

Journal of the House

Thursday, April 19, 2018

At one o'clock in the afternoon the Speaker called the House to order.

Devotional Exercises

Devotional exercises were conducted by Rev. Elissa Johnk, The Old Meeting House, East Montpelier Center, VT.

Bill Referred to Committee on Appropriations

H. 928

House bill, entitled

An act relating to compensation for certain State employees (Pay Act)

Appearing on the Calendar, carrying an appropriation, under rule 35(a), was referred to the committee on Appropriations.

Bill Referred to Committee on Appropriations

S. 280

House bill, entitled

An act relating to the Advisory Council for Strengthening Families

Appearing on the Calendar, carrying an appropriation, under rule 35(a), was referred to the committee on Appropriations.

Joint Resolution Referred to Committee

J.R.H. 17

Joint resolution opposing the U.S. Environmental Protection Agency's proposed rollback of federal motor vehicle emission standards

Offered by: Representatives McCormack of Burlington, Ancel of Calais, Bartholomew of Hartland, Briglin of Thetford, Carr of Brandon, Chesnut-Tangerman of Middletown Springs, Christie of Hartford, Deen of Westminster, Emmons of Springfield, Forguites of Springfield, Graham of Williamstown, Hooper of Montpelier, Keefe of Manchester, Keenan of St. Albans City, Kitzmiller of Montpelier, Mrowicki of Putney, Noyes of Wolcott, O'Sullivan of Burlington, Parent of St. Albans Town, Sharpe of Bristol, Sheldon of Middlebury, Sibilia of Dover, Sullivan of Burlington, Wood of Waterbury, Yacovone of Morristown, and Yantachka of Charlotte

Whereas, the federal Greenhouse Gas Emission Standards, the Corporate Average Fleet Efficiency (CAFE) Standards, and the waiver allowing California vehicle emission standards to be more stringent than those of the federal government have saved tens of thousands of American lives, reduced U.S. carbon emissions by millions of tons of CO₂, and saved American motorists billions of dollars in fuel costs, and

Whereas, these programs and the waiver authority are under the jurisdiction of the federal Clean Air Act (the Act), and have contributed to a modern automobile that lasts longer, requires far fewer tune-ups, pollutes the air considerably less, and requires less fuel to operate, and

Whereas, in the 1970s, U.S. Representative James Jeffords fought for the strongest possible auto emission standards and unsuccessfully advocated for a minimum mileage standard instead of the adopted average standard, and

Whereas, Vermont has joined with other states and the District of Columbia, including Connecticut, Delaware, Maine, Maryland, Massachusetts, New Jersey, New York, Oregon, Pennsylvania, Rhode Island, and Washington in adopting the more stringent California vehicle emissions standards, and

Whereas, if fuel efficiency had not improved from 2005 through 2015, including the current standards adopted in 2012, households would have spent 25 percent more on fuel, and

Whereas, even with the slightly higher purchase price that is attributable to incorporating the technology required to comply with the 2012 standards, the average new vehicle buyer starts saving during the first month of ownership, and

Whereas, the International Council on Clean Transportation recently found that, due to technology improvements and innovation, compliance costs for model years 2022–2025 will be 34 percent to 40 percent lower than originally projected, and

Whereas, auto manufacturers are already complying with the 2012 standards, and more than half of the new vehicles introduced in 2017 already meet the 2020 level of the standards, and 32 percent comply with the 2025 level, and

Whereas, Synapse Energy Economics has reported that the 2022 and 2025 new standards will create more than 100,000 U.S. jobs in the auto industry by 2025 and more than 250,000 by 2035, and

Whereas, the American Lung Association recently released a poll showing that voters overwhelmingly support the U.S. Environmental Protection Agency's (EPA) current fuel efficiency standards for cars, SUVs, and light

trucks in model years 2022 to 2025, and the poll also found that nearly seven in 10 voters want EPA to leave current fuel efficiency standards in place, and

Whereas, the best-selling passenger car in America — while being more fuel efficient — earned the National Highway Safety Traffic Administration’s highest-possible 5-star rating in every safety category and earned a 2017 Top Safety Pick Plus designation from the Insurance Institute for Highway Safety, now therefore be it

Resolved by the Senate and House of Representatives:

That the General Assembly commends the Agency of Natural Resources and the Vermont Attorney General for their expressed opposition to the EPA’s proposal to roll back any of the Greenhouse Gas Emissions or CAFE Standards or to revoke the emissions waiver granted to California under the Act, and be it further

Resolved: That the General Assembly urges the Vermont Attorney General to join in any legal action against the EPA’s authority to adopt these regulatory changes, and be it further

Resolved: That the Secretary of State be directed to send a copy of this resolution to the EPA Administrator, the Secretary of Natural Resources, the Vermont Attorney General, and the Vermont Congressional Delegation.

Which was read and, in the Speaker’s discretion, treated as a bill and referred to the committee on Energy and Technology.

House Resolution Referred to Committee

H.R. 24

House resolution, entitled

House resolution strongly criticizing President Donald J. Trump

Offered by: Representatives Masland of Thetford, Belaski of Windsor, Briglin of Thetford, Donovan of Burlington, Dunn of Essex, Joseph of North Hero, Macaig of Williston, McCullough of Williston, Mrowicki of Putney, O’Sullivan of Burlington, Sharpe of Bristol, Squirrell of Underhill, Sullivan of Burlington, and Yantachka of Charlotte

Whereas, Donald J. Trump has used the Office of the President to bully, belittle, and disparage peoples of other nations, races, and creeds, and

Whereas, these disparaging comments date from his presidential campaign announcement on June 16, 2015, when he referred to Mexicans crossing the border as bringing crime and being rapists, comments that he repeated and defended in the subsequent weeks, and

Whereas, following the violent white supremacist and neo-Nazi-sponsored demonstration held in Charlottesville, Virginia in August 2017, President Trump's immediate public comment blamed "many sides" and lacked any specific condemnation of the far right organizations that sponsored the event, and

Whereas, he attempted to establish a moral equivalency between the white supremacist groups that sponsored the rally and those who opposed it, and

Whereas, during the presidential campaign, candidate Donald Trump proposed a Muslim ban, and although as President he denied that his proposed travel bans from predominately Muslim nations were in fact Muslim bans, they gave every appearance of attempting to achieve that objective, and

Whereas, these bans harken back to the Immigration Act of 1924 that halted most immigration from eastern and southern Europe and halted it entirely from Asia, and

Whereas, in January 2018, the President used a strong vulgarity to describe immigrants from Haiti and Africa while praising immigrants from nearly all-white Norway, and

Whereas, President Trump has consistently labeled stories from mainstream media as fake news, and even announced fake news awards, effectively questioning the role of a free press and First Amendment rights, and

Whereas, for the first time in its 83-year history, the majority of the members of the National Park System Advisory Board resigned to protest the Trump Administration's policies that ignore science and undermine environmental protection, and

Whereas, President Trump has repeatedly used the Office of the President to undermine the U.S. Constitution and the worldwide prestige of both his Office and the stature of the United States, and

Whereas, these actions in their totality justify the General Assembly to adopt this unprecedented resolution strongly criticizing the President of the United States, now therefore be it

Resolved by the Senate and House of Representatives:

That this legislative body strongly criticizes President Donald J. Trump for his unacceptable behavior as President of the United States, and be it further

Resolved: That the Clerk of the House be directed to send a copy of this resolution to President Donald Trump.

Which was read and referred to the committee on Government Operations.

Action on Bill Postponed**H. 874**

House bill, entitled

An act relating to inmate access to prescription drugs

Was taken up and pending the question, Will the House concur in the Senate proposal of amendment? on motion of **Rep. Taylor of Colchester**, action on the bill was postponed until April 26, 2018.

Third Reading; Bill Passed**H. 926**

House bill, entitled

An act relating to approval of amendments to the charter of the Town of Colchester

Was taken up, read the third time and passed.

**Third Reading; Bill Passed in Concurrence
With Proposal of Amendment****S. 92**

Senate bill, entitled

An act relating to interchangeable biological products

Was taken up, read the third time and passed in concurrence with proposal of amendment.

**Third Reading; Bill Passed in Concurrence
With Proposal of Amendment****S. 173**

Senate bill, entitled

An act relating to sealing criminal history records when there is no conviction

Was taken up, read the third time and passed in concurrence with proposal of amendment.

**Third Reading; Bill Passed in Concurrence
With Proposal of Amendment****S. 289**

Senate bill, entitled

An act relating to protecting consumers and promoting an open Internet in Vermont.

Was taken up and pending third reading of the bill, **Reps. Kimbell of Woodstock, Conquest of Newbury and Sibilis of Dover** moved to propose to the Senate to amend the bill as follows:

By adding a new Sec. 5, and accompanying reader assistance heading, to read as follows:

* * * Vermont Universal Service Fund; Temporary Rate Increase; Connectivity Fund * * *

Sec. 5. 30 V.S.A. § 7523 is amended to read:

§ 7523. RATE OF CHARGE

(a) Beginning on July 1, 2014, the rate of charge shall be two percent of retail telecommunications service.

(b) Beginning on July 1, 2018 and ending on June 30, 2022, the rate of charge established under subsection (a) of this section shall be increased by one-half of one percent of retail telecommunications service, and the monies collected from this increase shall be transferred to the Connectivity Fund established under section 7516 of this title.

(c) Universal Service Charges imposed and collected by the fiscal agent under this subchapter shall not be transferred to any other fund or used to support the cost of any activity other than in the manner authorized by this section and section 7511 of this title.

And by renumbering the remaining section to be numerically correct.

Thereupon, **Rep. Kimball of Woodstock** asked and was granted leave of the House to withdraw the amendment.

Thereupon, the bill was read the third time and passed in concurrence with proposal of amendment.

**Favorable Reports; Second Reading;
Bill Amended; Third Reading Ordered**

H. 927

Rep. Lewis of Berlin, for the committee on Government Operations, to which had been referred House bill, entitled

An act relating to approval of amendments to the charter of the City of Montpelier

Reported in favor of its passage.

Rep. Canfield of Fair Haven, for the committee on Ways and Means reported in favor of its passage.

The bill having appeared on the Calendar one day for notice, was taken up and read the second time.

Pending the question, Shall the bill be read a third time? **Reps. Lewis of Berlin and Gannon of Wilmington** moved to amend the bill as follows:

First: In Sec. 2, 24 App. V.S.A. chapter 5, subchapter 8, in § 805, by striking out the section in its entirety and inserting in lieu thereof a new § 805 to read:

§ 805. PLANNING COMMISSION

The Planning Commission shall consist of seven members appointed by the City Council for two-year terms in accordance with 24 V.S.A. §§ 4322-4323, as may be amended from time to time. On October 1, 2018, the City Council shall appoint four members to two-year terms and three members to one-year terms. Thereafter all terms shall run for two years beginning on October 1. Appointments to vacated positions shall run until the expiration of the existing term. The Planning Commission shall perform such planning functions and duties as may be required by the City Council, this chapter, ordinances, or applicable State laws.

Second: In Sec. 2, 24 App. V.S.A. chapter 5, subchapter 8, in § 806, in subsection (b), by striking out the subsection in its entirety and inserting in lieu thereof a new subsection (b) to read:

(b) On May 1, 2018 the City Council shall appoint three members to three-year terms, three members to two-year terms, and one member and two alternates to one-year terms. Thereafter all terms shall run for three years beginning on May 1. Appointments to vacated positions shall run until the expiration of the existing term.

Which was agreed to. Thereupon, third reading was ordered.

Remarks Journalized

On motion of **Rep. Hebert of Vernon**, the following remarks by **Rep. Frenier of Chelsea** were ordered printed in the Journal:

“Madam Speaker:

Today is April 19th. We called it Patriot’s Day in Massachusetts when I was a kid and it was a big deal in my home town of Bedford, which lay between Lexington and Concord. We kids all learned at least part of Emerson’s poem celebrating that day:

‘By the rude bridge that arched the flood,
Their flag to April's breeze unfurled,
Here once the embattled farmers stood,
And fired the shot heard round the world.’

That flag unfurled to April's breeze was the Bedford flag. It was carried to the battle by Nathaniel Page, a young guy who lived just down the road from me 170 years before I was born. He and the other embattled farmers—the Minutemen—joined together in a common effort to serve their community in a time of danger. They were my heroes. I transferred that boyhood regard for the Minutemen to the group of men in my day nearest to the Minutemen in their willingness to serve the town at a moment's notice when danger threatened: the volunteer firemen. In those days before pagers, the fire whistle would blow, Paul Gilman and Duke Steffanelli would come running out of their little general stores across the street from the firehouse. I can still see them untying their aprons as they ran. Freddy Genetti's dad, Charlie, would come flying into the parking lot in the town truck. The fire truck came roaring out of the station, Siren blaring. Traffic stopped. Little boys like me on their bikes would watch enthralled, transfixed by the romance of it all...and determined to be heroes like that someday ourselves.

Sixty years later I stand before you, an old man now, but still moved by the volunteer firefighters serving my town. So if you see one of those heroes today, be sure to thank them for being the Minutemen of their day.”

Adjournment

At one o'clock and forty-five minutes in the afternoon, on motion of **Rep. Turner of Milton**, the House adjourned until tomorrow at nine o'clock and thirty minutes in the forenoon.