But it's the responsibility of journalists to take overtly politically motivated sources with a heavy dose of skepticism. Unfortunately, that didn't happen with this story.

Like every state, Vermont worked hard before and after the launch of its federally mandated exchange program to ensure Vermonters are able to access coverage and qualify for federal subsidies. Like every state, our exchange program is vastly improved from where we started, and we continue to make the changes still needed to deliver the best program possible and fully acknowledge there is work to be done. What I do expect is fair and balanced reporting of our challenges, as well as our successes. I hope to see that in future Newsweek coverage of this critical issue.

ELIZABETH COURTNEY: BIG BUSINESS CALLS CLIMATE CHANGE RISKY BUSINESS

Editor's note: This commentary is by Elizabeth Courtney, co-author of "Greening Vermont: The Search for a Sustainable State," and former executive director of the Vermont Natural Resources Council. She was a member and chair of the Vermont Environmental Board and a 1995 Loeb Fellow at Harvard University.

We may have a surprising new ally to help us fight climate change.

Its name will be familiar to you because for generations Coca-Cola has been synonymous with American culture. In the 1930s and 1940s the bottling company started a series of local businesses in towns across the country to deliver cola to local customers and refill their empties.

The company grew, like so many others, after World War II. Coca-Cola's aggressive resource acquisition practices afforded it boasting rights to what has become a 1.8-billion drinks per day operation. As it grew, news of the company's investments in apartheid South Africa and later its anti-water campaign "H2No" drew much criticism. For decades unsuspecting populations around the world realized too late that their rightful drinking water resources had been commercialized and depleted by companies like Coca-Cola, as revealed by Maude Barlow in her seminal book "Blue Gold," published in 2004.

But climate change poses a much more sinister and efficient threat to aquifers around the world than Coke ever could. Now that climate-caused droughts in India and Africa are wreaking havoc with water tables and agricultural production, Coca-Cola sees a risk to its corporate bottom line. In a Jan. 23, 2014, New York Times article, journalist Coral Davenport declares, "Coca-Cola now embraces the idea of climate change as an economically disruptive force."

Better late than not at all — even if the company's motivation is self-serving and it ignores its own environmentally and socially disruptive forces. What could it mean to have one of the titans of global commerce interested in fighting shoulder to shoulder with social and environmental interest groups to reduce carbon in the atmosphere? Could there be a better match for the oil and coal interests bent on increasing their production of carbon producing fossil fuels? Let the games begin!

But wait, lest we become giddy about this revelation on the part of our commercial giant. There is still a lot of work ahead. The oil and gas lobby is playing a cozy defense, the Europeans are relaxing their environmental regulations out of economic fears — and the U.S. Congress is in gridlock, holding the president hostage.

Here in Vermont we have a governor who won't support a carbon pricing bill, because he believes that Vermonters would not back him in that effort. And even if they did, he thinks that Vermont shouldn't go it alone.

With all due respect to our hardworking governor who is focused on important issues such as health care, the budget, and opiate addiction, a strong lobby of Vermonters favors a carefully crafted, income-sensitive, carbon pricing mechanism for Vermont that would serve as a model for the nation. After all, this strategy cuts to the chase and treats the underlying problem of climate change, not just the symptoms.

Beyond these many citizens and organizations in Vermont, several global commercial interests are working hard behind the scenes to develop a unified position on climate policy. For example, former New York City Mayor Michael Bloomberg, Former U.S. Treasury Secretary Henry Paulson, California billionaire Thomas Steyer and others are conducting a study called "Risky Business."

Paulson, referring to the study in an October 2013 Bloomberg.com interview, made the case that business leaders are not adequately focused on the economic impact of climate change.

While many Republicans oppose the idea of a tax on carbon pollution, some conservative economists endorse the idea. Commenting on climate change, Douglas Holtz-Eakin, head of the conservative think tank American Action Forum, said, "There will be agricultural and economic effects; it's inescapable." He added, "I'd be shocked if people supported anything other than a carbon tax — that's how economists think about it."

The opportunity is building for diverse interests to join forces and effectively fight climate change. Let's make sure Vermont is part of that effort. We've got your back governor — that's how Vermonters think about it.

GREEN MOUNTAIN DAILY:

The Republicans belatedly embrace ethics reform

by: jvwalt

There's a bill before the House to enact new ethical guidelines for state lawmakers, statewide officeholders, and appointed officials. H.846 would also create a state Ethics Commission and prohibit former public officials from lobbying the Legislature for two years after leaving state government.

The bill is modeled after Campaign for Vermont's own widely-touted ethics reform plan, and is co-sponsored by 24 Representatives. Fourteen are Republicans, nine are Dems, and one is listed as a D/R. The lead sponsor, per VTDigger, is Republican Heidi Scheuermann of Stowe.

Governor Shumlin has yet to take a public stance on the bill; he has issued carefully-worded support for ethics standards on elected officials only. Which would leave a big fat hole for gubernatorial appointees and other unelected types to slide through, as some of his former officials have done.

But our esteemed Governor doesn't have a monopoly on convenient omissions in this sphere, not by a long shot. Today, a goodly percentage of the tiny Republican caucus is lining up behind ethics reform, but the Patron Saint of Vermont Republicanism had a very different view:

I don't think we need a new bureaucracy to monitor the performance of our public officials. I think Vermont is a state where we can be proud of the people that serve in all branches of government, people who for the most part are above reproach, people of integrity and people who follow the constitutional edict of serving the public and acting in the public interest.

Yes indeed, those words came from the maw of then-Governor Jim Douglas, as quoted by the late great Peter Freyne back in April 2007.

jvwalt :: The Republicans belatedly embrace ethics reform

Douglas was in favor of a code of ethics; he just didn't want a new body dedicated to, ahem, enforcing the code. His Administration set the bar very high for potential ethical conflicts, as many state officials crossed back and forth, and most of 'em fled state government in Douglas' final days for cushy posts in the private and nonprofit sector, many of which involved contact with state government.

So I ask this question of Heidi Scheuermann and her fellow Republicans eager for ethics reform now that the Democrats are running the roost:

What would Jim do?

Miller, Lawrence

From: Gray, Laura
Sent: Saturday, February 15, 2014 7:38 AM
To: Gray, Laura
Subject: MEDIA CLIPS FOR SATURDAY, FEBRUARY 15

VPR:

Leahy Optimistic Bill Restricting NSA Surveillance Will Pass

By BOB KINZEL

Senator Patrick Leahy said he's optimistic that his legislation that makes it harder for the government to monitor the emails and phone calls of Americans, will be approved by Congress in the coming months.

Currently, the Obama Administration collects email and phone information from millions of people looking for links to foreign terrorist groups.

The Administration said it doesn't read the emails or listen to the phone calls unless that link has been clearly established. The authorization for this surveillance program comes from a special Foreign Intelligence Court.

Leahy's bill would make a big change in this process. It would require the federal government to prove to the Court that there's probable cause to believe that a link exists before any surveillance can take place.

The chair of the Senate Intelligence committee, California Senator Diane Feinstein, said the legislation will make the country less safe from a future terrorist attack. Leahy doesn't agree.

"We can do this and still keep the United States safe," said Leahy. "So long as we understand throughout our lifetime there will always be people who want to do the United States harm with or without this legislation."

Leahy said there's another compelling reason to pass his bill and that's protecting people from abuses of the federal government.

"What I want to do is also keep us safe within our own country from our own government," said Leahy. "And I don't care who we have as President, a Democrat or Republican, I want to make sure that we do not give so much power to our government whatever government it is that we are not really safe as Americans."

As the chairman of the Senate Judiciary committee, Leahy has held a number of hearings on this issue. He expects a spirited debate over the bill, but in the end, he thinks it will pass:

"So the whole mood is changing. I think we have a good chance," said Leahy. "It's going to be difficult no matter what because we will have those who say we don't dare take a chance."

Leahy's bill would also create a public advocate who would review the government's requests to conduct specific surveillance programs in the future.

Did Exchange Contractor Mislead State Officials?

By PETER HIRSCHFELD

Vermont's health care exchange, Vermont Health Connect, has been in the news regularly since its October launch because of continued technological failures and shortfalls.

Officials say there's one major problem with Newsweek's story: It's not true.

But a scathing story last Friday from Newsweek ratcheted up the intrigue. The piece featured an accusation from an unnamed tipster, who came out with a striking allegation against CGI, the tech firm hired to build the exchange.

The article cited an anonymous source who said CGI willfully deceived state officials by faking a demonstration last July that purportedly showed the site's connection with a federal data hub used to verify citizenship and tax data for online health care exchanges.

It was a serious claim, one that cast the contractor in a new and sinister light. But the Shumlin administration says there's one major problem with the Newsweek story: It's not true.

Mark Larson, commissioner of the Department of Vermont Health Access, says a 38-page document [PDF] he released in the wake of the Newsweek story disproves the allegation.

"The document that I provided demonstrated that CMS was satisfied with our connection with the federal data hub, and we have received authorization to receive information from the federal data hub because of the work that we did in the testings," Larson says.

The document shows that federal officials confirmed the existence of a connection with the federal data hub last summer, and that the connection occurred around the time when the demonstration occurred.

Newsweek says it stands by its story, and Larson's assurances have hardly silenced the exchange's detractors.

Randy Brock was the Republican gubernatorial candidate in the 2012 election, which he lost to Democratic incumbent Gov. Peter Shumlin. Brock provided Newsweek with much of the information contained in the Newsweek story. He says Larson's document proves nothing.

"Well, despite what Commissioner Larson says, the federal test report suggests to me that it reinforces Newsweek's claims," Brock says.

Brock says the connection affirmed in the document wasn't with Vermont Health Connect, but with a more rudimentary cog in the state's technology infrastructure.

Larson says he hopes Vermonters aren't buying what Brock and Newsweek are selling, and says ultimate proof for the state's version of events lies in the fact that the connection with the federal data hub was running smoothly when Vermont Health Connect launched on Oct. 1.

"The reality is since Oct. 1, Vermonters have been applying for coverage with the benefit of our connection to the federal data hub." - Mark Larson

"The reality is since Oct. 1, Vermonters have been applying for coverage with the benefit of our connection to the federal data hub," Larson says.

Brock says the existence of a connection now doesn't mitigate the harm that was done if CGI faked the demonstration last July 26. He's calling for an independent probe of the matter.

"When people are spending hundreds of millions of dollars in taxpayer money, it's important to have confidence that they're telling us the truth," Brock says. "And that's why we need to find out the answers to those questions."

Shumlin this week said he stands by Larson's refutation of the Newsweek story. And he noted that the state has already announced it will commission an independent review of the troubled rollout of the exchange.

Larson says he understands public frustration with glitches on the exchange, but says the website has improved vastly since October. The site still can't fully accommodate small businesses or accept online payment, but Larson says individuals are successfully signing up, and many of them are getting significant federal assistance for insurance plans sold on the exchange.

Larson says consumers who are still struggling with the exchange now have ready access to help. Wait times on the Vermont Health Connect toll free help line were at one point up to two hours long. Last week, according to Larson, average wait times were 28 seconds.

Storm A Mixed Blessing For Rutland Businesses

By NINA KECK

While most children in the state are enjoying a snow day Friday after yesterday's storm blanketed the state, heavy accumulations meant business owners spent much of the morning just getting to work and digging out.

Pittsford resident Larry McDuff fired up his snow blower at 5:30 a.m.

"We're doing the neighbors and everybody around who we can help out," McDuff reported. "Everybody's snowed in. We got about 15 inches of snow up here."

But many who motored slowly into work today found their office or business just as snowed in.

In Rutland, Donny Cram was busying shoveling 13 inches of snow off the sidewalks at Wendy's, while a plow truck was clearing the parking lot. "I think we're going to be dead," he said as he leaned on his shovel. "We're only opening one sandwich station today."

A couple blocks away at Hawley's Florist, however, it was anything but dead. The phone hadn't stopped ringing and owner Bonnie Hawley said five of her 11 delivery drivers couldn't make it in. "It's our biggest holiday of the year and we do about a month's work in two days," she said.

Hawley says she ordered 3,000 roses and hundreds of other flowers, which were all packed into four coolers in her basement. Many were supposed to be delivered to area businesses that were closed due to the weather.

"Now people are calling and we have to change where the deliveries have to go," Hawley said. "[For people] who live in outlying areas, those [deliveries] will go tomorrow. We're just dealing with the storm as best we can."

When asked how the storm was impacting her business, she shook her head and laughed, "You don't want my comments. It absolutely destroys our ability to deliver, but we'll be out as soon as the sun comes out at noon!"

Hawley thinks the storm will probably cost her about 20 percent of her Valentine's Day business.

"I don't think people understand that for us, Valentine's Day takes care of January, when there's no business, March ... and February. So it covers about a quarter of the year [and] has to pay all those expenses," Hawley

said. "But we had a good day yesterday because we got everything out of here that we could possibly get out of here. So, we'll see. Phones are ringing."

And it's not just florists feeling the pain. Valentine's Day is also one of the busiest nights for bars and restaurants and they too will likely take a hit.

But not everyone was bemoaning the snow. Across town at Central Vermont Motorcycles, one of the largest snowmobile retailers in the state, employees were all smiles.

Aaron Webster says after a slow January, the fresh snow will definitely kick up their sales and service numbers.

"It's not just in the snowmobiling business," Webster said. "The Vermont economy in general is really driven by snow. So a good snowstorm here or there, one day of inconvenience, really gives a shot in the arm to the rest of the state."

With such a big storm and more snow in the forecast, Webster says it'll not only boost business now, but help ensure a longer season for all winter activities and sports.

Here's A Town-By-Town Tally Of Addresses Without Broadband (CHART ONLINE)

By STEVE ZIND

According to the state of Vermont, 2,995 Vermont addresses do not have access to broadband. The state includes cable, DSL, fixed wireless, mobile wireless and fiber networks in its tally, but does not count satellite internet service.

The chart below shows the number of addresses in each town which, according to the state, don't presently have access to broadband. The chart is based on data as of Dec. 31, 2012, but the state says the number of unserved addresses remained virtually unchanged in 2013.

Officials stress there are plans in place to provide service to all but a handful of the addresses.

Columns in the chart indicate the number of addresses that FairPoint and VTel are planning to serve.

The state's number is disputed by some and this chart is likely to raise questions from residents of towns listed who feel the numbers are not accurate or that their service does not meet broadband standards.

As reported in the past, Vershire is Vermont's most underserved town. According to the state's data, 308 town addresses are without broadband service.

In addition to the FairPoint build-out indicated on the chart, Vershire is one of 10 towns currently included in ECFiber's expanding service area.

Town officials estimate Vershire has a total of 405 addresses and suggest the number of unserved addresses may be lower than the state estimate because some residents have been connected to ECFiber's network in recent months.

ST. ALBANS MESSENGER:

Paid sick time bill H.208 is not good for anyone

Representative John Mitchell- Fairfax

Having spent 40 years in Vermont operating and now consulting with small businesses, mostly of the “Mom and Pop” type retail stores, I can without a doubt say that H.208, or Paid Sick Leave Bill, will result in hurting that sector of the population it is intended to help. Most of these businesses cannot afford to offer the benefits of larger, more profitable enterprises.

If the bill passes then I firmly believe many of these businesses will downsize their labor force, reduce hours of operation, reduce vacation time, close their doors or any combination thereof in order to comply. Given the idea that our super majority Legislature can better run businesses than current owners it might be best for those legislators to walk in the owners’ shoes. There are some things that do not need to be legislated and paid time off is one of those things.

A successful business will attract good employees that will be provided benefits according to what that business can afford. All of us at one point in our lives had jobs that did not pay well and had no benefits. Most of us chose to seek employment that would provide those benefits. Some of us remained with an employer to help it grow and be able to offer better benefits. That is the way our system is supposed to work. I don’t think Ben and Jerry offered many benefits when starting out in the gas station in Burlington.

It is difficult enough to run a business today and an owner must be vigilant as to what threatens that business. It seems the biggest threat to any business today in Vermont is our state government.

BURLINGTON FREE PRESS:**Abandoned homes in Burlington trailer park wait for city solutions****April Burbank**

Theresa Lefebvre knew the mobile home down the street from where she lives had been empty for years, but she didn’t think much of it until last summer.

“I guess that’s when I realized how bad it was getting,” Lefebvre said. She and other neighbors found cats, skunks and raccoons beneath the home at Burlington’s only trailer park, Farrington’s Mobile Home Park, just off North Avenue.

“It smelled like a cat box. Like a huge cat box,” Lefebvre said. There were traces of animal burrowing at the home this week, and one of the windows was broken.

The home on Avenue B is one of six unoccupied and abandoned homes in the park that have been sitting for years, accumulating delinquent taxes and falling into disrepair.

“Some of them are just so old, you can’t afford to fix them up, so people just left them here,” Lefebvre said.

The manager of the trailer park, Rob Farrington, said he and the owner, Sandra Farrington, have not removed the homes due to a web of city ordinances and requirements that could mean fees up to thousands of dollars for property the park doesn’t own.

Lefebvre is concerned about the condition of the homes, but she doesn’t blame the landlords.

“The real problem are the city ordinances that are making it nearly impossible for the Farringtons to remove abandoned homes,” she said.

They've enlisted the city's help to try to finally coordinate a solution.

Lefebvre and Farrington showed Code Enforcement Director Bill Ward around the neighborhood in October — and Lefebvre spoke to a City Council committee last month.

Lefebvre said she understands that government solutions sometimes happen slowly, but the conditions in the trailer park ought to be a priority.

"It is a health issue if you have this many homes that are in this kind of shape," she said. "They need to be taken care of."

Tenants own the homes, but the trailer park owns the lots, and Ward said that makes any solutions complex.

"Currently the rules are not designed for a unique situation like that," he said.

Holding pattern

To remove the trailers, the Farringtons would have to gain possession of the property in court and would typically become accountable for unpaid taxes on the property — which could be as much as \$7,500 for one property, Rob Farrington said — unless they applied for tax abatement with the city. Meanwhile, the park is also not receiving the approximately \$300 in monthly lot rent.

Then they would have to pay to haul away the remnants of the homes, which he said would cost between \$2,500 and \$5,000.

But it's a Burlington housing replacement ordinance, Farrington said, that's the main sticking point.

Brian Pine, assistant director for housing at the city's Community and Economic Development Office, interprets the ordinance as requiring the Farringtons to replace a new mobile home on the same lot within 18 months of receiving a permit for removal.

Alternatively, Pine said the Farringtons could fulfill the requirement by paying a mitigation fee to the city's Housing Trust Fund — a contribution currently calculated at \$21,072 in lieu of replacing a two bedroom home and \$41,534 for a three bedroom home.

The Burlington housing replacement ordinance is meant to preserve the city's housing stock, Pine said, and prevent residential homes from being converted to commercial uses.

The Farringtons said that they may not be able to find mobile homes to replace some of the abandoned units because of the size of the lots — and they worry that they would have to pay thousands of dollars in fines if they could not comply.

"Some of these mobile homes are so old. They're very, very small, and you can't find a mobile home that small to fit on the lot," Lefebvre said, "and you can't put a bigger one because it wouldn't meet fire regulations."

The park has been operated by the Farrington family since its founding in 1923. Rob Farrington estimated that the oldest homes date to the 60s or 70s, and they would be difficult to replace because of their size.

"It basically puts them in a box, so to speak," Ward said. "You're asking them to do something that's not possible."

Instead of chasing down the original property owners through an enforcement process that “may not be fruitful,” Ward said, the city is working to create other solutions for the Farringtons.

That is going to require cooperation among a panoply of city departments, Pine said, including the Planning and Zoning Office, Code Enforcement, the Clerk and Treasurer’s Office, the Mayor’s Office, the Assessor’s Office and CEDO.

“This is a case where you have sort of competing public policy goals,” Pine said. He said he would support relaxing the housing replacement requirement so that the Farringtons could remove the homes — and he said the city might have an interest in allowing some of the lots to be left as green space.

“There’s no special treatment or favors that are going to be granted, but I think the city is trying to find a way to make this work,” Pine said. Ward said that a solution might come in the form of a City Council resolution this spring.

Farrington said he is satisfied with the way the city is addressing the issue.

“Once they figure it out, we’re fine,” he said.

Continuing impacts

Lefebvre said in an interview that the empty properties have changed the feel of the neighborhood where she has lived for 24 years.

If she wanted to sell her home and a prospective buyer entered in through the back of the park, she said, “they would never even stop to look at my house. They wouldn’t want to live in this neighborhood. It’s gotten that bad.”

She said she does not want to see her neighborhood harmed by what she called “misinterpreted regulations.”

“It’s the most affordable housing you’re going to find in Burlington, I’ll tell you that,” Lefebvre said.

Lefebvre’s neighbor, Bob Dougherty, lives next door to the trailer that caused her concern last summer.

Dougherty estimates that the home has been empty for about eight years and carries back taxes that would become the responsibility of any new owner. The pipes have frozen, appliances inside have been stolen, and people sometimes dump trash there, he said.

Dougherty said he does not understand why the city imposes the housing replacement restriction in this case — because he believes that it is preventing the steps that would allow someone new to live on the lot.

“I don’t understand why they can’t figure that out,” Dougherty said.

If city departments succeed in cooperating, Pine said the first mobile home could be removed as early as this spring, Pine said.

“We don’t yet know exactly what that solution is,” Pine said. “The city’s goal is to get these issues resolved this spring so that we can deal with these abandoned properties this spring and not have this drag on.”

Ward said addressing the situation is in the city’s interest as well as the trailer park’s interest.

“It does require a little bit of unraveling and deciding who should be the appropriate person to deal with it,” Ward said.

Burlington murder suspect attends third day of hospitalization hearing

Elizabeth Murray

On the third and final day of his hospitalization hearing, Burlington murder suspect Jose Pazos told a judge he was willing to participate in his court proceedings Friday — but not before asking a few questions first.

“I fear that this might be a slow-moving ambush, and I might be forced to be hospitalized by the end of the day,” Pazos told Judge Brian Gearson in Vermont Superior Court in Burlington.

Pazos, 48, was found incompetent to stand trial by Gearson last month, and appeared in court for a three-day hearing this week which will determine whether he should be hospitalized until found competent. Pazos decided not to attend the first two sessions of the hearing on Monday and Tuesday, saying he did not “recognize the validity” of the proceedings.

Pazos is accused of binding and knifing to death Burlington social worker Kathleen Smith, 50, three years ago. He is charged with premeditated murder, kidnapping with intent to inflict bodily harm, burglary of an occupied dwelling and aggravated operation of a car without the owner’s permission. He pleaded not guilty in November 2010, and has been held without bail at the Northwest State Correctional Facility in St. Albans Town since his arrest.

Flanked by his defense attorney and a guardian to represent Pazos’ interests, Pazos was once again brought into the courtroom Friday in case he had changed his mind.

As Pazos voiced his concerns about the proceedings and the hospitalization and medication that could follow, Gearson explained that a decision would not be issued at the end of the hearing.

“There are certain findings that I have to be able to make from the evidence that’s presented in order to grant the state’s request for hospitalization, so until I’ve heard all of the evidence, I don’t know if I have all the information I need to make that determination,” Gearson said.

“I have reason to believe the decision has been made long before, it’s just a formality,” Pazos replied to Gearson, looking for answers as to what could happen next.

Pazos’s defense attorney Brian Marsicovetere explained to Pazos that a decision for hospitalization could be appealed and that he would be happy to go over Pazos’s rights with him.

Asked once again by Gearson whether he would like to be present at his hearing, Pazos said, “I might as well stay.”

A 'delusional system'

The state called four more witnesses during Friday’s hearing, bringing the total over the three days to 18. No evidence was presented by the defense.

Members of Smith’s family sat in the back of courtroom quietly listening as each witness testified in front of the judge.

The state’s final witness, forensic psychiatrist Dr. John Malloy, had testified once before at Pazos’s competency

hearing in December. Malloy evaluated Pazos twice, finding him competent in 2012 but incompetent in 2013, writing in his official evaluation that Pazos had “decompensated” since his first meeting with the murder suspect.

Malloy testified Friday that Pazos should be hospitalized and treated because he has a serious mental illness and is a danger to the community.

“He appeared to have what appeared to be a growing delusional system, including both persecutory and referential delusions — delusions that had a paranoid quality to them, and that had an impact on his thinking and how he conducted himself,” Malloy said.

Malloy said he observed that Pazos seemed to be paranoid that a group of people connected to custody issues with the mothers of his children were conspiring against him. According to Malloy, Pazos was much more guarded with his answers and suspicious of Malloy during the second evaluation.

During cross-examination, Marsicovetere asked Malloy if he could cite specific examples where he knew positively that Pazos had been violent toward others.

“To my knowledge, I am not aware of threats against other,” Malloy said. “Specific threats.”

However, Malloy said, those with delusional disorders, like Pazos, are more likely to be violent toward others in the community as opposed to in incarceration.

What's next?

Grearson took the evidence under advisement at the end of the hearing, and he said he will issue a decision as soon as possible.

Deputy Chittenden County State’s Attorney Mary Morrissey said the two outcomes of a hospitalization hearing are hospitalization or non-hospitalization, and specifics of the outcome depend on the case.

Before the hearing was closed, Morrissey made a final plea to hospitalize Pazos, telling Grearson that the evidence presented by the state that Pazos is a danger to the community was “overwhelming.”

“I think everyone has the same goal, which is to get back in court as quickly as we can to resume these proceedings, but competency needs to be restored before that can happen,” Morrissey said. “There needs to be an opinion by a psychiatrist that supports that.”

Pazos’ guardian also said he thought treatment was in Pazos’ best interest.

Before being escorted out of the courtroom, Pazos likened his court proceedings to a “folk tale,” saying much of the information has been taken out of context. Grearson told Pazos he had the right to appeal the ultimate decision.

“You can expect that,” Pazos said.

Outside the courtroom, Marsicovetere gave a statement to the Burlington Free Press, but declined to answer further questions.

“Mr. Pazos is not competent,” Marsicovetere said. “Therefore, he cannot legally decide at this time what his defense will be and I cannot decide that for him. But, it sure sounds like the state and Dr. Malloy believe that he

may have been legally insane if he did do this.”

Vermont asks FEMA for more time to plan lab replacement

NANCY REMSEN

MONTPELIER — The Shumlin administration is appealing to the Federal Emergency Management Agency to give policy-makers more time to decide the design, price tag and future location for a combined agriculture and environmental laboratory to replace the Waterbury lab destroyed by flooding in 2011.

State officials learned recently that FEMA required details and a legislative commitment to the laboratory project long before the state could be ready — which seemed to put at risk some of the federal disaster funding for the project.

It wasn't just that the FEMA deadlines would be impossible to meet. State officials said they weren't clear what they needed to deliver by some of the deadlines including what is due on Feb. 19.

“We are just trying to get clarification,” Deputy Secretary of Administration Michael Clasen said Thursday. He added, “Probably today or tomorrow we will submit a request for an extension.”

Michael Obuchowski, commissioner of the Department of Buildings and General Services, informed the House Institutions Committee of the problem earlier this week. He focused on the state's inability to meet a May 20 deadline to identify a site and a design for the new laboratory.

Under the schedule the department and the Legislature had for the project, that information would be decided in the 2015 legislative session.

Clasen noted that the state had explained the legislative process to FEMA officials.

Dennis Pinkham, a Boston-based spokesman for FEMA, confirmed that FEMA and Vermont officials were “continuing to work on the issues.” He noted that the process changed with enactment of a federal disaster relief law after Hurricane Sandy. “There is a lot of learning going on.”

When the problem of new FEMA deadlines came to light, House committees were in the midst of deciding whether the state should replace the laboratory or move to using private laboratories. Last spring the Legislature ordered a study of these options. A 136-page analysis rejected the suggestion that outsourcing laboratory work would be cheaper. By midweek, five House committees had reached consensus that the state should go with building a new state laboratory that would serve the agencies of Agriculture and Natural Resources.

Since Tropical Storm Irene inundated the Waterbury Office Complex where the old lab was located, the state has operated its agricultural and environmental laboratory services from the Hills Building in Burlington which it leases from the University of Vermont.

“We aren't 100 percent back but we have all the major things running,” Deputy Secretary of Natural Resources Justin Johnston said. “It is temporary, long-term temporary. We need to work out a permanent solution.”

Word that the state faced looming deadlines from FEMA on the lab replacement project upset lawmakers. House Institutions Chairwoman Alice Emmons, D-Springfield, asked Obuchowski, “There was never any indication the dollars were time-limited?”

“Not that the deputy commissioner or commissioner knew about,” Obuchowski replied.

Rep. Charles "Butch" Shaw, R-Pittsford, asked if the buildings department had done any planning yet for the project.

"No," Obuchowski said, adding that rushing to prepare something for a late spring deadline would be a mistake.

"There is a lot of work that needs to be done," explained Bob Rea, director of facilities for the buildings department. He told the House committee the department was assembling a team that would work with private contractors over the next nine months to:

- Evaluate three state-owned sites and possibly solicit proposals for other locations. The three state properties are the former health laboratory site at 195 Colchester Avenue in Burlington, acreage behind the regional library in Berlin and the land on which the Wasson and Stanley buildings are located at the Waterbury Office Complex.
- Develop designs for a laboratory building after determining current and future needs of the two agencies.
- Estimate expenses.

Rea said the department planned to present lawmakers with a package of detailed options in January.

Members of the House Institutions Committee agreed the state shouldn't be pushed into making premature decisions about the new laboratory. Several on the panel said they wanted to proceed "in a thoughtful manner."

"Right now it feels as if FEMA is driving our decision," House Institutions Chairwoman Emmons said.

VALLEY NEWS:

Emission Standards for Wood Stoves Kindles Debate

By John P. Gregg and Martin Renzhofer

West Lebanon — New proposed standards from the EPA to improve public health by tightening emission limits for fine-particle pollution from wood smoke are drawing mixed reviews in the Twin States.

Some wood-stove retailers say new products now on the market aren't the problem, and that the regulations would make wood stoves more expensive without making much difference in improving air quality.

"It's just another attack on American business," said Bill Mathewson, owner of Home Comfort Warehouse in White River Junction. "Our small industry has been a model of cooperation, going back to (1988) and the first regulations for wood stoves ...Back then it was the right thing to do."

But others said the proposed new standards will provide health benefits for communities where residents suffer from respiratory and other health problems exacerbated by wood smoke.

"The impact is particularly great in some areas of Vermont," Elaine O'Grady, director of the Air Quality and Climate Division of the Vermont Agency of Natural Resources, said of wood smoke. She noted that Vermont is home to several towns in valleys "where the smoke doesn't clear well."

Small-particle pollution, a combination of wood smoke and liquid droplets much smaller than a human hair, can cause health problems, especially for people with respiratory ailments, young children and the elderly.

The EPA is proposing to limit particulate matter emissions from new wood stoves, fireplace inserts and pellet stoves that aren't currently certified by the agency to 4.5 grams per hour, with the limit dropping to 1.3 grams five years later.

The rules that went into effect in 1988 set a standard of 7.5 grams per hour for models that don't have a catalytic combustor, and 4.1 grams for models with one. But that lower number was also based on the expectation that the performance of the catalytic combustor-equipped models would deteriorate over time to emissions comparable to the noncatalytic standard, according to an EPA overview.

The 1988 standards also did not apply to open masonry fireplaces, wood-fired boilers and furnaces.

The new emission limits standards would not apply to existing stoves, but many of the other previously exempted wood-fired heaters, including boilers — a particularly contentious matter because they often burn 365 days a year to provide domestic hot water — that are built in the future would also fall under more stringent standards.

A spokesman for Vermont Castings Group, which has a foundry in Randolph and a manufacturing plant in Bethel, said the new standards could add as much as \$500 to the cost of its best-selling medium-sized model, which retails for \$2,699. That's because stoves might need both a catalytic and non-catalytic component to comply, he said.

"We don't object to the grams per hour limit. We do object to the new test protocol that they are prescribing," said Jess Baldwin, the senior vice president of sales and customer service at Vermont Castings. He said changes to the test protocol involve both the type of wood used and how the test stoves are run to derive the emissions number.

"We have stoves that (emit) under 1 gram per hour under the current testing protocol, and while we have always supported clean-burning technology, because EPA is changing the test protocol, we think there are lots of problems. It's not law yet, and there could be modifications," he said. Baldwin said he thinks it would be more productive to encourage replacement of millions of wood stoves that were built prior to the initial 1988 EPA regulations and are still in American homes. "What the industry position is, and we subscribe to, is we are better off in getting those out of the marketplace and replacing them with the current technology or technology that doesn't drive the cost of the stove out of the reach of the average customer," he said. But Tom Morrissey, president of Woodstock Soapstone Company in West Lebanon, said his company supports the EPA proposal. His company makes a soapstone hybrid of cast iron that sells for about \$3,500, but has also developed a less expensive soapstone hybrid made primarily of steel.

"We think it's a good reg," Morrissey said, noting that it would cover a number of exempt or "underregulated" woodburning appliances. "It's really bringing a whole group of products under the same regulatory umbrella, so we think that's good."

The new standards may be of special significance to the Twin States, where many homeowners rely on wood for heating, either entirely or as a supplement to a furnace.

A little more than 2 percent of American homes rely primarily on wood for heat, but the figures are much higher in Vermont (15 percent) and New Hampshire (8 percent), according to an analysis of Census data by the Alliance for Green Heat.

"There are advantages to burning wood," Craig Wright, director of the New Hampshire Department of Environmental Services Air Resources Division, said recently.

“It’s a renewable and locally generated product,” he added. “The money stays in New Hampshire and it has a relatively lower cost.”

Wood is about half the price of fuel oil, and it’s all but free for those who split and stack wood from their own land.

Wright said New Hampshire’s air quality “is generally pretty good,” but Keene has been the subject of environmental air studies. In 2013, Keene experienced three days of air pollution, exacerbated by wood smoke, so toxic it rose above national standards.

“The (poor) levels we generally see ... are unhealthy for sensitive groups, who already have respiratory problems, the young and the elderly,” he said.

O’Grady, of the Vermont Agency of Natural Resources, said the EPA is supposed to update its findings every eight years, and that new emission limits were overdue.

“The 1988 standards are outdated,” O’Grady said.

Mathewson, of Home Comfort Warehouse, said the original EPA rules to curb wood-burning emissions were needed, but he thought the proposed revisions would have a “minuscule” impact while raising prices for new wood-burning stoves, he said.

He said the real problem was homeowners who did not take proper care of wood stoves with catalytic converters as well as there being too many older wood-burning stoves, which aren’t EPA-approved, still in use.

Mathewson, whose store sells about 250 stoves a year, ranging in price from \$1,000 to \$4,000, said he would like to ban the re-sale of non-compliant stoves, which is legal in New Hampshire.

The EPA plans a public hearing on the proposed new limits on Feb. 26 at its EPA New England region office in Boston. It’s at 5 Post Office Square, Suite 100

Editorial

Opiates and Ordinary Lives

The Broad Reach of Addiction

Whatever you call the resurgence of heroin — an epidemic, a public health crisis, a law enforcement challenge, a scourge — it is undeniably a human tragedy that should command compassion. Behind the alarming statistics about addiction to heroin and other opiates are ordinary people leading otherwise ordinary lives even as they struggle with potent and often deadly drugs.

Many users defy stereotypes and span demographics, as staff writer Chris Fleisher pointed out last Sunday in a front-page story about how cheap and plentiful heroin has become in the Twin States. The emaciated street junkie is largely a media caricature. Users are celebrities, business moguls, medical practitioners, veterans, suburban mothers and, increasingly, teenagers.

Circumstances surrounding the death earlier this month of Phillip Seymour Hoffman, a Broadway and Hollywood actor of prodigious talent, have cast a national spotlight on the perilous cycle of opiate addiction, recovery and relapse. He died of an apparent overdose in a New York City apartment where police found dozens of bags of heroin.

But the story of opiate abuse is just as likely to involve “no-names,” as the grieving mother of 21-year-old

Alysa Ivy put it. Ivy was found dead of a drug overdose last May in a Super 8 motel room in Hudson, Wis., a small town haunted by multiple heroin deaths in recent months, according to a moving New York Times account of the toll drug abuse can take on an entire community. “These kids all knew each other,” said the local medical examiner. “They were not the faces of heroin addiction we see on television.”

Nationally, reports the Times, the faces of heroin addicts are getting younger and whiter. Of the more than 19,000 opiate-related drug deaths in 2010, some 3,000 involved heroin. Most of the heroin users were white, half were younger than 34 and almost a fifth were between the ages of 15 and 24. In New Hampshire and Vermont, deaths from heroin nearly doubled from 2012 to 2013.

Compassion for those struggling with addiction — any addiction — must begin with an understanding of its origins. Opiate addiction, according to experts, often starts not with heroin but with common painkillers such as Vicodin and Oxy-Contin, prescription drugs that include opioids, the chemicals resembling morphine, from which heroin is derived. That was evidently the case with 34-year-old Megan Mattern of Canaan, a caregiver whose addiction to OxyContin and other prescription drugs led her to steal valuables from 11 Upper Valley households. After confessing to the police, she said she had turned to OxyContin because of dental pain and that the habit later became recreational and then addictive. “When I was doing it, I never thought about the impact that it would have on the families or the kids,” she said, expressing remorse for her actions in an interview with the Valley News.

For others, prescription drugs are just the beginning of an opiate habit that leads to heroin, which is cheaper but often riskier. Alysa Ivy was prescribed OxyContin after a dentist extracted her wisdom teeth, and she eventually turned to heroin, according to the Times. Racked by guilt and self-hatred and unable to afford a rehabilitation program, she eventually succumbed to a cocktail of opiates and other drugs.

If opiate addiction often begins with a doctor’s prescription, then the medical profession bears some responsibility and should curtail its near ubiquitous use of painkillers — as the emergency department of Valley Regional in Claremont is doing. Ironically, though, stricter regulation and monitoring of prescription drugs such as OxyContin may be propelling users toward heroin, which poses a greater threat.

“People forget that these drugs are dangerous, and illegal for a reason,” said Ben Nordstrom, director of addiction services at Dartmouth-Hitchcock. “This is just a continuation of a very old pattern of heroin ebbing and flowing in our culture.” All the more reason, then, to withhold judgment of those caught by the tide, and redouble efforts to provide the treatment they need to resurface as healthy and productive members of society.

Miller, Lawrence

From: Mackay, Noelle
Sent: Sunday, February 09, 2014 9:09 PM
To: Miller, Lawrence; Dawn Francis
Cc: Dcoates [REDACTED]; Gosselin, Lisa; pscott [REDACTED]; Leriche, Lucy
Subject: RE: Why is the administration opposed to enterprise zones?
Attachments: Industrial Park Notes .pdf; Document1.docx; Industrial Parks Inventory memo.docx; Vermont Industrial Parks.xlsx

Dear Dawn, David and Phil,

Thank you for the opportunity to share my recent testimony on the proposed Enterprise Zones which was more nuanced than a strict opposition of the concept. Before outlining my testimony, I'd like to 'set the stage' on recent work the Department has done to assist in setting our legislative agenda and budget recommendations. Our direction was set with tremendous input by communities, advocates, developers, and many others.

The detail and reasoning behind my testimony is below, but can be summed up as follows:

The current draft of Enterprise Zones has no clear requirements (ie must be zoned industrial by a community), no clear definition of industrial use, no state designation process in line with the current suite of designations and proposes a suite of incentives that could be potentially millions of dollars more than all the current designations combined.

While some testified in support for this concept, there was concern and questions, similar to the ones I posed to the committee, raised by others. I suggested to the committee that VLCT, Colchester and others in support work with VNRC, VPA, NRB and VAPDA to further refine the concepts and also consider the industrial park and opportunity zone concepts also being raised in Senate Commerce.

DHCD Designation Reform:

Statute outlines the State's land use goals – compact settlement surrounded by working lands. For many years, the legislature has supported a series of state designation programs with the goal of encouraging efficient land use by prioritizing state funding and targeted regulatory relief. There are currently five designations (downtowns, village centers, new town centers, neighborhood development areas, and growth centers) and the Department is the point Agency for these programs. The first of these programs are 15 years old and DHCD wanted to step back, review the programs and make needed updates.

Starting in 2011, we began working on updates. We did extensive outreach – surveys, focus groups and working groups- in the last several years. Last year, we updated, in statute, the process for Downtowns, Village Center and Neighborhood Development Areas. As well as updating statutes, we changed how we work with towns, increased our outreach activities and worked to improve the function of the Downtown Development Board. The result has been an increase in the number of communities designated – 24 Downtowns and 212 Village Centers –and staff are working with several communities on the Neighborhood designation.

In Act 59 (the statute that made the process updates), the legislature directed DHCD to make recommendations on process updates for New Town Centers, and Growth Centers; incentives for all current

designations; and consider industrial parks, agricultural development and natural resource protection. We hosted more than 30 meetings, met with more than 300 people and hosted 4 working groups (growth center process; agricultural development; industrial parks and natural resources). Dawn Francis was in attendance when I met with the Chittenden County town managers. At that meeting I noted the working groups and invited anyone who wished to participate to let me know. The full report on our findings can be found [here](#). The report includes a list of all those we met with along with all suggested recommendations.

Based on what we heard, we decided to focus our efforts this year on the following:

- Updated on New Town Center and Growth Center Process updates (H.809 being considered this year). Based on our meetings, we clearly outlined that industrial uses can be within a growth center and receive the incentives.
- Modest regulator incentives for designation programs (H.823 being considered this year) focusing primarily on downtown and housing development. There are some incentives that will apply to growth centers and these were a result of some of the concerns raised by IBM. The village and town of Essex are considering growth center designation that would include IBM and allow for this property to receive benefits.
- Increase (\$500,000) in downtown and village center tax credits.

COMMENTS ON ENTERPRISE ZONES IN SENATE ECONOMIC DEVELOPMENT:

In my testimony, I noted that we reviewed industrial parks in the context of growth centers. Before beginning the discussion, we wanted information on industrial parks and asked the RDCs to provide the following information:

- Square footage in existing industrial parks and their average vacancy rates along with the type of uses in the occupied space.
- Square footage of permitted, but not yet built space in industrial parks
- Acreage and location of land for future industrial parks.

The information the RDCs provided were not comprehensive - ie. The spreadsheets provided did not include ALL industrial parks, but of the ones they were familiar with or owned by the RPCs [RDC memo and spreadsheet is provided]. From the report, you can see the results as attached in this email. Analysis of the data they provided indicate that of the 4,229 acres of existing industrial parks noted, 63% is occupied, 12 % is vacant land with infrastructure and the remaining 25% is raw land. Within the parks, there is more than 1.2 million square feet of which 63% is occupied.

Issues also identified in the Industrial Park Working Group:

- Lack of space is most acute in Chittenden County – desire to have speculative buildings of 20-100,000 square feet available for lease.
- Municipalities rarely zone areas exclusively for industrial uses, instead favoring industrial, commercial, business mix. In CC only Milton zones for industrial use
- Developers do not need financial incentives in Chittenden County, but rather streamlined permitting.

One of the State's largest developers (Bobby Miller) noted that his tenant trends are changing from heavy industry to IT companies and plumbing and electrical wholesale companies. He went on to say that because there is no reason to isolate those uses, they can be permitted in mixed use areas as conditional uses. The trend to a more commercial, commercial/business environment was confirmed by several RDC leaders -- they called them value-added businesses that bring new dollars into the region – ie Dealer.com; MyWebGrocer, etc.

In exploring the issues raised, we also learned industrial parks already have their own set of incentives and programs to assist in their development. These included:

1. Act 250, 1:1 agricultural mitigation for industrial parks
2. VEDA, provides financing to nonprofit local and regional development corporations to plan and/or develop industrial parks.

Funds may be used to:

- Purchase of land for industrial parks
 - Industrial park planning and development
 - Construction or improvement of speculative buildings
 - Small business incubator facilities
3. State Infrastructure Bank (SIB) can fund class 1 road-related improvements to industrial parks
 4. VTTrans has \$600,000 to help businesses expand rail service along all active railroad lines in Vermont that -- equal contribution from three partners; the state, the railroad and the business owner is required.

Others

- Brownfields funding to repurpose former manufacturing spaces/land (use this land before building in greenfields)
- Revolving Loan Funds – Many RDCs have them
- CDBG can help, if they have a viable business (no spec funding) – like VT Smoke and Cure in Hinesburg.
- Conventional financing – commercial rates are near historic lows

Based on this data analysis and comments (including the concept of Enterprise Zones), the Industrial Parks Working Group felt that growth centers could meet the needs but that DHCD should consider addressing the issues raised— ag mitigation, traffic congestion and efficient permitting and an alternative TIF in future incentive packages. Many of these issues are addressed in H.823.

ENTERPRISE ZONE PROCESS AND INCENTIVES:

The other designation programs (Downtowns, Village Centers, New Town Centers, Neighborhood Development Areas and Growth Centers) support multiple state goals; have requirements that must be met in order to receive targeted; and receive limited state incentives. [see attachment document 1 that outlines the requirements and incentives].

During our surveys and outreach, participants raised the concern that current incentives were limited and additional incentives should be considered in order to level the playing field and make these areas as attractive as or more attractive than outside these areas. But in order to receive these limited and targeted state support, communities must be designated by the Downtown Development Board that includes thirteen members that represent state agencies (ACCD, HP, ANR, NRB, Public Safety), VPA, VAPDA, RPCs, VLCT, smart growth, Chambers, etc.

Municipalities are required to meet program requirements which vary by designation. In general, applicant communities need to meet with DHCD staff, have proposed designation areas discussed in the municipal plan, meet density requirements, avoid flood hazard areas, show mobility/transportation options, be served by accepted wastewater treatment etc.

The draft language that I reviewed simply has enterprise zones designated by local and regional planning authorities with 'approval' of the Commissioner. There were no locational standards, limits on size, density requirements, infrastructure requirements, etc. In my testimony, I suggested that the process for designating Enterprise Zones needed more specifics and should have the same rigor as the other designations in order to meet state goals. Municipalities and regions have a different lens and, if considering providing millions of dollars in state funding, it is important to ensure state goals are also met. While RPCs receive state funding, they are in a difficult position as they can be caught between the municipality and the state which may have different goals and perspective.

In my testimony, I also noted that there was no definition of industrial use and no clarity to help determine if the use was "not appropriate for, or compatible with" existing uses within other designations. I suggested there needed to be additional information on the 'functional connections to existing or planned public or private infrastructure'. The other designations refer to complete streets regulations to meet similar transportation goals.

The incentives laid out in the draft language are extensive and potentially millions of dollars. Much more than all the current designations combined.

Regarding funding for infrastructure, as you can see from our Act 59 report—infrastructure, particularly wastewater and coming soon storm water are on the minds of many. Current wastewater systems are coming to the end of their life, and many of our villages want to expand, or do infill projects or renovate current buildings, but cannot because of wastewater limitations. There are communities that are interested in growth center designations, but are looking to decentralized systems and how to pay for them in order to meet the density requirements for growth center. In my testimony, I suggested that the Committee hear from those other competing needs to determine if industrial parks are the best use for state infrastructure investment.

In my testimony, I also noted that there are no measures re: employment targets, low/mod benefits, wage increases, etc. to monitor how these millions of dollars are being used.

So, I hope that I have provided you some context for my testimony on Enterprise Zones, the questions I raised, and suggestions for moving forward.

David and Phil, I am happy to chat more or answer any of your questions.

Sincerely,

Noelle

Noelle MacKay, Commissioner of Housing and Community Development
Vermont Agency of Commerce and Community Development
1 National Life Dr, Davis Bldg, 6th Floor | Montpelier, VT 05620-0501
802-828-5216 office | 802-661-8117 cell | 802-828-3258 fax
accd.vermont.gov

From: Miller, Lawrence
Sent: Friday, February 07, 2014 9:40 AM
To: Dawn Francis; Mackay, Noelle
Cc: Dcoates [REDACTED]; kiersten.bourgeois@state.vt.us; Gosselin, Lisa; pscott [REDACTED]
Subject: Re: Why is the administration opposed to enterprise zones?

Dawn,

I am noting that you did not include Noelle even though she is the Administration representative cited in the piece, and therefore the person who can best respond to inform Phil and David of the perspective driving her testimony. I don't find that approach particularly helpful, so am including her now.

Lawrence Miller, Secretary
VT Agency of Commerce and Community Development
(802) 989-0569

On Feb 7, 2014, at 9:17 AM, "Dawn Francis" <DFrancis@colchestervt.gov> wrote:

From LCRCC weekly legislative report:

S.220 - Senate Economic Development

The Senate Economic Development Committee heard testimony on the portion of S.220, an omnibus economic development bill, that would create enterprise zones. The committee heard from a number of regional development corporations, town managers, and state agencies. Noelle MacKay, Commissioner of the Department of Economic, Housing, and Community Development, testified against the creation of enterprise zones, arguing that existing programs, such as designated growth centers, should be improved or expanded on rather than creating something new. Representatives from the Vermont League of Cities and Towns, several RDCs, and the business community testified in favor of the concept of enterprise zones, emphasizing the need to balance resource conservation with necessary economic growth. The Committee is considering new language and appears interested in moving forward with legislation that would incentivize development in specific industrial and heavy commercial use zones.

After working and advocating about this issue for 8 plus years, I am frustrated by the Administration's unwillingness to address this issue which was required by growth center legislation passed last session.

A broader perspective on the public value of certain types of planned economic development must be provided within the state's planning and development regulations. Properly crafted, enterprise zones can be a tool for both economic development and the protection of natural resources. Many industrial or heavy commercial uses are not welcome in downtowns or immediately adjacent to residential areas. Zoning evolved as a result of the need to ***"protect residential, agricultural and other areas from undue concentrations of population and overcrowding of land and buildings, from traffic congestion, from inadequate parking and the invasion of through traffic, and from the loss of peace, quiet and privacy"*** (excerpt from T.24, Chapter 117 State Planning Goals)

By encouraging infill development in industrial zones that have already been permitted outside of downtowns and growth centers, a municipality can protect natural resources by virtue of where it provides shovel ready sites and incentives for employers to locate.

Please pass a bill that recognizes the importance of and encourages the development of enterprise zones as a tool for economic development and competitiveness.

Miller, Lawrence

From: Spaulding, Jeb
Sent: Friday, February 07, 2014 9:53 AM
To: Porter, James; Bourgeois, Kiersten
Cc: Miller, Elizabeth; Miller, Lawrence; Gray, Laura; Bourgeois, Kiersten; Recchia, Chris
Subject: RE: Senate Finance

Thanks for the update, Kiersten and Jim. The effective date clarification helps. The follow-up meeting about the pros and cons will be important. I suggest we stay out of that if we can and listen carefully, but afterwards it might be the right time for us to form up a position and weigh in.

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

From: Porter, James
Sent: Friday, February 07, 2014 9:42 AM
To: Bourgeois, Kiersten
Cc: Spaulding, Jeb; Miller, Elizabeth; Miller, Lawrence; Gray, Laura; Bourgeois, Kiersten; Recchia, Chris
Subject: Re: Senate Finance

On prepaid, Jim Harrison only heard part of what I said and thought I had completely flipped on our position. After I did tell Jim that having prepaid providers contribute was most important, and that point of sale was probably preferable over gross receipts. I also told the Committee that I was still waiting to hear from tax dept. before I could offer any substantive opinion - but that they hear from Harrison and the providers before making a decision.

Sent from my iPhone

> On Feb 7, 2014, at 9:33 AM, "Bourgeois, Kiersten" <Kiersten.Bourgeois@state.vt.us> wrote:
>
> Yesterday we spent some time in Senate Finance where the committee walked through the committee bill. I'll let Jim weigh in on the prepaid piece of the legislation.
>
> One item of note is that there was a drafting error: the VTA section of the bill would take effect on July 1 of 2015, NOT 2014.
>
> The conversation was pretty general. There was no committee member that outwardly opposed the dissolution of the VTA, particularly due to the fact that there is no \$ proposed for additional projects. But again, this was a preliminary discussion.
>
> There was some big picture discussion about transferring responsibilities to ACCD and assets to BGS. I did give Wanda a heads-up on this last night.
>
> We also handed out, in response to Sen. Hartwell's request from Friday, a list of towns with projects in process. Specifically, we provided VTel and Fairpoint projects in process, there are a few others that are funded by VTA \$.
>
> Senator Galbraith pushed back hard on the Townsend data: our table shows that there are 5 addresses w projects in process...he disagrees, so we are doing some homework based on a list of addresses he furnished us.
>
> The committee is going to discuss this again on tues or weds with a specific focus on pros and cons of keeping the VTA or moving it to ACCD.
>

> Please let me know if you have any questions.

>

> Thanks, Kiersten

>

> Sent from my iPad

Miller, Lawrence

From: Bourgeois, Kiersten
Sent: Monday, February 03, 2014 7:50 AM
To: Spaulding, Jeb
Cc: Miller, Elizabeth; Miller, Lawrence; Porter, James
Subject: RE: Senate finance

Hi Everyone -
Here is the rest of the report:

After Chris and I made some introductory remarks and Senator MacDonald demanded to know what a "Sr. Project Manager" is, the committee began to ask questions about broadband and their respective regions.

Galbraith approached his questions with usual gusto and informed me that the Governor's initiative was a failure because we didn't reach the 100% coverage goal by the end of the year. I explained that 99% was extremely good and we are very pleased with the progress that has been made. He then demanded to know why VTel hadn't completed their work - I gave him the "big development projects take time, project had to be re-engineered" response and also let him know that we didn't have oversight of the project. Having said that, I did say that we were strongly encouraging the company to keep making steady progress and in fact, there are several sites that have been turned on around the state. He also demanded to know why VTel customers weren't informed that there was a delay. I punted that to VTel and agreed that more information is always better. He then sort of accused us of not letting him (?) know that the VTel project had a deadline of mid-2015 - which was determined by the feds. Then he left the room.

Hartwell was really hung up (ha) on cell coverage along Route 9 and Chris let him know that there is a project underway that will help improve that corridor. He also wants to know how many unserveds (of the 3000) are in his region, broken down by town. We can easily provide that to him.

Ashe was the one focused on the VTA. I highlighted the questions below that I need to provide answers to. **Any guidance appreciated.**

Chris and I were in the chair for about an hour, then three others weighed in on the future of the VTA: Irv Tomae (supportive); Tom Murray (lukewarm support, but offered a great suggestion that we need to approach telecom infrastructure improvements systematically, not via a structure like the VTA that lives from grant to grant and appropriation to appropriation. I am paraphrasing a little. He also suggested using the USF proposed increase to help launch the more systematic approach to this issue) and Beth Fastiggi (generally supportive, they've used \$\$ from the VTA). Mike Smith didn't attend.

Please let me know if you have any questions.

Thanks – Kiersten

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

From: Spaulding, Jeb
Sent: Friday, January 31, 2014 10:17 PM
To: Bourgeois, Kiersten
Cc: Miller, Elizabeth; Miller, Lawrence; Porter, James
Subject: Re: Senate finance

Thank you. Look forward to the complete download.

Jeb Spaulding, via mobile
Secretary of Administration
State of Vermont

> On Jan 31, 2014, at 3:21 PM, "Bourgeois, Kiersten" <Kiersten.Bourgeois@state.vt.us> wrote:

>

> Three quick items that I want to pass on before I forget, I'll send a more detailed report later:

>

> 1) was asked whether our small telecom group will have any sort of report w recommendations? I said that I'd check w the group.

>

> 2) what are the priorities of group? I said that continuing on improving cell, increasing speed, adoption. Also talked about how we are cognizant of VT's rural nature and how our policies must include those regions

>

> 3) are we open to alternative structures to current VTA org? Said we are still working on priorities which may dictate whether a new org is necessary. Ashe asked if we were going to have a decision on whether VTA stays or goes. I referred back to 'conversations/evaluations in progress'. He also asked if we wanted the legislature to make a decision...

>

> Then Galbraith offered his opinions, which I will include in the later email.

>

> Thanks - Kiersten

>

> Sent from my iPad

Miller, Lawrence

From: Bourgeois, Kiersten
Sent: Monday, January 27, 2014 8:29 AM
To: Spaulding, Jeb; Porter, James
Cc: Miller, Lawrence
Subject: RE: E-911 - Part 2

I believe that the 911 Board is waiting for CovCo's response/resubmittal. That should happen soon, but I will check w/ Holly.

From: Spaulding, Jeb
Sent: Friday, January 24, 2014 10:22 AM
To: Porter, James; Bourgeois, Kiersten
Cc: Miller, Lawrence
Subject: RE: E-911 - Part 2

What is the timing involved? Do we have time to wait for the E-911 Board to respond to the first project before dealing with the second? Happy to schedule a call if that seems warranted. Jeb

From: Porter, James
Sent: Friday, January 24, 2014 8:55 AM
To: Bourgeois, Kiersten; Spaulding, Jeb
Cc: Miller, Lawrence
Subject: RE: E-911 - Part 2

The only thing I can add is that I am attending a meeting in Washington in a couple of weeks where the FCC will be discussing this very issue and so we may get some guidance but I doubt it. I would still like to avoid having Coverage Co. go to the FCC (on either project) and I think the EDA piece is a complication and warrants a policy discussion.



Jim Porter
Senior Policy and
Telecommunications Director
Department of Public Service
112 State Street
Montpelier, Vermont 05620-2601
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(802) 828-2342 (fax)
(802) 522-6685 (mobile)
james.porter@state.vt.us (email)

From: Bourgeois, Kiersten
Sent: Friday, January 24, 2014 8:52 AM
To: Spaulding, Jeb

Cc: Miller, Lawrence; Porter, James

Subject: E-911 - Part 2

Hi Jeb - Lawrence and I talked the other night about another possible E-911/CoverageCo collision that is brewing and he suggested I also run this by you. I've also talked with Jim about it.

Here's the latest: the VTA rec'd \$ from EDA (about \$1.6million) from their disaster/resiliency NOFA post-Irene. One of the things that they want to do is improve cell coverage in affected areas, but the only respondent was CoverageCo. And once again, they say that the cost of implementing Phase II is cost prohibitive. I know that we had a strategy in place to deal with the first (VTA funded) CovCo conundrum that involved the company offering an alternative proposal to the E911 Board.

Jim and I recommended to Holly that they see how the E-911 board deals with the first CovCo project and not muddy the waters with a second.

And as an aside, CovCo needs to abide by state and fed rules...if they can't comply, we also suggested that they (the VTA) put the RFP back out to find someone that can. But we know quite well that there won't be others to respond. That also sets up the possibility that the VTA has to return the EDA \$.

And there's still the unknown VTel situation hanging out there as well...

Any advice/guidance appreciated. Jim, anything to add here?

Thanks,
Jeb

Miller, Lawrence

From: lhiggs@nvda.net on behalf of Northeastern Vermont Development Association
<lhiggs@nvda.net>
Sent: Wednesday, January 22, 2014 4:27 PM
To: Miller, Lawrence
Subject: NVDA News & Announcements - January 2014



NVDA
*Northeastern Vermont
Development Association*

**Regional Planning &
Economic Development
in the Northeast Kingdom**

NVDA News & Announcements - January 2014

2014 Legislative Breakfasts:

NVDA's Legislative Breakfasts will be held on Mondays at the Eastside Restaurant in Newport from 7:30-8:45 AM. Bill Davies serves as moderator. Coffee and muffins will be available for \$5.00 per person.

- January 27th General Discussion
- February 24th Senator Rodgers and Representatives Strong & Higley
- March 24th Senator Starr and Representatives Young & Batchelor
- April 28th Senator Rodgers and Representatives Kilmartin & Marcotte
- May 26th Senator Starr and Representative Shaw
- June 9th General Discussion

Lyndon's Wood Pellet Boiler Offers a New Heating Alternative

Check it out! Thursday, January 30th - 4:00 PM and 6:00 PM / Lyndon Town Offices, 119 Park Avenue. The Northern Forest Center will host an information session on using high-efficiency, automated wood pellet boilers to replace oil and traditional wood heating systems in residences, municipal buildings and small commercial buildings. This free session will include boiler displays and a tour of the working wood pellet boiler recently installed in the Lyndon Town Offices.

Representatives from the following businesses will be present to provide information about wood pellet boilers as a convenient, safe, dependable and economical heating source: Cutting Edge Energy Systems of Newark; Interphase Energy; Pelligery Systems; TARM Biomass; and Vermont Wood Pellet Co. Learn more about wood pellets as an alternative to oil. All are welcome to this informal session and light refreshments will be served. Sponsors include NVDA, RuralEdge, Efficiency VT, NCIC, High Meadows Fund, VT Dept. Forests Parks & Recreation, Renewable

Energy of Vermont and the VT Natural Resources Council. For more information and RSVP, contact Jessica johare@northernforest.org (603) 229-0679 x108

Wildlife Habitat Planning Workshop

Staying Connected - The Importance of Landscape Connectivity for Forests & Wildlife
Monday, January 27th, 6-8:30 PM / Greensboro Church, 156 Wilson St., Greensboro. This workshop targets Planning Commissions, Conservation Commissions, and NEK Select Boards. *Staying Connected* is a partnership of public and private conservation organizations. Free copies of Community Strategies for Vermont's Forests and Wildlife: A Guide for Local Action will be available. The workshop is free and light refreshments will be provided. For more information contact Emma Zavez, VNRC Conservation Planner, ezavez@vnrc.org (802) 223-2328 x114

Local Government Day in the Legislature

Wednesday, February 19th / Capitol Plaza Hotel & Conference Center, Montpelier - presented by VT League of Cities & Towns and VT Municipal Clerks & Treasurers Association. This special day at the Vermont State House allows local officials to learn firsthand about the status of pending legislation, attend legislative hearings, and speak with their regional representatives and senators. Pre-registration is required: \$40 per person includes a luncheon with legislators. Registration Deadline is February 12th. Contact Lisa Goodell, VT League of Cities & Towns lgoodell@vlct.org (802) 229-9111 x1958

New Template! Local Emergency Operations Plan (LEOP)

The Vermont Division of Emergency Management and Homeland Security (DEMHS) has finalized a revision of the LEOP template which replaces the previous Basic Emergency Operations Plan & Rapid Response Plan. Having an LEOP on file with DEMHS is mandatory by Vermont statute. It is a requirement for communities that wish to receive hazard mitigation funding to supplement federal disaster support. Municipalities are now required to update their LEOPs annually. The new template is available for download at http://vem.vermont.gov/local_state_plans/local

NEK Fiber Optic Network Information

Fiber optic technology is at the core of every telecommunications network, both broadband Internet and cell phone. Fiber optic cable carries enormous amounts of digital data at high speeds over long distances. Vermont Telecommunications Authority (VTA) has built the NEK Fiber Network so the technology will be closer to end users in many underserved areas in the three counties. Faster internet speeds and additional capacity for businesses could enable job creation, increased profitability and greater efficiency. The entire network is scheduled to be complete by December 2014. Some sections are ready for service now. For a web survey, map and estimated completion dates go to: <http://www.telecomvt.org/Projects/Fiber/NEKNetwork>

NVDA has also been assisting representatives of Vermont Telephone Company (VTEL) to find NEK sites for wireless facilities that will enhance broadband coverage in the region. For more information contact David Snedeker dsnedeker@nvda.net 748-8303

High Performance Manufactured Homes Offer Comfort & Affordability

A collaborative project with VT Housing & Conservation Board and Efficiency Vermont has resulted in the design and manufacture of a durable, energy-efficient and affordable mobile home called the *Vermod Nordic Home*. It looks like a conventional mobile home, but the innovated

design blends advanced energy-efficient technology with affordable construction and durable materials. One of the biggest expenses associated with owning a mobile home has been ongoing energy costs. Relatively rapid depreciation in value has been another concern. Owners of a *Vermod Nordic Home* are projected to spend 70% less on energy than owners of a typical new manufactured home and they will own a structure that maintains its value over time. The *Vermod Nordic Home* can be constructed for less than \$80,000. Subsidies of up to \$60,000 are available for the purchase of (10) pilot homes for placement in non-profit mobile home parks around Vermont. One pilot unit is being placed in Hardwick. Production units will be available for purchase in 2014. Find out more about this project: <http://www.veic.org> or contact Peter Schneider (800) 639-6069 x7641 pschneider@veic.org

2014 Lending Resources:

- The Carrot Project is an organization that offers specific programs for loans and related financial technical assistance for farm and food enterprises. Capital or operating loans of \$3,000-\$75,000, at 4.99-7% interest are available to farm, forestry and fishery businesses, and to processing, distribution and storage enterprises with any type of local agricultural product. Loans are available for businesses that may not be able to obtain financing elsewhere including startups and beginning farmers. Free services and assistance are available. Business that already have a working business plan are ideally suited to apply. Regions served include Maine, Vermont, Massachusetts, and Hudson Valley. Contact Benneth Phelps, Loan and Outreach Coordinator (413) 650-6151 bphelps@thecarrotproject.org
- Vermont Economic Development Authority Business Recovery Fund - The (VEDA) Fund will be used to make loans to businesses that were negatively impacted by the 2011 spring floods, Tropical Storm Irene, or the lack of snow during the winter of 2011-2012. Loan maximum is \$250,000 per borrower and applicants are encouraged to contribute at least 10% equity toward the cost of the project. The current interest rate is 4% fixed for the term of the loan. The Vermont Small Business Development Center (VSBDC) will provide no-cost technical assistance and business advice during the pre-loan, loan application, and post-loan stages. Contact Ross Hart rhart@vtsbdc.org at (802) 748-1014 www.vtsbdc.org Loans will be approved by VEDA. Applications may be downloaded from VEDA's website www.veda.org or obtained from VEDA's office (802) 828-5627
- USDA Community Facilities Grants & Loans serve non-profits and public entities. Loans and grants can be used to renovate, repair, purchase or construct buildings which house community services. Equipment may also be purchased for community facilities. USDA Rural Development is not setting a grant application deadline this year. Applicants are encouraged to file when their project is well defined. When funds become available, applications on hand at that time will be considered. A maximum grant is \$50,000. Loan projects require other public or private funding sources. Loan funds will be readily available throughout the year and they offer fixed rate affordable payments with terms as long as 30 years. http://www.rurdev.usda.gov/HCF_CF.html

###

Back issues of NVDA's monthly *News & Announcements* and NEK Economic Development EB-5 *Progress Reports* are available online: www.nvda.net click on *Resources & Opportunities / Other / Newsletter Archives*.

Northeastern Vermont Development Association www.NVDA.net


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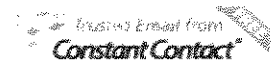
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Northeastern Vermont Development Association PO Box 630 36 Eastern Ave. Suite 2 St. Johnsbury VT 05819

Miller, Lawrence

From: Bourgeois, Kiersten
Sent: Monday, January 20, 2014 9:48 AM
To: Miller, Elizabeth; Spaulding, Jeb
Cc: Miller, Lawrence
Subject: Misc Telecom Items

Chris Campbell was in House Institutions on Friday afternoon to answer the question, "how has your \$10million been spent"? I had to duck out a couple of times, so I missed some of it, but here are the highlights:

And here's his presentation:

<http://www2.leg.state.vt.us/CommitteeDocs/House%20Corrections%20and%20Institutions/Vermont%20Telecommunications%20Authority/1-17-2014~Chris%20Campbell~Vermont%20Telecommunications%20Authority%20Legislative%20Update.pdf>

As is often the case with telecom, it quickly became a conversation about which committee members' districts were served/not served. Some other highlights:

- Rep. (Butch) Shaw was clear that any unallocated funds would be eyed by the committee for the taking
- Rep. Browning didn't like the map of the SoverNet/Vermont Fiber Connect Project due to the fact that there isn't accurate representation of which towns have benefited from that project. She's actually right; for example, Rupert's library (or some other CAI) is served, but the map shows that adjacent Sunderland isn't. But the regional definition of the project lump the two towns together.
- There is 25% that is presently unallocated from the \$10,000,000 appropriation - the plan is to use this to advance some cellular work (which, imo, is all well and good, but if Verizon and AT&T aren't willing to play ball, this becomes challenging, irrespective of whether the VTA wants to build towers or find other roaming partners for CovCo)
- the 7% in broadband grant \$ is something that I've asked them to keep available in case we find a few addresses w/o a solution. He also said that ALL ADDRESSES have a solution - I asked him to please us our "we have a handful left that don't" for a little wiggle room. We are still scrubbing end of year data and I imagine that some new addresses will pop up as being unserved.

In other telecom news, Chris will be in Windham county later this week to talk about all things broadband/cellular. The WRC and Morse asked for this. One of the things that he'll talk about is their Broadband Business Improvement District project. He had to find a way to spend some leftover 2010 \$ and created this little program. The idea is to identify underserved business districts - which was kind of difficult - but I asked him to include home-based businesses that might not be a part of a more traditional business district (this is why Wilner is happy). Some of the solutions for improved service in these areas might simply be a call to a provider that already serves this area; other tech assistance and/or an incentive to the provider to extend service.

And finally, I have been staying close to VTel and Mrowicki. Mike is trying desperately to get some info from VTel (which Diane is very forthcoming with) so he can provide answers to his constituents in Putney. He asked Diane on Friday if there might be a legislative solution to help them along (ugh).

VTel is actually offering service in a handful of communities now, including rural places like Sheldon and Hardwick. They still want to come up and brief us on their progress. Diane is still planning on going to HBS in the fall, but has asked them to defer for a year...apparently, that's only been granted 3x.

Someone was also telling me that their Smart Grid work is way behind, but I can't remember who/specifics.

If you have any questions, please let me know. I am around for much of the morning, then skiing.

Miller, Lawrence

From: Bourgeois, Kiersten
Sent: Tuesday, January 14, 2014 3:01 PM
To: Miller, Lawrence
Subject: Re: EC Fiber help in Norwich / Thetford

Raise and a parking space.
Kidding.

Let me think about it. E911 and VTel is coming to the surface

Sent from my iPad

On Jan 14, 2014, at 2:05 PM, "Miller, Lawrence" <Lawrence.Miller@state.vt.us> wrote:

You did! Any ideas?

Lawrence Miller, Secretary
VT Agency of Commerce and Community Development
(802) 989-0569

"Bourgeois, Kiersten" <Kiersten.Bourgeois@state.vt.us> wrote:

Ha. Thx. We talked about this yesterday at the VTA Bd. Meeting.
Did I tell you that they have \$2.5million unallocated??

From: Miller, Lawrence
Sent: Tuesday, January 14, 2014 11:53 AM
To: Scott Genzer; Bourgeois, Kiersten
Subject: Re: EC Fiber help in Norwich / Thetford

I am not familiar with the particular issue, but bringing in Chief of ConnectVermont and my senior Project Manager Kiersten Bourgeois who will work to help resolve this.

Lawrence

Lawrence Miller, Secretary
VT Agency of Commerce and Community Development
(802) 989-0569

On Jan 14, 2014, at 11:33 AM, "Scott Genzer" <[REDACTED]> wrote:

Dear Mr. Miller,

My family lives in Norwich near the Thetford town line (Kerwin Hill Road) and we have been watching the EC Fiber product roll out throughout the fall and now winter. My wife and I both run e-businesses out of our house, and hence this is very important to us. Right now we have to pay a lot of money to Verizon Wireless to access data service via their 4G network. We cannot wait until EC Fiber connects our house.

Hence the purpose of this email. I spoke to EC Fiber this morning and they have told me that all progress in our area has been put on hold due to a dispute between the State of Vermont and Green Mountain Power. They are a complete standstill until the dispute is settled. Is there any way you could please help by investigating this, and seeing how the State and GMP can settle their differences quickly?

Thank you very much for representing our community and I hope to hear from you soon.

Kind regards,

Scott & Kim Genzer



Miller, Lawrence

From: Bourgeois, Kiersten
Sent: Tuesday, January 14, 2014 3:00 PM
To: Miller, Lawrence
Subject: Re: No Fiberoptic

No worries. I've been dealing w her. And all of Putney. And VTel.

Sent from my iPad

> On Jan 14, 2014, at 2:57 PM, "Miller, Lawrence" <Lawrence.Miller@state.vt.us> wrote:

>
> I don't have a record of forwarding this to you. My apologies to her please.

>
> --
> Lawrence Miller, ACCD
> (802) 989-0569 Cell

>
> -----Original Message-----

> From: Doris Sater [mailto: [REDACTED]]
> Sent: Tuesday, November 26, 2013 1:28 PM
> To: Miller, Lawrence
> Subject: No Fiberoptic

>
> I am writing to inform you that Vtel has yet to carry through with their repeated promises to provide fiberoptic service to Colvin Hill in Danby. During the summer we were called and informed that they were installing the fiberoptic cable on Colvin Hill, so they requested in a phone message that we contact them concerning connecting to the service. I returned the call, and my call was forwarded to one of the lineman at the job site installing the fiberoptic cable. He told me they were on Colvin Hill Road working as we spoke. He assured me that I would be connected because my service is from a telephone poll, the last one before the underground power cable on this road. We ended the conversation with him telling me that the woman that left the initial message would call back to discuss the details of being connected. I never received that phone call. After approximately a month, someone told me that there was an argument between Vtel and the subcontractors. Soon after we were contacted by Vtel and told that we would have a fiberoptic connection by the end of October. This was not done and there was no explanation as to why it was not done. After a few calls we were told that we would have our cable connection by the end of the forth quarter of 2013. Not believing them, we pressed them when and how this would be done if the weather turned cold. We kept receiving the same response that it will be done in the forth quarter of this year. There is about a month left to this year and winter is upon us. We have not seen any fiberoptic work being done in Vermont since this summer.

> Do I have any reason to believe that Vtel will fulfill there agreement/verbal contract with us?

>
> Just a note to the record, we have a wifi for an Ipad, the upload and download speed is painfully slow. We will not consider Wifi a viable option to an already promised/verbal contract fiberoptic service. Also, I just did a bandwidth speed test on our existing Vtel cable service, it is an abysmal 735kbps.

> When the subject is taxes, Colvin Hill is subjected to special treatment by being subjected to an an unfair, if not illegal, altitude tax resulting in some of the highest property taxes in Vermont. I would think at least we would receive what the governors office has promised us. Concerning the governors reasonings for making high speed internet available to all of Vermonters, Danby is a dying town from neglect. The lumber yard just closed, Vermont Wreath company closed, restaurant closed, Inn went bankrupt, kitchen supply store closed, Four Corners store closed, real estate office closed,

Pearl Buck house washed away with no discussion of replacing. There is a house near us, I believe it initially went on the market at 2.4 million. The last I heard it has yet to sell at \$600,00 Danby is a small town, there is not much left to close, something the governors office might want to think about.