

Ethan Allen Institute

Newsletter - August 2014 (Printer Edition)

Top Story: EAI Releases School Choice Report

At a July 31 celebration of free market economist and school choice pioneer Milton Friedman's would have been 103rd birthday, the Ethan Allen Institute unveiled our latest report, [School Choice in Vermont: A 150 year old system that leads to a brighter future](#).

This 18 page look at the past, present, and future of Vermont's unique town tuitioning system is born of the extensive research that went into preparing for our three part debate series on the proper role for government in Education, which took place at the beginning of this year. The debate series and the publication of this report were sponsored by the Arthur N. Rupe Foundation, and we are grateful for their support.

School Choice in Vermont looks at the data behind tuitioning, a broader look at the school choice movement nationally and even internationally, but, most importantly, explores some of the stories of the educators and the families who make the system as successful as it is.

You will find this report informative and inspiring. Please take a look on our website!

EAI Under Attack From Netroots

The Netroots Nation is a collection of left wing activists with a dark totalitarian streak. They held a conference in Detroit a week ago, and one of the featured performers was a guy named Arshad Hasan, Executive Director of ProgressNow. He is a veteran of Howard Dean's Democracy Now movement and lives in Vermont.

Hasan's panel focused on attacking the State Policy Network (SPN), a loose association of free market think tanks in all fifty states. The Ethan Allen Institute is the member from Vermont. The Netroots speakers, who apparently have the intellectual development of six year olds, refer to these organizations as "stink tanks." We will refrain from calling them doo-doo heads.

But more seriously, and in Hasan's words, Netroots' goal is to "take down" and "dismantle" this network of institutions. Nice. Given the resources these left-wing groups have at their disposal, this is no idle threat.

Said Hasan, "Even a state as left leaning as Vermont has to deal with our own Ethan Allen Institute. We can't achieve our policy objectives as progressives because they are doing an excellent job."

While we are glad to have this perhaps inadvertent tribute, it is our fervent hope that the Ethan Allen Institute can rally sensible Vermonters to roll back Hasan's

objectives before they totally ruin our state.

Nevertheless, it angers us that Hasan would suggestion that his radical pals should “take down” the Institute. They can’t win a fair debate, so they have a darker plan to destroy their opposition. This is the ugly face of Netroots totalitarianism.

Please Help Us Fight Back!
Make a contribution to EAI today.
P.O. Box 543
Montpelier, VT 05672

Commentary: School Consolidation, Charters & Choice

by John McClaughry

Vermonters moan about their steadily rising education property taxes, especially as the number of students continually decreases. Rarely do citizens focus clearly on the causes of rising school taxes, and the possible solutions. That is, in part, because the “education stakeholders” are ever alert to control the agenda for “reform”.

Their time-worn offering this year was “governance reform”. That means grouping towns into large “Regional Education Districts”, at first through incentives, then later by state mandate. This legislation collapsed in the final days of the 2014 session, in part because the House leadership realized that members who voted for it might not do so well with their voters this November.

But the Regional Educational Districts bill will certainly be back in 2015. Like regional waste management districts, REDs will be governed by... well, nobody really knows who governs such districts. It won’t be town voters, because the RED won’t belong to them. It will “belong” to the Agency of Education, their superintendents, and of course the Vermont-NEA, well organized across district lines. And, interestingly, even the backers of REDs shy away from promising that consolidation will reduce anybody’s property tax burden.

The most obvious reason why education costs are rising faster than Washington devalues the dollar is that government monopolies, financed by taxpayers and facing little or no competitive pressure, bulk up with regulations and bureaucracy that keeps creating more things for itself to do, regardless of whether it improves the output of well-educated young people.

Vermonters should be asking “Can’t we find a better model that gives children more value from a given amount of tax dollars?”

Consider the contrasting model of, of all places, the District of Columbia. DC has 113 public schools and 107 public charter schools. It also has an Opportunity Scholarship Program sending 1,556 low income students, almost entirely minorities, to 54 public and non-public (including faith-based) independent schools. The OSP program remains small because of the bitter opposition of the Obama administration and the teachers’ union, because it gives low-income parents genuine choice.

Far more important are DC’s public charter schools, which compete for publicly financed students. These range from the seven campuses of the academically-focused Knowledge is Power Program (KIPP) to African-American and Latino-themed schools to schools focusing on arts and music.

Three years ago my grandson, now 16, and his parents spent a day at a DC school fair where dozens of traditional and charter schools made their pitches to recruit eighth graders. They selected the School Without Walls charter school, which offers college classes and an Associate degree from adjacent George Washington University, along with the charter school diploma.

In New York City, the AFT teachers union has thrown up every obstacle it can find to prevent charter school competition with traditional (unionized) public schools. But in DC, and in Houston and San Jose, creative partnerships are emerging.

The students at DC's homegrown Achievement Prep are outpacing its competitors in Ward 8 by as much as 40 points on the DC assessment exams. The charter school is negotiating to take over and operate a failing public school. When was the last time you heard of a Vermont public school being merged or going out of business for poor performance? Probably once (Winhall).

Vermont is one of only eight states that have never had charter school legislation. The legislature created a charter school study committee in 2001. Gov. Howard Dean was at the time an outspoken opponent of the charter school idea. He named enough Vermont-NEA representatives to the committee to cause it to reject charter schools on a 7-4 vote.

The teachers union militantly opposes any option for a student to escape unionized public schools for non-union alternative schools of any kind. (Dean has more recently been quoted favorably on the subject, now that he doesn't need Vermont-NEA votes.)

Are charter schools practical in a rural state like Vermont, and would they reduce the school property tax burden? That would depend on the details, which vary dramatically among the charter states. It's likely that a well-designed charter law would at least flatten out the spending curve, which would be a welcome achievement. An even more welcome achievement would be universal parental choice, for which charter schools would likely increase political support.

Charter schools would be another step toward educational opportunity based not on government-run regional education monopolies, but on genuine parental choice among many varied public and independent providers. That is the way toward better educational value for fewer taxpayer dollars.

- John McClaughry is vice president of the Ethan Allen Institute

Commentary: Dirty Harry's Lesson for the Legislature - And Us

By Rob Roper

In the movie *Magnum Force*, Clint Eastwood coined the catchphrase, "A man's got to know his limitations." This should apply doubly to politicians.

The news this summer surrounding Vermont's journey toward a single payer healthcare system has been abysmal. House Healthcare Committee chairman Mike Fisher called the results thus far a "crisis in our communities." Lawrence Miller, Vermont's chief of healthcare reform used the word "chaos," and described the level of customer service as "god awful." The director of the Office of the Health Care Advocate says users of Vermont Health Connect are increasingly "irate." ([VPR, 7/23/14](#))

Why shouldn't they be? After spending over \$70 million setting up this exchange, the list of problems with Vermont Health Connect is long and serious. According to recent news reports, hundreds of Vermonters who enrolled in plans and paid their bills are now uninsured because the bureaucracy "inexplicably" didn't pass the information on to insurers. Over 14,000 Vermonters can't change incorrect information regarding their plans, which is "impeding their access to care." 22,000 Medicaid beneficiaries lost coverage because they couldn't or didn't complete their annual reviews on the Vermont Health Connect website, and the state doesn't know why. ([Vermont Digger, 7/23/14](#)) Doctors have been required to provide thousands of dollars worth of services to patients without immediate compensation.

Miller says it will take another \$100 million (\$171 million total) to make Vermont Health Connect function properly. Keep in mind the reason the state is taking over the healthcare industry is because they promised to do things more efficiently for less cost. Yet the Vermont Health Connect project (essentially building a website, albeit a complicated one) is significantly less challenging than the \$5-6 billion dollar job of building and operating a single payer healthcare system for all 620,000 Vermonters. And these same people tell us that's what they expect to be doing just two-and-a-half years from now. What evidence exists that we should believe them?

How did we end up here? Rep. Fisher provides an insight with his comment to Vermont Public Radio, "[T]he Legislature's ability to intervene in the situation is diminished by the fact that it's not in session."

Entrepreneurs who start businesses routinely spend sixteen hours a day, 365 days a year focused exclusively on making their endeavor a success. The people who write the laws that put these large, complicated, expensive schemes in motion spend at most a few hours a day, four days a week, a few months a year batting things around.

And, they're not qualified.

Receiving a majority votes from a few thousand constituents does not impart special powers or superior wisdom. These are just ordinary people making tremendous decisions about things in which they have little if any experience.

For example, the House Healthcare Committee that wrote the legislation that led to the current crisis is comprised of a social worker (chair), a substitute teacher (vice chair), a former substance abuse counselor (ranking member), a school nurse (clerk), a truck driver, a marketing consultant, a lobbyist/professional activist, a home care nurse, one doctor (OB/GYN), and a landlord.

Now, all of these are good, smart people who care deeply about serving their communities. They make sacrifices to do so, and are deserving of our respect. However, none of them has anything close to the kind of resume you'd look for to build, organize, and oversee a \$5-6 billion healthcare delivery service. It reminds me of another movie quote from Martin Sheen in *Wall Street* when his stockbroker son shares plans to take over the company he (the father) works for, "Course my son did work three summers as a baggage handler and freight loader. With those qualifications, why should I doubt his ability to run an airline?"

For the same reasons we should doubt Montpelier's ability to run a healthcare system.

Add to the lack of expertise, and lack of oversight ability the fact that any government run system must pass through and exist within a highly politicized gauntlet of checks and balances that were designed to limit the scope and speed with which government can act, the results we're seeing today are not surprising at all.

The state was not constructed to take on these kinds of jobs, therefore, it never, ever does them well.

Abraham Lincoln said it best, “The legitimate object of government, is to do for a community of people, whatever they need to have done, but can not do, at all, or can not, so well do, for themselves - in their separate, and individual capacities. In all that the people can individually do as well for themselves, government ought not to interfere.” Or, as Dirty Harry might have said, a government – particularly a government specifically designed to be limited -- has got to know its limitations.

- Rob Roper is president of the Ethan Allen Institute

Commentary: Supreme Court Reins In Bureaucrats, Unions and a President

by John McClaughry

Three June decisions of the U.S. Supreme Court carry important messages to America, and one in particular is likely to have an impact in Vermont.

The decision that attracted the most national attention came in a case (Burwell vs. Hobby Lobby) defining religious freedom. In 1993 Congress passed the Religious Freedom Restoration Act (Vermont Sens. Leahy and Jeffords voted Yes.) It provided that when a government action raised a question of religious liberty, the government must present a “compelling interest”, and that interest must be furthered by the “least restrictive means”.

ObamaCare requires employer health insurance must cover “essential benefits”, or else the employer will be taxed or fined. The Obama administration – not Congress – decided that those benefits must include twenty different varieties of contraception as free “preventive care.”

Hobby Lobby is a family-owned chain of craft stores. Its insurance plan covers sixteen of those varieties. But the Green family, the owners, objected to being forced to pay for the remaining four, which they view not as contraception, but as abortion.

The Court’s conservative majority held, over frenzied dissent from the Court’s four liberal justices, that when a government agency decides that offering twenty varieties of free contraception is an essential insurance benefit, and the owners of a closely-held family business sincerely believe that some of those varieties run counter to their sincere moral and religious beliefs, the government cannot beat that company into submission.

The decision has triggered an outburst of “war against women” rhetoric from the Left, but in truth, as Cato Institute lawyer Ilya Shapiro observed, “the mandate fell because it was a rights-busting government compulsion that lacked sufficient justification.”

In the second important case (Harris v. Quinn), the same majority held that a woman who provides Medicaid-financed home care to her disabled child cannot be forced to pay dues or “agency fees” to a labor union. The Court held that just because the Labor-dominated Illinois legislature deemed the woman to be a “state employee” for this

sole purpose, did not make her a state employee.

The back story here is that the union involved, the SEIU, was raking in millions of dollars from these non-employee caregivers for lobbying the state government to increase Medicaid subsidies. If the law had been upheld, it wouldn't be long before one or another union tried to get some legislature to mandate that food stamp recipients belong to a similarly phony "bargaining group", and then dock their benefits for the dues and fees the union needs to feed its political machine.

Earlier this year the Vermont legislature enacted a similar law authorizing just such a phony child care workers' union. It was ardently sought by the American Federation of Teachers but bitterly opposed by many independent child care providers. Last year the legislature did the same for home health care workers for the benefit of the American Federation of State, County and Municipal Employees. Both of these "pseudo union" schemes are now vulnerable to powerful legal challenges.

The third case (NLRB vs. Noel Canning) has far less real world consequences, but great symbolic value. The Constitution allows the President to make recess appointments when the Senate is in recess. In 2012 President Obama defiantly made three controversial recess appointments to the National Labor Relations Board even though the Senate was not in recess.

The Court held that the Senate determines when it is in recess, and when a recess is for less than ten days the President may not make recess appointments. The fact that the ruling was unanimous sent a powerful message to the President that even his own appointees on the Court will not let him blow off the Constitution with his recently-coined legal theory of "we can't wait!" This was, astonishingly, the tenth instance where the Supreme Court has unanimously struck down an Obama administration action or position.

Taken together, these three cases sent a powerful message to bureaucrats, legislatures, and the President that people's religious beliefs cannot be scornfully overruled, labor union schemes to extract ever more money from unwilling non-employees will not stand, and the President, sworn to uphold the Constitution, seriously needs to start doing just that.

- John McClaughry is vice president of the Ethan Allen Institute

Events

ISSUES TRAINING! How Montpelier Affects Your Life And Livelihood

The Ethan Allen Institute and American Majority/Vermont are offering a series of issue training sessions on Four Key Issues And How to Use Them. will teach you how to effectively articulate See below for details on dates/times/locations. Each session will include five 30 minute presentations on:

- **Jobs & the Economy: The Truth Behind the Numbers** (30 min. Presented by Chris Champion)
- **Single Payer: How it will impact healthcare, jobs, and people** (30 min. Presented by John McClaughry)

Break for Dinner

- **Education Taxes: The Ever-Increasing Property Tax** (30 min. Presented by John McClaughry)
- **Education Reform: How to control costs and improve outcomes** (Presented by Rob Roper)

Break

- **Ideas & Activism** (30 min. Presented by Tayt Brooks)

August 5. Issues Training Session. Lyndon State College, Rita Bole Community Room, 1001 College Road, Lyndonville, VT 05851 5:30 pm – 8:30 pm. (Registration opens at 5:00 pm). Reserve your spot at <http://americanmajority.org/events/issue-activist-training-lyndon-vt/>.

August 6. Issues Training , Rutland, College of St. Joseph's, 5:30 pm – 8:30 pm. (Registration opens at 5:00 pm). If you are interested in attending contact Rob Roper at rob@ethanallen.org.

August 7. Rob Roper will present Triumph of Liberty to the Stowe Rotary Club. 7 – 8:30 pm. If you would like to schedule and EAI presentation with your organization, contact Rob Roper at rob@ethanallen.org or 802-999-8145.

August 12. Issues Briefing, Northfield, Norwich University. 5:30 pm – 8:30 pm. (Registration opens at 5:00 pm). If you are interested in attending contact Rob Roper at rob@ethanallen.org.

August 13. Issues Briefing, Essex Junction, Essex Grange Hall, 5:30 pm – 8:30 pm. (Registration opens at 5:00 pm). If you are interested in attending contact Rob Roper at rob@ethanallen.org.

September 5. KrisAnne Hall will be speaking on the Constitution. 7-9 pm at the Lamaille Valley of the Nazarene Church (565 Vt Route 15 E, Johnson, Vermont) KrisAnn Hall is an attorney, former prosecutor, mother, pastor's wife, disabled Army veteran, Russian linguist, radio-talk-show host and a patriot. She is traveling the country teaching about the Constitution and the history that gave us our founding documents. The Christian Action Ministry is bringing her to Vermont for two different seminars. The one in Johnson will be The Founding of the American Constitution. Admission is free. A love offering will be taken.

Summer Golf at Country Club of Vermont!

Thanks to the generosity of our friend George Rieger, anyone who donates \$100 or more to EAI this summer (June 1-August 31) can claim a free round of golf (18 holes) at the Country Club of Vermont in Waterbury.

The Waterbury course, according to the club website, “was designed and built by Graham Cooke & Associates, Inc. (GCA) of Montreal and Vancouver, Canada and Turin, Italy. Architect Graham Cooke calls the location "enormously powerful" and took an active role in developing the course. With lovely views in all directions, it truly is a

remarkable setting for a remarkably executed course.... Golfers and non-golfers alike have described the site as a magnificent setting for a golf course.”

Questions, please contact Rob Roper at rob@ethanallen.org or 802-999-8145.

Please make checks payable to
Ethan Allen Institute P.O. Box 543, Montpelier, VT 05601
and write "GOLF" in the memo line.

News & Views

The First Single Payer Domino is the title of John McClaughry’s article on Vermont’s single payer health care experiment, published in National Review Online July 15. You can read it at <http://www.nationalreview.com/article/382736/first-single-payer-domino-john-mcclaughry>.

Vermont Facing Revenue Downgrade. The state treasury will take in \$31 million fewer general fund than expected in FY15 according to Shumlin Administration. This represents a 1.8% drop in anticipated state tax revenue. The Transportation and Education funds will each bring in roughly \$2.5 million less than expected.

Vermont Unemployment Rate Rises to 3.5%. The Vermont seasonally adjusted unemployment rate increased two-tenths of a percent in June to a statewide average of 3.5 percent. The comparable rate for the United States (6.1 percent) declined two-tenths of a percent from the revised May estimate. ([Vermont Dept. of Labor](#))

Vermont Health Connect in “Crisis” Stage. From Vermont Digger (7/23/14): Thousands of people have problems with their coverage – those with commercial plans and those on Medicaid – that can take days or weeks to resolve, creating uncertainty for many when they go to the doctor or try to fill a prescription. In addition, it was revealed that an estimated 22,000 Medicaid beneficiaries have lost their coverage in the past three months because they were unable to, or have not tried to, complete their annual reviews on the Vermont Health Connect website.... “We are getting more and more calls from really irate people,” said Trinka Kerr, director of Vermont Legal Aid’s Office of the Health Care Advocate.

IBM Investing \$3 billion! Just not here. IBM announced that it will invest \$3 billion in research and development over the next five years to “push the limits of chip technology to meet the emerging demands of cloud computing and Big Data systems.” This research will take place in Albany and Yorktown, N.Y., Almaden, California, and in Europe. Vermont, not so much. What did we say? What did we do?.... Oh yeah.

Small Business Unfriendliness. The Economist (UK) ranked Vermont among 5 states receiving a grade of ‘F’ for their small business friendliness (“Red Tape Blues”, 7/5/14). The study was based on interviews with thousands of business owners nationwide -- including in Vermont -- and ranked states based on their tax codes, regulatory burden, and professional licensing mandates.

Vermont's Renewable Programs Not Helping Much. By the end of 2013, Vermont had subsidized about \$510 million of solar and wind investments (\$190 million solar, \$320 million wind), over the past 3.5 years, but had practically nothing to show for it: 0.83% of Vermont's annual electrical energy consumption from solar and about 3.89% from wind, for a total of 4.72%. That's only 1.57% of ALL energy consumed." That 1.57% is a long way off from the unrealistic, starry-eyed, 2011 [Shumlin] CEP goal of 90% of ALL energy from renewable sources by 2050. – Electrical engineer Willem Post (6/24/14)

Australia Dumps National Carbon Tax. While Vermont Senator Bernie Sanders is pushing a \$1.3 trillion carbon tax for the United States, Australia is repealing its own national carbon tax, put in place in 2011. Australian Prime Minister, Tony Abbott, described the law in the Wall Street Journal as, "...a useless destructive tax which damaged jobs, which hurt families' cost of living and which didn't actually help the environment..." Repeal of the tax will save Australians and estimated AU\$9 billion a year, AU\$500 per person.

Blittersdorf's Vision. Renewable energy entrepreneur and VPIRG benefactor David Blittersdorf has a dream for Vermont. "I suggest we install over 1,000 megawatts of wind and solar." (Green Energy, April 2014). (A thousand MW of wind power equates to 400 2.5 Mw towers). And who will organize the financing for this fleet of (intermittent) wind and solar generators, and roll some of the profits into the political war chests of his allies in Montpelier? We wonder.

Vermont Electric Rates. Vermont has "the fourth highest electric rates in the U.S., right after Hawaii, Alaska and Connecticut, partially due to having to subsidize and finance expensive, ineffective, inefficient, job destroying, wind energy and solar energy SPEED programs that produce variable, intermittent, i.e., junk, energy at 3-4 times New England grid prices." –Willem Post (VtDigger, 6/5/14)

EPA to Target Cows. "The White House has released a Climate Action Plan that includes the targeting of methane emissions from cows and other barnyard animals that threaten the planet through belching and other, er, activities.... Having already blamed the Industrial Revolution for what we used to call weather and temperatures that have flat-lined for 15 years, the White House is now targeting American agriculture abundance by slashing methane emissions from cows by 25% by 2020." (IBD 3/30/14)
It's worth noting that Vermont has more cows per capita than any other state.

We're Not in Kansas (But Wish We Were). "Kansas did something truly unique: We supported small business by taking away all income taxes on small businesses—allowing them to reinvest in their businesses, creating jobs and growth for specific businesses including Sub S chapters (small domestic corporations with limited shareholders and only one class of stock), LLCs (limited liability corporations in which members are not held personally liable for debt or liabilities) and sole proprietorships. Those businesses went from a tax rate of 6.45% to zero. And in 2013 we saw a record year for new-business formation in Kansas, creating opportunities across the state; 77% of Kansans work for a small business with fewer than 10 employees. By giving these companies more money to

reinvest in their businesses, we are enabling them to hire more people and invest in needed equipment.” – Gov. Sam Brownback (WSJ 5/29/14)

We Know Who’s Trying to Get Into the U.S. Who’s Getting Out? According to CNN Money, “More companies than ever are abandoning the U.S. for nations with lower taxes. A new analysis found 47 companies have relocated to home bases overseas to take advantage of lower rates in the past 10 years through a merger process known as inversion.” That compares to only 29 in the previous 20 years.

For the Children (Litterally). “In 2007, debt held by the public was 37 percent of gross domestic product, and it has since doubled to its current 74 percent. Assuming that current laws remain the same, the CBO projects that by the time a girl born today graduates from college in 2036, the nation’s debt will be as large as an entire year of U.S. economic output, and it will continue to grow.” – Philip Klein (Washington Examiner, 7/17/14)

Jefferson on Advancing Liberty. “The ground of liberty is to be gained by inches, that we must be contented to secure what we can get from time to time, and eternally press forward for what is yet to get. It takes time to persuade men to do even what is for their own good.” – to Charles Clay, January 27, 1790.

Book of the Month

The Rule of Nobody

Saving America from Dead Laws and Broken Government

By Philip K. Howard

New York: Norton, 2014 (182 pgs.)

Philip Howard’s earlier book, the *Death of Common Sense*, won attention and acclaim for highlighting the miserable web of regulations that are defeating common sense, driving up costs, and paralyzing progress.

The author expands on that theme with *The Rule of Nobody*, by which he means that once detailed rules and regulations are established and blindly applied, “nobody” is making intelligent decisions.

Writes he, “Up and down the chain of social responsibility, responsible people do not feel free to make sensible decisions. Everything is too complicated; rules in the workplace, rights in the classroom, and machinations in government. We’re bogged down in bureaucracy, pushed around by lawsuits, and unable to steer out of economic and cultural storms.”

That’s pretty much irrefutable. But his proposed “solution” – “to rebuild our government structure to allow humans to make public choices” – is not without its own set of problems. America had years of regulation by people who made decisions based sometimes on common sense – and at other times, on the amount of cash that crossed their palms.

Vermont offers numerous examples. There was the town bridge (over a five

foot wide brook) that tripled in price because one state official refused to allow installation of a corrugated steel culvert, and insisted on a concrete box culvert. There was another young state employee who informed a foreclosed property purchaser that it couldn't continue the Act 250 permit unless he spent \$17,000 on earth moving to make sure that dirt churned up by trucks didn't find its way into the nooks and crannies in the river where fish lay eggs. (This was one mile upriver from a place where 14 homes discharged their sewage directly into the same river.)

Howard argues that officials should be made to stop hiding behind "rules" and take responsibility for their decisions. The trouble is, adhering strictly if nonsensically to "rules" protects the regulator from criticism. In addition, one regulator's common sense decision can't be relied upon by the next applicant, who may encounter a regulator with a different concept of common sense. And, of course, there is the regulator's ever present temptation to interpret common sense in light of cash transferred under the table.

Howard's solutions are built around five proposed constitutional amendments, and thus apply to Federal regulation. He favors 15-year sunseting of regulations, greater Presidential authority to manage executive branch agencies, a line item veto, enhanced rescission of spending, and more termination power over employees. Another amendment would require judges to be "reasonable".

The fifth would authorize a Council of Citizens to "nominate independent commissions to advise Congress on the rewriting of laws." This bears some resemblance to Vermont's Council of Censors, abandoned in 1870, but the Vermont Council was charged with detecting and reporting instances where the government was starting to drift away from the founding principles, such as protecting the liberty, which is quite a different task.

There's a lot of wisdom in the book – and some awful examples of dimwitted, rule-bound regulators – but his solutions run aground on the opposite problem: we want a government of laws, not of men. There is no hard and fast solution.

Take the case of the school that has a "zero tolerance" policy banning firearms on the premises. A teen aged student accidentally leaves his .22 in the trunk of his car in the school parking lot, after last night's practice at the sportsmen's range. In view of the circumstances, the principal could pass this over with only an admonition, instead of expulsion.

Probably the best available, if imprecise, solution is letting regulators apply common sense outside the literal rules, report on what they did and why, and leave them to the hoped-for approval of their superiors and the legislature.

– Review by John McClaughry, vice president of the Ethan Allen Institute.

Final Thought

EAI's Chrystal Ball

Given the implosion of Vermont Health Connect, it's worth revisiting some excerpts from this October 2013 Op-Ed by John McClaughry, The Vermont Exchange Train Wreck....

... In an incisive and scathing article on The Daily Beast (10/22/13), former Vermont resident Stuart Stevens foresees a “unique train wreck” developing in Vermont, due to a failed exchange designed as an essential gateway to the single payer system. Stevens concludes: “As this great health insurance experiment proceeds, Vermont bears watching. If this small, healthy state can’t make Obamacare work to a high degree of satisfaction, it doesn’t bode well for more difficult challenges.”

He might have added, “It certainly won’t bode well for Vermonters.”

You can read the entire article on the website, at <http://ethanallen.org/commentary-the-vermont-exchange-train-wreck/>.
