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) Presidents’ Day, the third Monday in February;
(4) Town Meeting Day, the first Tuesday in March;
(5) Memorial Day, the last Monday in May;
(6) Independence Day, July 4;
(7) Bennington Battle Day, August 16;
(8) Labor Day, the first Monday in September;
(9) Columbus Day, the second Monday in October;
(10) Veterans’ Day, November 11;
(11) Thanksgiving Day, the fourth Thursday in November;

* * *

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 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;

* * *

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:

<table>
<thead>
<tr>
<th>Name</th>
<th>Affirmative Location</th>
<th>Name</th>
<th>Affirmative Location</th>
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</thead>
<tbody>
<tr>
<td>Bancroft of Westford</td>
<td>Goslant of Northfield</td>
<td>Myers of Essex</td>
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<tr>
<td>Batchelor of Derby</td>
<td>Graham of Williamstown</td>
<td>Norris of Shoreham</td>
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<td>Bates of Bennington</td>
<td>Gregoire of Fairfield</td>
<td>Page of Newport City</td>
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<td>Beck of St. Johnsbury</td>
<td>Hango of Berkshire</td>
<td>Palasik of Milton</td>
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<td>Brennan of Colchester</td>
<td>Harrison of Chittenden</td>
<td>Quimby of Concord</td>
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<td>Brownell of Pownal</td>
<td>Helm of Fair Haven</td>
<td>Rosenquist of Georgia</td>
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<td>Burditt of West Rutland</td>
<td>Higley of Lowell</td>
<td>Savage of Swanton</td>
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<tr>
<td>Canfield of Fair Haven</td>
<td>LaClair of Barre Town</td>
<td>Scheuermann of Stowe</td>
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<td>Carroll of Bennington</td>
<td>Lefebvre of Newark</td>
<td>Shaw of Pittsford</td>
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<tr>
<td>Cupoli of Rutland City</td>
<td>Marcotte of Coventry</td>
<td>Smith of Derby</td>
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<tr>
<td>Dickinson of St. Albans</td>
<td>Martel of Waterford</td>
<td>Smith of New Haven</td>
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<td>Town</td>
<td>McCoy of Poultney</td>
<td>Terenzini of Rutland Town</td>
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<td>Fagan of Rutland City</td>
<td>McFaun of Barre Town</td>
<td>Toof of St. Albans Town</td>
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<td>Feltus of Lyndon</td>
<td>Morgan of Milton</td>
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<td>Gamache of Swanton</td>
<td>Morrissey of Bennington</td>
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Those who voted in the negative are:

<table>
<thead>
<tr>
<th>Name</th>
<th>Negative Location</th>
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<tbody>
<tr>
<td>Ancel of Calais</td>
<td>Giambatista of Essex</td>
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<tr>
<td>Anthony of Barre City</td>
<td>Grad of Moretown</td>
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<tr>
<td>Austin of Colchester</td>
<td>Haas of Rochester</td>
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<td>Bartholomew of Hartland</td>
<td>Hashim of Dummerston</td>
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<td>Biron of Vergennes</td>
<td>Hill of Wolcott</td>
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<td>Bock of Chester</td>
<td>Hooper of Montpelier</td>
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<td>Briglin of Thetford</td>
<td>Hooper of Randolph</td>
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<td>Browning of Arlington</td>
<td>Hooper of Burlington</td>
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<td>Brumsted of Shelburne</td>
<td>Houghton of Essex</td>
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<tr>
<td>Burke of Brattleboro</td>
<td>Howard of Rutland City</td>
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<td>Campbell of St. Johnsbury</td>
<td>James of Manchester</td>
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<td>Chase of Colchester</td>
<td>Jerome of Brandon</td>
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<td>Chesnutt-Tangerman of</td>
<td>Killacky of South Burlington</td>
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<td>Middletown Springs *</td>
<td>Kimbell of Woodstock</td>
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<td>Christensen of Weathersfield</td>
<td>Kitzmiller of Montpelier</td>
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<td>Christie of Hartford</td>
<td>Kornheiser of Brattleboro</td>
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<td>Cina of Burlington</td>
<td>LaLonde of South</td>
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<tr>
<td>Coffey of Guilford</td>
<td>Burlington</td>
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<td>Colburn of Burlington</td>
<td>Lanpher of Vergennes</td>
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<td>Colston of Winooski</td>
<td>Lefler of Enosburgh</td>
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<td>Copeland-Hanzas of</td>
<td>Lippet of Hinesburg</td>
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<td>Bradford</td>
<td>Long of Newfane</td>
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<tr>
<td>Corcoran of Bennington</td>
<td>Macaig of Williston</td>
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<td>Cordes of Lincoln</td>
<td>Masland of Thetford</td>
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<td>Demrow of Corinth</td>
<td>McCarthy of St. Albans City</td>
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<tr>
<td>Dolan of Waitsfield</td>
<td>McCormack of Burlington</td>
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<tr>
<td>Donahue of Northfield *</td>
<td>McCullough of Williston</td>
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<td>Donovan of Burlington</td>
<td>Mrowicki of Putney</td>
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<td>Durfee of Shafsbury</td>
<td>Murphy of Fairfax</td>
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<td>Elder of Starksboro</td>
<td>Nicoll of Ludlow</td>
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<td>Fegard of Berkshire</td>
<td>Noyes of Wolcott</td>
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Those members absent with leave of the House and not voting are:

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

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.

Adjourment

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