

Journal of the House

Wednesday, April 17, 2019

At two o'clock and thirty minutes in the afternoon the Speaker called the House to order.

Devotional Exercises

Devotional exercises were conducted by Rev. Megan Stowe, St. Paul's United Methodist Church, St. Albans, VT.

Bill Referred to Committee on Ways and Means

S. 41

Senate bill, entitled

An act relating to regulating entities that administer health reimbursement arrangements

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

Joint Resolution Referred to Committee

J.R.H. 4

Joint resolution expressing support for the Vermont students who led a protest to demand that public officials act now to halt and reverse climate change

Offered by: Representative Ralph of Hartland

Whereas, a Swedish secondary school student, Greta Thunberg, has spurred a movement of her peers, who are demanding that public officials become proactive on climate change so that the resulting environmental damage can be halted and ideally reversed, and

Whereas, the weekly student strikes she inspired, known as Fridays for Future, spread beyond Sweden's borders through much of Europe, and

Whereas, the strong concerns that motivated European students to advocate for serious attention to climate change are now motivating students worldwide, including those in Vermont, and

Whereas, on March 15, 2019, Woodstock Union High School students organized the first Fridays for Future student strike in their community, and

Whereas, the students marched from Woodstock Union High School into the center of town, where, with speeches and accompanying posters, they

expressed their dismay at the lack of effective efforts to reverse climate change, and

Whereas, on the same day, approximately 200 students from Montpelier High School, U-32 High School, and Stowe High School, and other community groups organized a similar march to the State House, and

Whereas, at a State House press conference, one Montpelier student explained to the cheering students that her participation was intended to convey the message “I will not tolerate climate inaction,” while another student cited Caribbean hurricanes, California wildfires, and increased numbers of ticks in Vermont as evidence of climate change, and

Whereas, the students expressed their frustration that climate change legislation, such as H.477, a bill that would establish a carbon charge and includes other climate change measures, was not being acted upon, and

Whereas, on Town Meeting Day 2019, 16 municipalities passed nonbinding ballot measures calling for action on climate change, now therefore be it

Resolved by the Senate and House of Representatives:

That the General Assembly expresses support for the Vermont students who led a protest to demand that public officials act now to halt and reverse climate change, and be it further

Resolved: That the Secretary of State be directed to send a copy of this resolution to the Vermont Fridays for Future organizers from Montpelier, U-32, Stowe, and Woodstock high schools and to the Vermont Youth Lobby.

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

Joint Resolution Placed on Calendar

J.R.H. 5

Joint resolution authorizing the Green Mountain Girls State educational program to use the State House

Offered by: Representative Brumsted of Shelburne

Whereas, the American Legion Auxiliary of Vermont sponsors the Green Mountain Girls State educational program, providing a group of girls entering the 12th grade a special opportunity to study the workings of State government in Montpelier, and

Whereas, the Green Mountain Girls State educational program serves as an outstanding leadership-training forum for future civic leaders in Vermont, and

Whereas, as part of their visit to the State’s capital city, the girls conduct a mock legislative session in the State House, now therefore be it

Resolved by the Senate and House of Representatives:

That the Sergeant at Arms shall make available the chambers and committee rooms of the State House for the Green Mountain Girls State educational program on Wednesday, June 19, 2019, from 8:00 a.m. to 4:15 p.m., and be it further

Resolved: That the Secretary of State be directed to send a copy of this resolution to the American Legion Auxiliary of Vermont in Montpelier.

Which was read and, in the Speaker's discretion, placed on the Calendar for action on the next legislative day under Rule 52.

Joint Resolution Adopted in Concurrence**J.R.S. 24**

By Senator Ashe,

J.R.S. 24. Joint resolution relating to weekend adjournment.

Resolved by the Senate and House of Representatives:

That when the two Houses adjourn on Friday, April 19, 2019, it be to meet again no later than Tuesday, April 23, 2019.

Was taken up, read and adopted in concurrence.

Message from the Senate No. 40

A message was received from the Senate by Mr. Marshall, its Assistant Secretary, as follows:

Madam Speaker:

I am directed to inform the House that:

The Senate has on its part passed Senate bill of the following title:

S. 162. An act relating to promoting economic development.

In the passage of which the concurrence of the House is requested.

**Third Reading; Bill Passed in Concurrence
With Proposal of Amendment****S. 49**

Senate bill, entitled

An act relating to the regulation of polyfluoroalkyl substances in drinking and surface waters

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

Third Reading; Bill Passed in Concurrence**S. 53**

Senate bill, entitled

An act relating to determining the proportion of health care spending allocated to primary care

Was taken up, read the third time and passed in concurrence.

Third Reading; Bill Passed in Concurrence**S. 68**

Senate bill, entitled

An act relating to Indigenous Peoples' Day

Was taken up and pending third reading of the bill, **Reps. Batchelor of Derby and Gamache of Swanton** moved to propose to the Senate to amend the bill as follows:

By striking out all after the enacting clause and inserting in lieu thereof the following:

Sec. 1. LEGISLATIVE FINDINGS

The General Assembly of the State of Vermont finds:

(1) Indigenous Peoples' Day was originally proposed in 1977 by a delegation of Native Nations to the International Conference on Discrimination Against Indigenous Populations in the Americas.

(2) The General Assembly recognizes and values the historic, cultural, and contemporary significance of the indigenous peoples of the lands that later became known as the Americas, which includes Vermont.

(3) Vermont was founded and built upon lands whose original inhabitants were the Abenaki people and honors them and their ancestors.

(4) The establishment of this holiday will aid in the cultural development of Vermont's recognized tribes, while enabling all indigenous peoples in Vermont and elsewhere to move forward and formulate positive outcomes, from the history of colonization.

(5) An Indigenous Peoples' Day would provide a special opportunity for elementary and secondary school students to focus on the history of the Abenaki people in Vermont and to engage in frank discussions about the interactions of early European explorers and settlers in North America, including Christopher Columbus, with the indigenous population.

Sec. 2. 1 V.S.A. § 371 is amended to read:

§ 371. LEGAL HOLIDAYS

(a) The following shall be legal holidays:

- (1) New Year's Day, January 1;
- (2) Martin Luther King, Jr.'s Birthday, the third Monday in January;
- (3) Indigenous Peoples' Day, the first Monday in February;
- ~~(3)~~(4) Presidents' Day, the third Monday in February;
- ~~(4)~~(5) Town Meeting Day, the first Tuesday in March;
- ~~(5)~~(6) Memorial Day, the last Monday in May;
- ~~(6)~~(7) Independence Day, July 4;
- ~~(7)~~(8) Bennington Battle Day, August 16;
- ~~(8)~~(9) Labor Day, the first Monday in September;
- ~~(9)~~(10) Columbus Day, the second Monday in October;
- ~~(10)~~(11) Veterans' Day, November 11;
- ~~(11)~~(12) Thanksgiving Day, the fourth Thursday in November;
- ~~(12)~~(13) Christmas Day, December 25.

* * *

Sec. 3. 8 V.S.A. § 11201 is amended to read:

§ 11201. BUSINESS DAYS

(a) For purposes of this title, unless otherwise provided under other state or federal law applicable to a Vermont or state financial institution ~~which~~ that is a depository institution, a business day is a calendar day other than the following:

- (1) Saturday and Sunday;
- ~~January 1, New Year's Day;~~
- ~~The 3rd Monday in January, Martin Luther King, Jr. Day;~~
- ~~February 12, Lincoln's birthday;~~
- ~~The 3rd Monday in February, President's Day;~~
- ~~The first Tuesday in March, Town Meeting Day;~~

~~The last Monday in May, Memorial Day, but if the United States government designates May 30 as the date of observance of Memorial Day, then May 30;~~

~~July 4, Independence Day;~~

~~August 16, Bennington Battle Day;~~

~~The first Monday in September, Labor Day;~~

~~The 2nd the second Monday in October, Columbus Day~~

~~November 11, Veterans' Day;~~

~~The 4th Thursday in November, Thanksgiving Day; and~~

~~December 25, Christmas Day.~~

(2) New Year's Day, January 1;

(3) Martin Luther King, Jr.'s Birthday, the third Monday in January;

(4) President's Day, the third Monday in February;

(5) Town Meeting Day, the first Tuesday in March;

(6) Memorial Day, the last Monday in May;

(7) Independence Day, July 4;

(8) Bennington Battle Day, August 16;

(9) Labor Day, the first Monday in September;

(10) Columbus Day, the second Monday in October;

(11) Veterans' Day, November 11;

(12) Thanksgiving Day, the fourth Thursday in November;

(13) Christmas Day, December 25.

* * *

Sec. 4 EFFECTIVE DATE

This act shall take effect on July 1, 2019.

Pending the question, Shall the House propose to the Senate to amend the bill as offered by Reps. Batchelor of Derby and Gamache of Swanton? **Rep. Batchelor of Derby** demanded the Yeas and Nays, which demand was sustained by the Constitutional number. The Clerk proceeded to call the roll and the question, Shall the House propose to the Senate to amend the bill as offered by Reps. Batchelor of Derby and Gamache of Swanton? was decided in the negative. Yeas, 42. Nays, 95.

Those who voted in the affirmative are:

Bancroft of Westford	Goslant of Northfield	Myers of Essex
Batchelor of Derby	Graham of Williamstown	Norris of Shoreham
Bates of Bennington	Gregoire of Fairfield	Page of Newport City
Beck of St. Johnsbury	Hango of Berkshire	Palasik of Milton
Brennan of Colchester	Harrison of Chittenden	Quimby of Concord
Brownell of Pownal	Helm of Fair Haven	Rosenquist of Georgia
Burditt of West Rutland	Higley of Lowell	Savage of Swanton
Canfield of Fair Haven	LaClair of Barre Town	Scheuermann of Stowe
Carroll of Bennington	Lefebvre of Newark	Shaw of Pittsford
Cupoli of Rutland City	Marcotte of Coventry	Smith of Derby
Dickinson of St. Albans Town	Martel of Waterford	Smith of New Haven
Fagan of Rutland City	McCoy of Poultney	Terenzini of Rutland Town
Feltus of Lyndon	McFaun of Barre Town	Toof of St. Albans Town
Gamache of Swanton	Morgan of Milton	
	Morrissey of Bennington	

Those who voted in the negative are:

Ancel of Calais	Giambatista of Essex	Pajala of Londonderry
Anthony of Barre City	Grad of Moretown	Partridge of Windham
Austin of Colchester	Haas of Rochester	Patt of Worcester
Bartholomew of Hartland	Hashim of Dummerston	Potter of Clarendon
Birong of Vergennes	Hill of Wolcott	Pugh of South Burlington
Bock of Chester	Hooper of Montpelier	Rachelson of Burlington
Briglin of Thetford	Hooper of Randolph	Ralph of Hartland
Browning of Arlington	Hooper of Burlington	Redmond of Essex
Brumsted of Shelburne	Houghton of Essex	Rogers of Waterville
Burke of Brattleboro	Howard of Rutland City	Scheu of Middlebury
Campbell of St. Johnsbury	James of Manchester	Seymour of Sutton
Chase of Colchester	Jerome of Brandon	Sheldon of Middlebury
Chesnut-Tangerman of Middletown Springs *	Killacky of South Burlington	Sibilia of Dover
Christensen of Weathersfield	Kimbell of Woodstock	Squirrell of Underhill
Christie of Hartford	Kitzmiller of Montpelier	Stevens of Waterbury
Cina of Burlington	Kornheiser of Brattleboro	Sullivan of Dorset
Coffey of Guilford	LaLonde of South Burlington	Sullivan of Burlington
Colburn of Burlington	Lanpher of Vergennes	Szott of Barnard
Colston of Winooski	Leffler of Enosburgh	Taylor of Colchester
Copeland-Hanzas of Bradford	Lippert of Hinesburg	Toleno of Brattleboro
Corcoran of Bennington	Long of Newfane	Toll of Danville
Cordes of Lincoln	Macaig of Williston	Townsend of South Burlington
Demrow of Corinth	Masland of Thetford	Trieber of Rockingham
Dolan of Waitsfield	McCarthy of St. Albans City	Troiano of Stannard
Donahue of Northfield *	McCormack of Burlington	Walz of Barre City
Donovan of Burlington	McCullough of Williston	Webb of Shelburne
Durfee of Shaftsbury	Mrowicki of Putney	White of Hartford
Elder of Starksboro	Murphy of Fairfax	Wood of Waterbury
Fegard of Berkshire	Nicoll of Ludlow	Yacovone of Morristown
	Noyes of Wolcott	Yantachka of Charlotte

Gannon of Wilmington	O'Brien of Tunbridge	Young of Greensboro
Gardner of Richmond	Ode of Burlington	
	O'Sullivan of Burlington	

Those members absent with leave of the House and not voting are:

Conlon of Cornwall	Jessup of Middlesex	Notte of Rutland City
Conquest of Newbury	Jickling of Randolph	Strong of Albany
Emmons of Springfield	Krowinski of Burlington	Till of Jericho
Gonzalez of Winooski	Mattos of Milton	

Rep. Chesnut-Tangerman of Middletown Springs explained his vote as follows:

“Madam Speaker:

Two thoughts: 1) History is not objective. It is written by the victors. In writing our history we have erred grievously. 2) When you make a mistake, admit it, correct it, and move on. We are doing that today.”

Rep. Donahue of Northfield explained her vote as follows:

“Madam Speaker:

Removing a holiday celebrating Columbus for discovering America is not changing history. It is correcting an error of the history we were once taught.”

Thereupon, the bill was read the third time and passed in concurrence.

Adjournment

At three o'clock and fifty-four minutes in the afternoon, on motion of **Rep. McCoy of Poultney**, the House adjourned until tomorrow at one o'clock in the afternoon.