

Journal of the House

Friday, February 8, 2019

At nine o'clock and thirty minutes in the forenoon the Speaker called the House to order.

Devotional Exercises

Devotional exercises were conducted by Representative Kevin Christie of Hartford.

House Bills Introduced

House bills of the following titles were severally introduced, read the first time and referred to committee or placed on the Calendar as follows:

H. 189

By Reps. Noyes of Wolcott and Wood of Waterbury,

House bill, entitled

An act relating to increasing Medicaid rates for home- and community-based service providers;

To the committee on Human Services.

H. 190

By Reps. McCullough of Williston, Sheldon of Middlebury, Webb of Shelburne, Dolan of Waitsfield, Squirrell of Underhill and Sullivan of Burlington,

House bill, entitled

An act relating to the management of fish and wildlife;

To the committee on Natural Resources, Fish, and Wildlife.

H. 191

By Reps. Sullivan of Burlington, Burke of Brattleboro, McCarthy of St. Albans City and White of Hartford,

House bill, entitled

An act relating to the Public Utility Commission and Department of Public Service's lack of jurisdiction over electric vehicle charging stations;

To the committee on Energy and Technology.

H. 192

By Reps. Canfield of Fair Haven, Sibia of Dover, Batchelor of Derby, Brennan of Colchester, Burditt of West Rutland, Chase of Colchester, Cupoli of Rutland City, Dickinson of St. Albans Town, Fagan of Rutland City, Gamache of Swanton, Goslant of Northfield, Gregoire of Fairfield, Helm of Fair Haven, LaClair of Barre Town, Leffler of Enosburgh, Martel of Waterford, Mattos of Milton, Morrissey of Bennington, Page of Newport City, Quimby of Concord, Rosenquist of Georgia, Savage of Swanton, Shaw of Pittsford, Strong of Albany, Sullivan of Dorset, Terenzini of Rutland Town and Toof of St. Albans Town,

House bill, entitled

An act relating to the appointment of the Adjutant General and creating a tax exemption for military retirement pay;

To the committee on General, Housing, and Military Affairs.

H. 193

By Reps. Noyes of Wolcott, Colston of Winooski, Hill of Wolcott, Masland of Thetford and Troiano of Stannard,

House bill, entitled

An act relating to creating a State funding match for Americorps members;

To the committee on Appropriations.

H. 194

By Reps. Yacovone of Morristown, Wood of Waterbury, Brumsted of Shelburne, Lanpher of Vergennes, Anthony of Barre City, Austin of Colchester, Birong of Vergennes, Bock of Chester, Briglin of Thetford, Burke of Brattleboro, Carroll of Bennington, Christensen of Weathersfield, Christie of Hartford, Cina of Burlington, Colburn of Burlington, Colston of Winooski, Copeland-Hanzas of Bradford, Cordes of Lincoln, Donovan of Burlington, Durfee of Shaftsbury, Forguites of Springfield, Gamache of Swanton, Gannon of Wilmington, Gardner of Richmond, Gonzalez of Winooski, Gregoire of Fairfield, Harrison of Chittenden, Hashim of Dummerston, Hill of Wolcott, Hooper of Randolph, Hooper of Burlington, Houghton of Essex, Howard of Rutland City, James of Manchester, Jessup of Middlesex, Killacky of South Burlington, Kitzmiller of Montpelier, Kornheiser of Brattleboro, Lefebvre of Newark, McCarthy of St. Albans City, McCormack of Burlington, McFaun of Barre Town, Morgan of Milton, Mrowicki of Putney, Nicoll of Ludlow, Norris of Shoreham, Noyes of Wolcott, O'Brien of Tunbridge, O'Sullivan of Burlington, Ode of Burlington, Pajala of Londonderry, Partridge of Windham,

Patt of Worcester, Potter of Clarendon, Rachelson of Burlington, Redmond of Essex, Rosenquist of Georgia, Scheu of Middlebury, Scheuermann of Stowe, Sheldon of Middlebury, Squirrell of Underhill, Stevens of Waterbury, Sullivan of Burlington, Szott of Barnard, Till of Jericho, Troiano of Stannard, Walz of Barre City, White of Hartford, Yantachka of Charlotte and Young of Greensboro,

House bill, entitled

An act relating to establishing incentives for early learning professionals and improving access to child care;

To the committee on Human Services.

H. 195

By Reps. Wood of Waterbury, McFaun of Barre Town and Till of Jericho,

House bill, entitled

An act relating to miscellaneous public health provisions;

To the committee on Human Services.

H. 196

By Reps. Young of Greensboro, Anthony of Barre City, Beck of St. Johnsbury, Biring of Vergennes, Bock of Chester, Burke of Brattleboro, Campbell of St. Johnsbury, Carroll of Bennington, Chesnut-Tangerman of Middletown Springs, Christie of Hartford, Cina of Burlington, Coffey of Guilford, Colburn of Burlington, Colston of Winooski, Copeland-Hanzas of Bradford, Cordes of Lincoln, Donovan of Burlington, Gonzalez of Winooski, Haas of Rochester, Hashim of Dummerston, Hill of Wolcott, Hooper of Randolph, Hooper of Burlington, Kitzmiller of Montpelier, Lanpher of Vergennes, Lefebvre of Newark, McCarthy of St. Albans City, McCormack of Burlington, McCullough of Williston, Mrowicki of Putney, Nicoll of Ludlow, Notte of Rutland City, Noyes of Wolcott, O'Brien of Tunbridge, O'Sullivan of Burlington, Pajala of Londonderry, Patt of Worcester, Rachelson of Burlington, Ralph of Hartland, Scheu of Middlebury, Smith of Derby, Squirrell of Underhill, Stevens of Waterbury, Sullivan of Burlington, Szott of Barnard, Trieber of Rockingham, Troiano of Stannard, Walz of Barre City, White of Hartford, Wood of Waterbury, Yacovone of Morristown and Yantachka of Charlotte,

House bill, entitled

An act relating to the regulation of cannabis and cannabis products for commercial and medical purposes;

To the committee on General, Housing, and Military Affairs.

Bill Referred to Committee on Ways and Means**H. 63**

House bill, entitled

An act relating to the time frame for return of unclaimed beverage container deposits

Appearing on the Calendar, affecting the revenue of the state, under rule 35(a), was referred to the committee on Ways and Means.

Bill Referred to Committee on Appropriations**H. 85**

House bill, entitled

An act relating to increasing the personal needs allowance for certain nursing home residents

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

Remarks Journalized

On motion of **Rep. Donovan of Burlington**, the following remarks by **Rep. Colston of Winooski** were ordered printed in the Journal:

“Madam Speaker:

I rise to say that black lives matter. Every morning when I leave my home I engage the world as a black man. I engage the world of Winooski as a black man. I engage the world of Montpelier as a black man. Everywhere I go I carry on my back an invisible knapsack filled with the burdens of racism. Black Lives Matter!

I grew up in York, PA a southern city just north of Mason-Dixon Line. I came of age in the 1960’s during the civil rights era. My Dad told me over and over that if I were to be successful in this world I had to be twice as good as the white man. I carry that burden in my knapsack. Black Lives Matter!

I moved to Vermont in 1989 when it was the whitest state in the country. I settled my family in Essex Junction. One day one of my beautiful black sons was walking down the bike path. Two white police officers were walking towards him. Then, they began running towards him. The next thing he knew he was thrown to the ground face first with a knee in his back and a 9mm gun stuck in the back of his head. Thank God he did not panic and reach for his wallet. Why? Because we had had the talk. He survived but has never been the same. He did nothing wrong. He broke no laws. His only crime was walking while black. Black Lives Matter!

I want to say to my white brothers and sisters in this chamber who hear my voice you must take responsibility for institutional racism and how it oppresses people of color. Why? Because you benefit from it and you are also harmed by it. You are free, and people like me, people of color, are unfree. We are all wounded by racism. Black Lives Matter!”

Remarks Journalized

On motion of **Rep. Donovan of Burlington**, the following remarks by **Rep. Cordes of Lincoln** were ordered printed in the Journal:

“Madam Speaker:

I rise to stand with my colleagues to say: 'Black Lives Matter'.

I am also a child of the 60s. I experienced the riots of Pontiac and Detroit as a white child in a white family, shielded from the devastation. There was one black child in my school. I learned my history, not the history of others who weren't white, or I learned a white-washed version of it.

I commit to working every day to dig deep and learn about how my privilege has advantaged me and harmed others. I commit to uncovering what I don't know because I was raised in white privilege. I implore my white colleagues here to do the same, to dig deep every day and join together to uproot this system of oppression.

I quote aboriginal activist Lilla Watson: 'If you have come here to help me, you are wasting your time. But if you have come because your liberation is bound up with mine, then let us work together.'”

Remarks Journalized

On motion of **Rep. Donovan of Burlington**, the following remarks by **Rep. Gonzalez of Winooski** were ordered printed in the Journal:

“Madam Speaker:

As you heard in today's devotional, today we celebrate and acknowledge Black Lives Matter Day.

A little history about the day. After high profile deaths of Black Americans during police encounters, Black Lives Matter as a movement sprung up around the nation. Here in Vermont, multiple groups have organized Black and non-black People of Color, and white Vermonters to address implicit and explicit bias within our policing, education, health care, and more. In our State House we have been able to pass policies that work to address these issues through fair and impartial policing policies, a cabinet level position to assess and address these issues and supporting our education system to also address these. And while we still have much work to do to pass and implement these efforts,

they are significant to moving us in the direction of inclusion and justice. The activists and organizers have worked to improve the lives of all Vermonters by grounding in the belief that BLACK lives matter.

We can see with the very personal attacks on one of our own, that Black lives are under attack. And making the simple statement that Black Lives Matter is a profound and important stance to make.

We can see by the hate-based vandalism against two lesbian/gay/bisexual/queer/ transgender organizations and a synagogue in Burlington two nights ago that by honoring black lives we are also able to address and confront hate based acts against multiple oppressed groups.

Shumlin declared Black Lives Matter day in 2015, and here in this chamber we have acknowledged this day in the middle of Feb since then. One of the ways we can continue to do so is through the "I am Vermont Too" art showcase in the cafeteria that will be up all month. Showcasing Black and non-Black People of Color throughout VT. Today we celebrate and honor that Black lives matter.”

Remarks Journalized

On motion of **Rep. Donovan of Burlington**, the following remarks by **Rep. Hashim of Dummerston** were ordered printed in the Journal:

“Madam Speaker:

In 2013, when I was a relatively new police officer, I found myself in the peculiar position of wondering about Black Lives Matter.

Some of my colleagues said the movement was entirely anti-police, yet others recognized that it was a movement that shed a light on the centuries of racial disparity that are real in this country.

At one point, I watched a video of a Black Lives Matter's organizer delivering a speech to an angry crowd.

He stood upon a stage and said the following statement: "Black Lives Matter is not anti-police, it is anti-bad police."

This succinct statement provided clarity for me. As someone who believes in fair, equitable, and honest policing, I couldn't agree more with what the organizer said before the crowd, and the underlying purpose of the movement.”

Remarks Journalized

On motion of **Rep. Donovan of Burlington**, the following remarks by **Rep. Troiano of Stannard** were ordered printed in the Journal:

“Madam Speaker:

I spoke of this a number of years ago, but inspired and motivated by today's devotion and having many new members I will tell this again. I was a 20-year-old soldier just a few months back from combat where a rifle was put in my hand to kill Asians. Now stationed in Fort Meade Maryland I was on Riot control duty. In the spring of 1968 a cardboard village was constructed on the Mall in Washington DC. People of color inhabited this village in memory of Martin Luther King who had been assassinated that spring. At a time our government determined that Resurrection had been there long enough the order came to vacate the Mall and the cardboard structures were removed. Riots ensued, at that time my unit the 6th Cavalry were sent into Washington DC to quash the riots. We rolled into the city on armored personal carriers with loaded weapons. Myself and a group of other Vets were outraged at the expectation of us to turn our weapons against the people of color in our country. We refused to do it, we patrolled the streets of Washing DC refusing to confront, arrest or turn our weapons against our black citizens. Instead we showed our concern for people's safety we advised people we encountered on the streets it was not safe to be there and they should go home and get off the streets. We showed respect to the people and we received their respect in return and they hustled off the streets. The duty was difficult, long hours patrolling the streets for days. But to a handful of soldiers on the streets of Washington DC in April 1968 Black Lives Mattered, BLACK LIVES MATTER.”

Rules Suspended; Bill Committed

H. 57

On motion of **Rep. McCoy of Poultney**, the rules were suspended and House bill, entitled

An act relating to An act relating to preserving the right to abortion;

Appearing on the Calendar for notice, was taken up for immediate consideration.

Thereupon, the bill was committed to the committee on Judiciary on motion of **Rep. Pugh of South Burlington**.

Favorable Report; Second Reading; Third Reading Ordered

H. 146

Rep. Notte of Rutland City, for the committee on Judiciary, to which had been referred House bill, entitled

An act relating to increasing the number of examiners on the Board of Bar Examiners from nine to 11 members

Reported in favor of its passage. The bill, having appeared on the Calendar one day for notice, was taken up, read the second time and third reading ordered.

**Joint Information Technology
Oversight Committee Appointed**

Pursuant to 2 V.S.A. § 614, the Chair hereby appoints the following members to the Joint Information Technology Oversight Committee:

Rep. Chase of Colchester

Rep. Feltus of Lyndon

Rep. Sibia of Dover

Joint Fiscal Committee Appointed

Pursuant to 2 V.S.A. § 501, the Chair hereby appoints the following members to the Joint Fiscal Committee:

Rep. Ancel of Calais

Rep. Fagan of Rutland City

Rep. Hooper of Montpelier

Rep. Toll of Danville

Rep. Lippert of Hinesburg

Legislative Council Committee Appointed

Pursuant to 2 V.S.A. § 402, the Chair hereby appoints the following members to Legislative Council:

Rep. Johnson of South Hero

Rep. McCoy of Poultney

Rep. Murphy of Fairfax

Rep. Kimbell of Woodstock

Adjournment

At ten o'clock and sixteen minutes in the forenoon, on motion of **Rep. McCoy of Poultney**, the House adjourned until Tuesday, February 12, 2019, at ten o'clock in the forenoon, pursuant to the provisions of J.R.S. 12.

Concurrent Resolutions Adopted

The following concurrent resolutions, having been placed on the Consent Calendar on the preceding legislative day, and no member having requested floor consideration as provided by Joint Rules of the Senate and House of Representatives, are hereby adopted in concurrence.

H.C.R. 37

House concurrent resolution designating Thursday, February 14, 2019 as Suicide Prevention Awareness Day at the State House;

H.C.R. 38

House concurrent resolution commemorating the bicentennial of Norwich University;

H.C.R. 39

House concurrent resolution congratulating the Milton High School Yellowjackets on achieving a fourth consecutive Division II girls' soccer championship;

H.C.R. 40

House concurrent resolution in memory of former Berlin and Northfield Chief of Police William Michael Jennings;

H.C.R. 41

House concurrent resolution in memory of Scott Skinner of Middlesex;

H.C.R. 42

House concurrent resolution in memory of Cornelius Hogan of Plainfield;

H.C.R. 43

House concurrent resolution congratulating the Vermont Center for Independent Living on its 40th anniversary;

H.C.R. 44

House concurrent resolution in memory of community volunteer and restorative justice advocate Susan Kendall Wisheart of Waterville;

H.C.R. 45

House concurrent resolution congratulating the 2018 class of Eagle Scouts in the State of Vermont;

H.C.R. 46

House concurrent resolution honoring Mariette Bock for her extraordinary

devotion to the Whiting Library in Chester;

[The full text of the concurrent resolutions appeared in the House Calendar Addendum on the preceding legislative day and will appear in the Public Acts and Resolves of the 2019, seventy-fifth Biennial session.]