

# Journal of the House

Wednesday, March 31, 2021

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

## Devotional Exercises

A moment of silence was observed in lieu of a devotional.

## Message from the Senate No. 35

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 bills of the following titles:

**S. 48.** An act relating to Vermont's adoption of the interstate Nurse Licensure Compact.

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

The Senate has considered a bill originating in the House of the following title:

**H. 81.** An act relating to statewide public school employee health benefits.  
And has passed the same in concurrence.

The Senate has on its part adopted joint resolution of the following title:

**J.R.S. 21.** Joint resolution relating to weekend adjournment.

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

The Governor has informed the Senate that on the 29th day of March, 2021, he approved and signed a bill originating in the Senate of the following title:

**S. 117.** An act relating to extending health care regulatory flexibility during and after the COVID-19 pandemic and to coverage of health care services delivered by audio-only telephone.

## House Bill Introduced

**H. 441**

By Rep. Till of Jericho,

House bill, entitled

An act relating to eliminating penalties on underpayments of estimated tax on retirement income

Was read the first time and referred to the Committee on Ways and Means.

**Senate Bill Referred**

**S. 48**

Senate bill, entitled

An act relating to Vermont's adoption of the interstate Nurse Licensure Compact

Was read the first time and referred to the Committee on Government Operations.

**Joint Resolution Adopted in Concurrence**

**J.R.S. 21**

By Senator Balint,

**J.R.S. 21.** Joint resolution relating to weekend adjournment.

***Resolved by the Senate and House of Representatives:***

That when the two Houses adjourn on Friday, April 2, 2021, it be to meet again no later than Tuesday, April 6, 2021.

Was taken up, read, and adopted in concurrence.

**Action on Bill Postponed**

**H. 315**

House bill, entitled

An act relating to COVID-19 relief

Was taken up and pending the question, Shall the House concur in the Senate proposal of amendment?, on motion of **Rep. Hooper of Montpelier**, action on the bill was postponed until April 1, 2021.

**Second Reading; Resolution Amended; Third Reading Ordered**

**J.R.H. 2**

**Rep. Stevens of Waterbury**, for the Committee on General, Housing, and Military Affairs, to which had been referred House resolution, entitled

Joint resolution sincerely apologizing and expressing sorrow and regret to all individual Vermonters and their families and descendants who were harmed as a result of State-sanctioned eugenics policies and practices

Reported in favor of its adoption when amended by striking out all Whereas and Resolved clauses and inserting in lieu thereof the following:

Whereas, State institutions established in the 19th century, including the Vermont State Hospital for the Insane and the Vermont Reform School, became settings for the implementation of eugenics policies, and

Whereas, in 1912, the intent of the General Assembly to develop policies that in later years would be identified as the practice of eugenics was manifested with the passage of the subsequently vetoed S.79 of 1912, “An act to authorize and provide for the sterilization of imbeciles, feeble-minded, and insane persons, rapists, confirmed criminals and other defectives” and through the enactment of Acts and Resolves No. 81 of 1912, “An act to provide for the care, training and education of feeble-minded children,” the law authorizing the Brandon Training School, which opened in 1915, and

Whereas, in 1925, University of Vermont zoology professor Henry F. Perkins established the Eugenics Survey of Vermont, with the participation of leaders within Vermont State government, to collect evidence of Vermonters alleged delinquency, dependency, and deficiency, and

Whereas, State-sanctioned eugenics policies targeted Vermonters of Native American Indian heritage, including French-Indian and Abenaki families, and persons of mixed ethnicity and of French-Canadian heritage, as well as the poor and persons with disabilities, among others, and

Whereas, in 1927, S.59 “An act related to Voluntary Eugenic Sterilization” passed the Senate but was defeated in the House, and

Whereas, the General Assembly adopted 1931 Acts and Resolves No. 174 (Act 174) “An Act for Human Betterment by Voluntary Sterilization,” for the purpose of eliminating from the future Vermont genetic pool persons deemed mentally unfit to procreate, and

Whereas, Act 174 resulted in the sterilization of Vermonters, and whether these individuals provided informed consent can be questioned, and

Whereas, this State-sanctioned eugenics policy was not an isolated example of oppression, but reflected the historic marginalization, discriminatory treatment, and displacement of these targeted groups in Vermont, and

Whereas, eugenics advocates promoted sterilization for the protection of Vermont’s “old stock” and to preserve the physical and social environment of Vermont for their children, and

Whereas, the Eugenics Survey received assistance from State and municipal officials, individuals, and private organizations, and the resulting sterilization, institutionalization, and separation policies intruded on the lives of its victims and had devastating and irreversible impacts that still persist in the lives of the targeted groups and especially the descendants of those who were directly impacted, and

Whereas, in conducting the Eugenics Survey, the surveyors were granted access to case files from State agencies and institutions, and the files were made available to persons of authority, including police departments, social workers, educators, and town officials, and

Whereas, as a result of the opening of these files, children and adults were removed from families, individuals were institutionalized or incarcerated, family connections were severed, and the sense of kinship, continuity and community was lost, now therefore be it

Resolved by the Senate and House of Representatives:

That the General Assembly sincerely apologizes and expresses its sorrow and regret to all individual Vermonters and their families and descendants who were harmed as a result of State-sanctioned eugenics policies and practices, and be it further

Resolved: That the General Assembly recognizes that further legislative action should be taken to address the continuing impact of State-sanctioned eugenics policies and related practices of disenfranchisement, ethnocide, and genocide.

The resolution, which was treated as a bill under Rule 52 and having appeared on the Calendar for Notice, was taken up, and read the second time.

Pending the question, Shall the resolution be amended as recommended by the Committee on General, Housing, and Military Affairs? **Rep. Donahue of Northfield** 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 resolution be amended as recommended by the Committee on General, Housing, and Military Affairs? was decided in the affirmative. Yeas, 146. Nays, 0.

Those who voted in the affirmative are:

Achey of Middletown Springs	Goslant of Northfield	O'Brien of Tunbridge
Ancel of Calais	Grad of Moretown	Ode of Burlington *
Anthony of Barre City	Gregoire of Fairfield	Page of Newport City
Arrison of Weathersfield	Hango of Berkshire	Pajala of Londonderry
Austin of Colchester	Harrison of Chittenden	Palasik of Milton
	Higley of Lowell	Parsons of Newbury

Bartholomew of Hartland	Hooper of Montpelier	Partridge of Windham
Batchelor of Derby	Hooper of Randolph	Patt of Worcester *
Beck of St. Johnsbury	Hooper of Burlington	Pearl of Danville
Birong of Vergennes	Houghton of Essex	Peterson of Clarendon
Black of Essex	Howard of Rutland City	Pugh of South Burlington
Bluemle of Burlington	James of Manchester	Rachelson of Burlington *
Bock of Chester	Jerome of Brandon	Redmond of Essex
Bongartz of Manchester	Jessup of Middlesex	Rogers of Waterville
Bos-Lun of Westminster	Killackey of South Burlington	Rosenquist of Georgia
Brady of Williston	Kimbell of Woodstock	Satcowitz of Randolph
Brennan of Colchester	Kitzmiller of Montpelier	Savage of Swanton
Briglin of Thetford	Kornheiser of Brattleboro	Scheu of Middlebury
Brown of Richmond	LaClair of Barre Town	Scheuermann of Stowe
Brownell of Pownal	LaLonde of South	Seymour of Sutton
Brumsted of Shelburne	Burlington	Shaw of Pittsford
Burditt of West Rutland	Lanpher of Vergennes	Sheldon of Middlebury
Burke of Brattleboro	Lefebvre of Newark	Sibilia of Dover
Burrows of West Windsor	Lefebvre of Orange	Sims of Craftsbury *
Campbell of St. Johnsbury	Leffler of Enosburgh	Small of Winooski
Canfield of Fair Haven	Lippert of Hinesburg	Smith of New Haven
Chase of Colchester	Long of Newfane	Squirrell of Underhill
Christie of Hartford	Marcotte of Coventry	Stebbins of Burlington
Cina of Burlington	Martel of Waterford	Stevens of Waterbury
Coffey of Guilford	Martin of Franklin	Strong of Albany
Colburn of Burlington	Masland of Thetford	Sullivan of Dorset
Colston of Winooski	Mattos of Milton	Surprenant of Barnard
Conlon of Cornwall	McCarthy of St. Albans City	Taylor of Colchester
Copeland Hanzas of	McCormack of Burlington *	Terenzini of Rutland Town
Bradford	McCoy of Poultney	Till of Jericho
Corcoran of Bennington	McCullough of Williston	Toleno of Brattleboro
Cordes of Lincoln	McFaun of Barre Town	Toof of St. Albans Town
Cupoli of Rutland City	Morgan, L. of Milton	Townsend of South
Dickinson of St. Albans	Morgan, M. of Milton	Burlington
Town	Morris of Springfield	Troiano of Stannard
Dolan of Essex	Morrissey of Bennington	Vyhovsky of Essex
Dolan of Waitsfield	Mrowicki of Putney	Walz of Barre City
Donahue of Northfield	Mulvaney-Stanak of	Webb of Shelburne
Donnally of Hyde Park	Burlington	White of Bethel
Durfee of Shaftsbury	Murphy of Fairfax	White of Hartford
Elder of Starksboro	Nicoll of Ludlow	Whitman of Bennington
Emmons of Springfield	Nigro of Bennington	Williams of Granby
Fagan of Rutland City	Norris of Sheldon	Wood of Waterbury
Feltus of Lyndon	Norris of Shoreham	Yacovone of Morristown
Gannon of Wilmington	Notte of Rutland City	Yantachka of Charlotte
Goldman of Rockingham	Noyes of Wolcott	

Those who voted in the negative are: none

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

Graham of Williamstown

Helm of Fair Haven

Smith of Derby

**Rep. McCormack of Burlington** explained his vote as follows:

“Madam Speaker:

Because of the well deserved reference to the University of Vermont in J.R.H. 2, let the record show that in June 2019 the University issued a public apology for its role in the Genetics Survey and changed the name of the library removing the name of the President of the University at the time of the Genetics Survey. As one of your UVM trustees I enthusiastically voted for these actions as I do today for J.R.H, 2.”

**Rep. Ode of Burlington** explained her vote as follows:

“Madam Speaker:

I am grateful to vote yes for this resolution today.

Thank you for the work — over the years — to make this vote possible.”

**Rep. Patt of Worcester** explained his vote as follows:

“Madam Speaker:

In voting for this Resolution, I honor my parents, refugees who escaped the Holocaust and arrived in New York City on Election Day, 1940. I honor my maternal grandmother and grandfather, after whom I am named, who did not escape. I honor other members of my family who perished, including those who fought in the Resistance to that genocide.”

**Rep. Rachelson of Burlington** explained her vote as follows:

“Madam Speaker:

I am grateful for the opportunity to vote yes on this resolution and thank you and the Committee on General Housing, and Military Affairs for this chance.

The actions of the past, including the former House body, have caused grave harm to so many. While I was not alive at the time, I know the world, and Vermont today, are very much negatively affected by these awful actions and others that still are happening. I can vouch for the impact this trauma carries on future generations.

My extended family too was partially extinguished in firing squads, and concentration camps. I have witnessed how the impact is passed on to future generations and have seen it shape our family ever since. I remember my daughter’s fascination and horror hearing those stories, and when she read Ann Frank’s diary in elementary school, and her eagerness to visit the Holocaust

Museum in D.C. when it first opened. We went and she got physically ill during the visit.

I voted yes, and I vow to take continue to learn more and take bystander intervention training. I commit to doing all that I can in my lifetime to put meaning into the words 'never again.'"

**Rep. Sims of Craftsbury** explained her vote as follows:

"Madam Speaker:

J.R.H.2 acknowledges and confronts the shameful history of eugenics and its ongoing legacies here in our State.

Today, we recognize and condemn the State-sanctioned eugenics policies and practices.

I was proud to vote yes on this resolution because our apology is an important step towards addressing the grave injustices of the past, learning from those mistakes, and strengthening our commitment to the values of freedom and unity for all."

Thereupon, third reading was ordered.

#### **Remarks Journalized**

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

"Madam Speaker:

I rise in solidarity on this Transgender Day of Visibility to celebrate Transgender people around the world, and in Vermont.

While recognition, support, and ally ship has grown considerably since the first TDoV in 2009, it is clear that we have a long way to go before our Transgender friends are truly free to be, free to live authentically and visibly without fear of the ignorance, hate, and fear imposed upon them by others. Indeed, we are witnessing an alarming increase of codification of this dangerous mindset in state policy making nationwide.

I honor the deep positive changes that the Transgender community have brought to all us, including broadening the commitment for justice for the entire LGBTQ movement, and at incredible personal risk in just demanding the freedom to be themselves, raising awareness of the broad diversity of human beings, including but not limited to the diversity in gender identity.

Lastly, I am proud to recognize and honor our sister colleague in the Legislature, the member from Winooski, for her profound and continued

contributions to her town, to this General Assembly, to the State of Vermont, and to this country.”

**Message from the Senate No. 36**

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

Madam Speaker:

I am directed to inform the House that:

The Senate has on its part passed Senate bills of the following titles:

**S. 79.** An act relating to improving rental housing health and safety.

**S. 101.** An act relating to promoting housing choice and opportunity in smart growth areas.

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

**Adjournment**

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