

S163 would increase State role in housing inspections, register contractors
- Pg. 6

Op-eds, pg. 3:
Involuntary school mergers



G. Honigford



R. Szott

House Roll Calls
Pgs. 4-5

Water Quality
Fuel Oil Tax
Smoking Age
Juv. Jurisdiction
Lead in schools

Tracking the
BIG BILLS
of the
2019 session:

Volume 1, No. 3, May 15, 2019



the
Chronicle of the
Vermont State House

Tuesday, May 14, 2019 – During what may be the Vermont Legislature’s last full week, decisions are being made on major pieces of legislation that have been the focus of policymakers, lobbyists and media all session.

S23, minimum wage

The version passed by House Appropriations yesterday by a 6-5 vote would get the minimum wage to \$15/hour by as soon as 2026 – two years later than the Senate version. The bill goes to the House floor today. It faces an amendment by Rep. Chip Troiano (D-Stannard) to return \$15/hour timeline to 2024, as approved by the Senate.

H107, paid family leave

A slimmed-down Senate version is on today’s calendar for a Senate floor vote. The Senate version eliminates personal paid leave for employees but still allows them to take paid time off for ailing family members. The House bill would require \$76 million in payroll taxes; the Senate version, an estimated \$27 million.

S54, taxed and regulated marijuana

As reported elsewhere in this issue, S54 is in the Ways and Means Committee. Although no further discussion has been scheduled, Chair Janet Ancel (according to several sources) is considering moving forward with the bill but is concerned the fees will not cover regulatory set-up costs in the first year or two. These expenses could possibly be paid with in anticipation of expected excise tax receipts. It is unclear however which funding source would supply this seeming “bridge loan”.

S96, water quality

Today, the Senate will also consider

(continued on page 4)



CANNON CAVORT - This is what it looks like when someone asks 10 State House pages to pose for a serious portrait! From left to right: Skylar Foster, Jericho; Oliver Szott, Barnard; Zane Mawhinney, Lyndonville; Hayden Ross, Barre; Gavin Gray, Northfield; Cassidy Berry, Waterbury; Cyd Edge-Gerrol, Wallingford; Anja Wellspeak, Pownal; Anna Isselhardt, Elmore; Lindsey Bigelow, Warren. Missing from the April 9–May 17 group of pages: Grace Waryas, Bellows Falls. Chronicle photo

First law enacted in 2019: New state working group to oppose ethnic, social bias in local school districts

By Guy Page

[Act 1](#), the first Vermont Legislature bill to become law this year, creates a 20-member advisory board to recommend to the Vermont State Board of Education new student performance standards “to recognize fully the history, contributions, and perspectives of ethnic groups and social groups.”

The law, approved March 29 by Gov. Phil Scott, is entitled “An act relating to ethnic and social equity studies standards for public schools.” The Ethnic and Social Equity Standards Advisory Working Group is scheduled to meet for the first time September 1, 2019.

Its 20 members will include 10 members appointed by the Vermont

Coalition for Ethnic and Social Equity in Schools. All 10 must be members of an ethnic or social group, and two must be high school students. Act 1 defines ethnic groups as “nondominant racial and ethnic groups in the United States, including people who are Abenaki, people from other indigenous groups, people of African, Asian, Pacific Island, Chicano, Latinx, or Middle Eastern descent; and groups that have been historically subject to persecution or genocide.”

It defines social groups as “women and girls, people with disabilities, immigrants, refugees, and individuals who are lesbian, gay, bisexual,

(continued on page 7)

New Working Group will review district policies and recommend new student performance standards

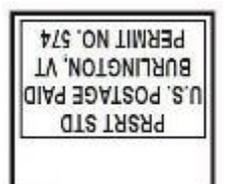
Towns can’t get tough on plastic bags, straws

A few hours before the full House gave preliminary approval to [S113](#), the proposed ban on plastic carryout bags, and single-use straws and polystyrene

containers, the House Natural Resources, Fish & Wildlife Committee

(continued on page 6)

POSTAL CUSTOMER



Waiting period won't reduce suicides

As I understand it: The suggested need for a Waiting Period is as a way to help reduce impulsive acts done with firearms, specifically suicides or murders, with this being referred to as "reducing access to lethal means".

Regarding suicide by firearm: According to the Vermont Department of Mental Health, in 2016 there were 1,141 suicide attempts. Of those, 1,070 or 94% were attempts using something other than a firearm. For those suicides where a firearm was used, the vast majority were done with a firearm that was already owned.

It is actually a pretty rare event when a person will go to a store, buy a firearm and then kill themselves with it.

Regarding the impulsive use of a firearm for murder, this is not a common event in Vermont either. Per the FBI: Vermont is consistently the first or second safest state in the nation when it comes to violent crime. Impulsively buying a firearm for immediate nefarious purposes is also a pretty rare event.

A Waiting Period will be ineffective for the simple reason that people plan. When someone decides to hop in their car, go to a store, fake any distress, buy a firearm and then go home and kill themselves with it: That's a plan. No matter what time limit is imposed, if someone is determined they will simply plan around a Waiting Period.

There are other problems with a Waiting Period.

To begin: Just what is the balance between the concept of a Waiting Period and the unalienable Right of Self Defense? According to the Judiciary Annual Statistical Report, there were 3,380 Relief From Abuse (RFA) filings in 2018, an increase of 8% over 2017. Temporary Restraining Orders were granted for 2,636 cases. Final orders were granted for 1,589.

There can be no question that there are Vermonters who are in fear of violence as it is clear there are thousands. Likewise there should be no question that Vermonters have a Right to Self Defense.

It is not unrealistic to believe that some of those Vermonters under the threat of violence may choose to immediately obtain the means for their defense. Beyond those Vermonters is any Vermonter who understands that the defensive use of firearms is a "Common Occurrence" and who also wish to immediately prepare themselves.

How tragic will it be when a known victim is killed by a known aggressor while the victim was in a Waiting Period? These stories exist now, just not in Vermont.

What of the situation where the purchaser already owns a firearm? There were 41,000 firearm transfers in Vermont for 2018, one of which we now hope was preventable. If the intent of a Waiting Period is to reduce access to lethal means, what is accomplished when a Vermonter already owns lethal means?

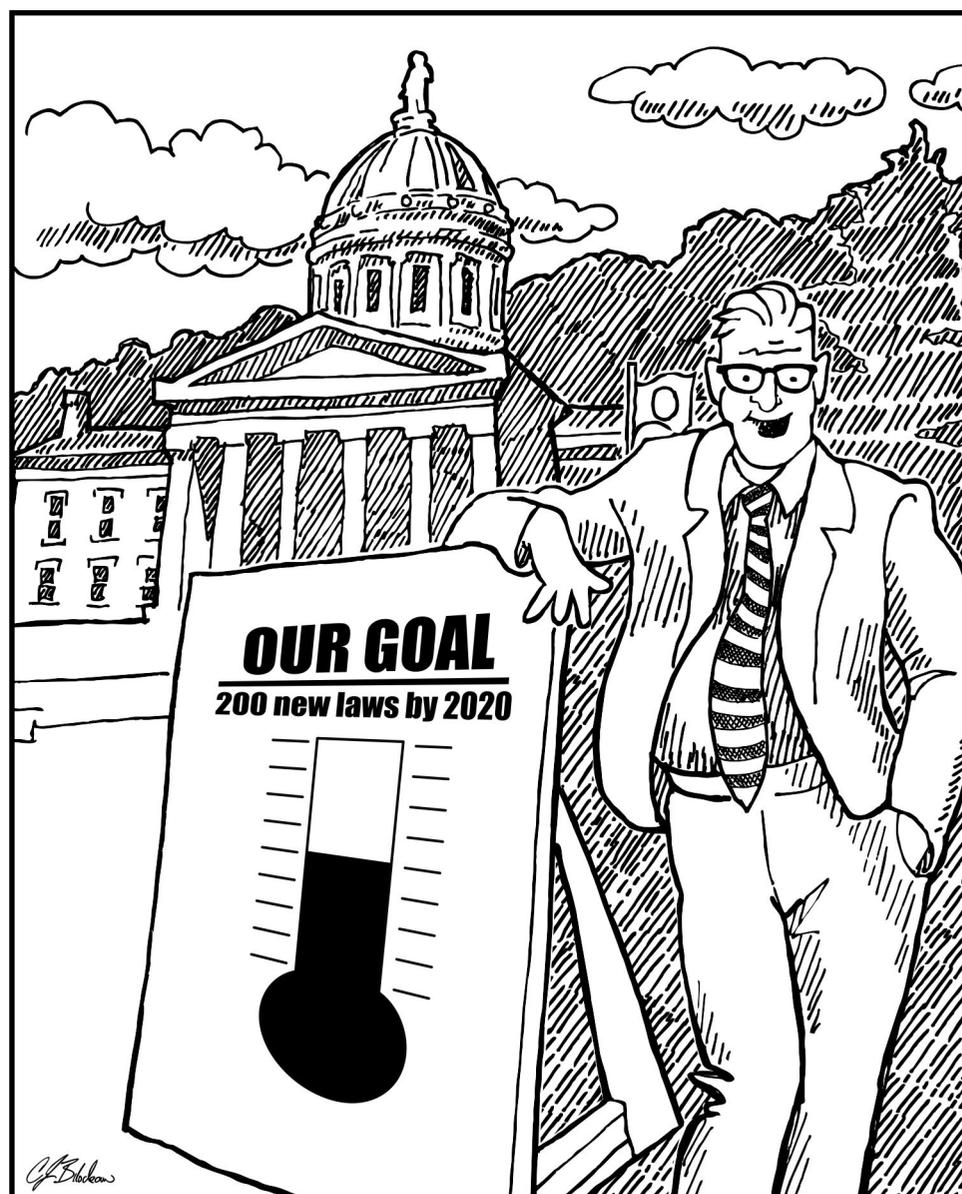
While establishing a Waiting Period might, possibly, maybe help reduce what are already rare events, Waiting Periods will prove ineffective. Beyond that, since Waiting Periods will not address 94% of overall suicide attempts, and will not address when lethal means are already owned: It seems clear we need a solution that is better focused on the overall problem.

Establishing a Waiting Period WILL put Vermonters at risk who are under the threat of violence by denying them the ability to defend themselves in a timely manner; it WILL inconvenience tens of thousands of Vermonters annually in lost time and money to make a redundant trip; and it WILL financially hurt sporting organizations, businesses, and towns that host Sportsman's Shows, Banquets and Auctions. It also invites yet another court challenge.

The benefits of a Waiting Period are questionable - the negatives are real.

I respectfully ask the Legislature to vote down any Waiting Period on possessing a firearm.

Chris Bradley,
Northfield
President, Vermont Federation of Sportsmen's Clubs



With a record number of House Bills Introduced (512 by March 1st) we are well on our way to our goal!

Little attention paid to serious problems

When the Vermont Legislature opened their session in January, they were faced with the task of at least addressing several key issues/problems that the citizens were faced with.

Among these, the high cost of one living in Vermont especially. Education costs needed work, the underfunded pension problem, a review of act 46, addressing our crumbling highways and bridges and of course many more serious problems. To our amazement very little if any attention has been paid to our more serious state problems.

They did however have time to work on the smoking age legislation, they had time to add more taxes to our heating fuel, they spent a considerable amount of time on the \$ 15 per hour wage in Vermont, they had time to tackle gun legislation, they worked real hard on the abortion issue and on and on it went, all winter long. They even had time to work on vehicle inspection issues. Their work on the act 46 issue has us all in a state of "what did they do?"

May I please ask the Legislature return home as quickly as possible. I

can't handle anymore of this.
Jim Fitzgerald, St. Albans

Working harder for the same lunch

In 1955, 18 years old and straight out of Iowa--but I was on my own, living the life in NYC and earning about \$0.75 per hour. New experiences, one of which was the hot dog vendors serving a delicious Nathan's hot dog with kraut and yellow mustard. 2 dogs and a Pepsi, \$0.25. Wow, I worked 20 minutes for a great lunch.

Fast forward to Springfield, 2019 when I was sitting in a local convenience store killing time until my next appointment. A stranger stopped by my booth, steaming because 2 hotdogs, certainly not Nathan's, and a cup of coffee cost him \$5. Assuming current minimum wage, he worked 30 minutes for his lunch. Or he had to work 50% longer and pay 20 times as much.

So let's raise the minimum wage to \$15. My lunch will escalate to \$10 and I will work 40 minutes to pay for it. And the hot dog maker will get \$15 per hour and the clerk at the store and ... but our legislators will be so tickled that they pulled another fast one on their loyal supporters.

John Nunnikhoven, Chester

**the Chronicle of the VT State House**
A bi-monthly publication
by Page Communications and True North Media.
Printed at Burlington Free Press.
Guy Page, Editor / Publisher
802-505-0448
pagecommunications4vt@gmail.com

No more school merger delays, it's time to move on from ugly, divisive process

(Editor's note: the Chronicle asked several legislative leaders but was unable to acquire an op-ed supporting involuntary school mergers. As an alternative, we have selected this testimony submitted during Education Committee discussion of H39, which addresses the question of school merger postponement. As of May 12, the House and Senate have been unable to reconcile their versions of H39 in conference committee.)

By Geo Honigford

Eight years ago, I first sat down in the House Education Committee working toward having private schools that take public dollars play by the same rules as the public schools. My early efforts went nowhere, as the small private school lobby was quick and deafening in its opposition.



It took eight years of work for the legislature to understand the issues and begin to pass legislation that equaled the playing field. Legislators are no longer only listening to that small determined group of people.

A delay will insure that your committee will be talking about this again next year.

H39 reminds me of eight years ago, as it is a legislative effort lead by a small determined group of people. This small group of people, that are demanding a delay, are the ones that “created the crisis” by suing the state over the implementation of the law. Any delay in Act 46 will not serve to allow them time to comply with a law that they oppose, rather it will give them time to gather strength and fight to water down the law till it is meaningless.

A delay now will insure that your committee will be talking about this again next year. Time to respect the law and all those who followed it. The merger process in my community was ugly at best. Our first merger plan was defeated 65% against 35% for. Because I was the face of the merger plan, I had to listen and read about how I was dishonest, and stealing money from the school, and that I didn't like my own school. I was sickened by what happened but knew that a defeated merger vote in no way exempted my town from the law and so I went back to work.

We finally ended up getting an 82% for and 18% against vote on a plan to merge. Act 46 said forced mergers might happen and that is how we convinced many in my community to comply with the Act. As a school board member, I was depending on state board and legislature to have my back when I was facing my community.

Now to hear that the legislature might not have my back after all is disheartening and no way to run a government. There is no reason to delay Act 46. If the legislature held up every piece of legislation because of a pending lawsuit, suing to delay would become normalized by opponents. No new information has come to light, no unauthorized changes that state board has made to the law, nothing but a small vocal group of people that are against the act. Let's put Act 46 to rest in the legislature, let it play its course and give the vast amount of communities in Vermont that supported the law closure.

Mr. Honigford is an organic farmer in Royalton, a member of the Royalton School Board and Past President of the Vermont School Board Association.

Citizenry that can't be trusted with education are not really citizens

By Rep. Randall Szott (D-Barnard)

Proponents of school consolidation in Vermont are following a familiar path, one that seeks to centralize decision making into fewer and fewer hands. They speak of modernizing, of expertise, of metrics, but they fail to acknowledge that a citizenry that can't be trusted to control its own educational decisions is not comprised of *citizens* at all.

The model of education the state is attempting to impose might produce tremendous gains for some, but will relegate many to the margins. School consolidation driven by a market mentality simply reproduces for students and communities the inequality that the market produces elsewhere. School consolidation in the name of increased administrative efficiencies has been instituted throughout the United States, yet economic inequality has skyrocketed and disparity of student outcomes continues. It should thus be clear that any talk of educational equity while being committed to market-like approaches is misguided.



Unfortunately, mandated school district consolidation in Vermont has demonstrated that we are losing the battle to preserve the unique community resource embodied in our small schools. A pernicious vocabulary is being imported from other parts of the country – performance, value, efficiency, choice, accountability – are among the most common terms. These words have their origin in an equally pernicious worldview that sees economic questions at the center of human society, rather than questions of ethics or democratic governance. The civic virtue of education conceived broadly, is being sacrificed for the narrow goal of improving individual student performance in the classroom.

Education entails much more than what happens inside schools. As Vermonter John Dewey said, “Education is not preparation for life; education is life itself.” Thus, the resistance in Vermont to Act 46 *is educational*. Communities standing up for their right of self-governance *is educational*. These are not mere philosophical disagreements, they are *fundamental* philosophical disagreements.

It is an argument about whether education ought to be a vehicle for individual accomplishment, or a community asset. It is an argument about whether education is meant to train future participants in the global economy or to nurture civic life. Of course it can be all those things, but the worldview of economic rationality so permeates the discussion, that one is considered a fool to argue against such hallowed concepts as “increased choice,” “flexibility,” or “economies of scale.” Sadly, many of our democratic institutions have been eroded by this consumerist mentality that privileges convenience, standardization and cost efficiency over complexity, diversity and intrinsic value.

No one wants to deny Vermont students an excellent and equitable education. And no one wants to increase the financial strain on an already heavily taxed populace. However, human life and human values must always be at the center of the discussion, rather than the operational needs of administrators.

My fellow lawmakers and my fellow Vermonters have to look into their hearts in addition to their wallets to decide if the mere proposition of short term savings is enough to sell our collective souls. Democracy is inherently connected to education, and education to community. If we take democracy, education, and community seriously, we owe it to ourselves to nurture the things that make Vermont special rather than importing the false promise of consolidation.

A professional chef, author, and educator, Rep. Szott lives in Barnard with his wife, UVM Professor Pamela Fraser, and their son, who is a State House page.

Budget, capital construction bill, weatherization bills hit floor this week

(Continued from page one)

the House-amended version of the comprehensive water quality bill. The House and Senate differ on funding sources for the extensive, state-wide water quality work.

H439/S63, weatherization

The Senate also has proposed a new funding mechanism for low-income home weatherization. The House last month approved H439 despite much controversy over paying for increased weatherization by doubling the home heating fuel tax. Critics called it a de-facto carbon tax that forces poor Vermonters to pay more to keep warm. After Senate leadership called this tax “regressive,” Senate Energy and Natu-

ral Resources Committee Chair Chris Bray (D-Addison) amended S63, a bottle redemption bill, to pay for weatherization from Efficiency Vermont fund balances.

The bill also establishes a statewide voluntary program for rating and labeling energy performance of buildings, and asks the Public Utilities Commission to create an all-fuels energy efficiency program.

H543, capital construction

Senate amendments to H543, capital construction and state bonding bill, will come to the House floor today. Items of interest in the \$123 million state construction budget include:

\$3 million for 108 Cherry Street parking garage repairs in 2020, and \$7.5 million in 2021;

\$3.5 million for 120 State Street, Montpelier stair towers and rear entry; \$45,000 for carpet repair and new carpets in State House in Governor’s Cer-

emonial Office, Cedar Creek Room, and the Card Room; \$900,000 each year 2020 and 2021 for HVAC control system in Newport prison; \$1.45 million for door control project Southern State Correctional.

- ROLL CALL DETAILS, OUTCOMES -

S133, juvenile jurisdiction. Roll call vote to return bill to Judiciary Committee failed 61-81. Bill passed.

S40, lead in schools. Third reading passed 138-3. Bill passed.

S86, smoking age raised to 21. #1 - second reading approved 109-33. #2—3rd reading amendment failed 33-109.

S49, polyfl in water. Second reading

passed 135-1.

H439, Fuel Tax. Increase. #1 farm, forestry exemption (passed 74-66). #2 Browning amendment failed 16-122. Bill passed.

S96, water quality. 3rd reading passed 126-14. Bill passed.

S113, plastic product ban. Second reading vote passed 120-24. Bill passed.

HOUSE OF REPRESENTATIVES ROLL CALLS

House Member	S.133	S.40	S.86 (1)	S.86 (2)	S.49	H.439 (1)	H.439 (2)	S.96	S.113	House Member	S.133	S.40	S.86 (1)	S.86 (2)	S.49	H.439 (1)	H.439 (2)	S.96	S.113
Ancel of Calais	N	Y	Y	N	Y	N	N	ABS	Y	Copeland-Hanzas of Bradford	N	Y	Y	N	Y	N	N	Y	Y
Anthony of Barre City	N*	Y	Y	N	Y	N	N	Y	Y	Corcoran of Bennington	N	Y	Y	Y	Y	N	N	Y	Y
Austin of Colchester	N	Y	Y	N	Y	N	N	Y	Y	Cordes of Lincoln	N	Y	Y	N	Y	Y	N	Y	Y
Bancroft of Westford	Y	Y	Y	N	Y	Y	Y	Y	Y	Cupoli of Rutland City	Y	Y	Y	Y	Y	Y	N	Y	N
Bartholomew of Hartland	N	Y	Y	N	Y	N*	N	Y	Y	Demrow of Corinth	N	Y	Y	N	Y	Y	Y	Y	Y
Batchelor of Derby	Y	Y	Y	N	Y	Y	N	Y	N	Dickinson of St. Albans Town	Y	Y	Y	ABS	Y	Y	N	Y	N
Bates of Bennington	Y	Y	Y	N	Y	N	N	Y	Y	Dolan of Waitsfield	Y	Y	Y	N	Y	N	N	Y*	Y
Beck of St. Johnsbury	Y	Y	Y	N	N	Y*	N	Y	Y	Donahue of Northfield	Y	Y	N	Y	ABS	Y	Y	Y	Y
Birong of Vergennes	Y	Y	Y	N	Y	Y	N	Y	Y	Donovan of Burlington	N	Y	ABS	N	ABS	ABS	ABS	Y	Y
Bock of Chester	Y	Y	ABS	N	Y	Y	N	Y	Y	Durfee of Shaftsbury	N	Y	ABS	N	Y	N	N	Y	Y
Brennan of Colchester	Y	Y	Y	Y	Y	Y	N	Y	N	Elder of Starksboro	Y	Y	Y	Y	Y	N	N	Y	Y
Briglin of Thetford	N	Y	Y	N	Y	N	N	Y	Y	Emmons of Springfield	N	Y	ABS	N	Y	N	N	Y	Y
Brownell of Pownal	Y	Y	Y	N	Y	Y	Y	Y	Y	Fagan of Rutland City	Y	Y	Y	N	Y	Y	N	Y	N
Browning of Arlington	Y	Y	Y	N	ABS	N	Y*	Y	Y	Fegard of Berkshire	Y	Y	Y	N	Y	Y	Y	Y	Y
Brumsted of Shelburne	N	Y	Y	N	Y	Y	Y	Y	Y	Feltus of Lyndon	Y	Y	Y	N	Y	Y	Y	Y	Y
Burditt of West Rutland	N	Y	ABS	Y	Y	Y*	N	Y	N	Forguites of Springfield						Y	N		
Burke of Brattleboro	N	Y	Y	N	ABS	N	N	Y	Y	Gamache of Swanton	Y	Y	Y	Y	Y	Y	N	N*	N
Campbell of St. Johnsbury	N	Y	Y	N	Y	Y*	N	Y	Y	Gannon of Wilmington	N	Y	Y	N	Y	Y	N	Y	Y
Canfield of Fair Haven	Y	Y	Y	Y	Y	Y	N	Y	N	Gardner of Richmond	N	Y	Y*	N	Y	N	N	Y	Y
Carroll of Bennington	Y	Y	Y	N	Y	N	N	Y	Y	Giambatista of Essex	N	Y	ABS	N	Y	N	N	Y	Y
Chase of Colchester	N	Y	Y	N	Y	Y	N	Y	Y	Gonzalez of Winooski	ABS	ABS	ABS	ABS	ABS	ABS	ABS	ABS	ABS
Chesnut-Tangerman, Middletown Sprgs	Y	Y	Y	ABS	ABS	Y	N	Y	Y	Goslant of Northfield	N	Y	Y	N	Y	Y	N	ABS	ABS
Christensen of Weathersfield	N	Y	Y	N	Y	N	N	Y	Y	Grad of Moretown	N	Y	Y	N	ABS	N	N	ABS	Y
Christie of Hartford	N	Y	Y	N	Y	N	N	Y	Y	Graham of Williamstown	ABS	Y	Y	Y	Y	Y	N	N	N
Cina of Burlington	N	Y	Y	N	Y	N	N	Y	Y	Gregoire of Fairfield	Y	Y	Y*	Y*	Y	Y	N	N*	N
Coffey of Guilford	N	Y	Y	N	Y	N	N	Y	Y	Haas of Rochester	Y	Y	Y	N	Y	N	N	Y	Y
Colburn of Burlington	N	Y	Y	N	ABS	N	N	Y	Y	Hango of Berkshire	Y	Y	Y	N	Y	Y	N	Y	Y
Colston of Winooski	N	Y	Y	N	Y	N	N	Y	Y	Harrison of Chittenden	Y	Y	Y	N	Y	Y	N	Y	Y*
Conlon of Cornwall	N	Y	Y	N	Y	N	N	Y	Y	Hashim of Dummerston	N	Y	Y	N	Y	Y	N	Y	Y
Conquest of Newbury	N	Y	Y	N	Y	Y	N	Y	Y	Helm of Fair Haven	Y	Y	N	Y	Y	Y	N	N	N

HOUSE OF REPRESENTATIVES ROLL CALLS

House Member	S.133	S.40	S.86 (1)	S.86 (2)	S.49	H.439 (1)	H.439 (2)	S.96	S.113	House Member	S.133	S.40	S.86 -1	S.86 (2)	S.49	H.439 (1)	H.439 (2)	S.96	S.113
Higley of Lowell	Y	Y	N	Y	Y	Y	Y	N	N	Ode of Burlington	N	Y	Y	N	Y	N	N	Y	Y
Hill of Wolcott	N	ABS	ABS	Y	Y	Y	N	ABS	ABS	Page of Newport City	Y	Y	ABS	ABS	Y	Y	N	Y	Y*
Hooper of Burlington	N	Y	Y	N	ABS	N	N	Y	Y	Pajala of Londonderry	Y	Y	Y	N	Y	Y	N	Y	Y
Hooper of Montpelier	N	Y	ABS	N	Y	N	N	Y	Y	Palasik of Milton	Y	Y	Y	Y	Y	Y	N	Y	ABS
Hooper of Randolph	N	Y	Y	N	Y	Y	N	Y	Y	Partridge of Windham	N	ABS	Y	N	Y	N	N	ABS	Y
Houghton of Essex	N	Y	Y	N	Y	N	N	Y	Y	Patt of Worcester	N	Y	Y	N	Y	N	N	Y	Y
Howard of Rutland City	Y	Y	Y	N	Y	ABS	ABS	Y	Y	Potter of Clarendon	Y	Y	Y	N	Y	Y	N	Y	Y
James of Manchester	Y	Y	Y	N	Y	N	N	Y	Y	Pugh of S. Burlington	N	ABS	Y	N	Y	N	N	Y	Y
Jerome of Brandon	N	Y	Y	N	Y	Y	N	Y	Y	Quimby of Concord	ABS	ABS	N	Y	Y	Y	N	N	N
Jessup of Middlesex	N	Y	Y	N	ABS	Y	N	Y	Y	Rachelson of Burlington	N	Y	Y	N	Y	N	N	Y*	Y*
Jickling of Randolph	Y	Y	Y	N	Y	Y	N	Y	Y	Ralph of Hartland	Y	Y	Y	N	Y	N	N	Y	Y
Johnson of S. Hero	NV	ABS	NV	NV	NV	NV	NV	NV	NV	Redmond of Essex	N	Y	Y	N	Y	N	N	Y	Y
Killacky of S. Burlington	N	Y	Y	N	Y	N	N	Y	Y	Rogers of Waterville	N	Y	Y	N	Y	Y	N	Y	Y
Kimbell of Woodstock	N	Y	N	N	Y	Y	N	Y	Y	Rosenquist of Georgia	Y	Y	Y	Y	Y	Y	Y	Y	N
Kitzmiller of Montpelier	N	Y	Y	N	Y	N	N	Y	Y	Savage of Swanton	Y	Y	Y	Y	Y	ABS	ABS	Y	N
Kornheiser of Brattleboro	N	Y	Y	N	Y	N	N	Y	Y	Scheu of Middlebury	N	Y	Y	N	Y	N	N	Y	Y
Krowinski of Burlington	N	NV	Y	N	ABS	N	N	Y	Y	Scheuermann of Stowe	Y	Y	Y	Y	Y	Y	N	N	Y
LaClair of Barre Town	Y	Y	Y	Y	Y	Y	Y	N	Y	Seymour of Sutton	N	N	N*	Y	Y	Y	N*	Y	Y
LaLonde of S. Burlington	N	Y	Y	N	Y	N	N	Y	Y	Shaw of Pittsford	Y	Y	Y	Y	Y	Y	N	Y	Y
Lanpher of Vergennes	N	Y	Y	N	Y	N	N	Y	Y	Sheldon of Middlebury	N	Y	Y	N	Y	N	N	Y*	Y
Lefebvre of Newark	Y	Y	N	N	Y	ABS	ABS	Y	Y	Sibilia of Dover	Y	Y	Y	N	Y	Y	N	N*	Y
Leffler of Enosburgh	Y	Y	N*	N	Y	Y	N	N*	N	Smith of Derby	ABS	Y	Y	Y*	Y	Y	N	Y	N
Lippert of Hinesburg	N	Y	Y	N	Y	ABS	ABS	Y	Y	Smith of New Haven	Y	Y	Y	Y	Y	Y	ABS	Y	Y
Long of Newfane	N	Y	Y	N	Y	N	N	Y	Y	Squirrell of Underhill	Y	Y	Y	N	Y	N	N	Y	Y
Macaig of Williston	N	Y	Y	N	Y	N	N	Y	Y	Stevens of Waterbury	N	Y	Y	N	Y	N	N	Y	Y
Marcotte of Coventry	Y	Y	Y	N	Y	Y	Y	Y	Y	Strong of Albany	Y	Y	Y	Y	Y	Y	ABS	N	N
Martel of Waterford	ABS	ABS	N	Y	Y	Y	Y	N	N	Sullivan of Burlington	N	Y	Y	N	Y	N	N	Y	Y
Masland of Thetford	N	Y	Y	N	Y	N	N	Y	Y	Sullivan of Dorset	Y	Y	Y	N	Y	Y	Y	Y*	Y
Mattos of Milton	Y	Y	N	Y	Y	Y	N	Y	N	Szott of Barnard	N	Y	Y	N	Y	Y	N	Y	Y
McCarthy of St. Albans City	N	Y	Y	N	Y	N	N	Y	Y	Taylor of Colchester	N	N	Y	N	Y	N	N	Y	Y
McCormack of Burlington	N	Y	Y	N	Y	N	N	Y	Y	Terenzini of Rutland Town	Y	Y	N	Y	ABS	Y	N	N	N
McCoy of Poultney	Y	Y	N	Y	Y	Y	N	Y*	N*	Till of Jericho	N	Y	Y*	N	Y	N	N	Y	Y
McCullough of Williston	Y	Y	Y*	N	Y	N	N	Y	Y	Toleno of Brattleboro	N	Y	Y	N	Y	N	N	ABS	Y
McFaun of Barre Town	Y	Y	Y	Y	Y	Y	Y	Y	N	Toll of Danville	N	Y	Y	N	Y	ABS	N	Y	Y
Morgan of Milton	Y	Y	Y	Y	Y	Y	N	Y	Y	Toof of St. Albans Town	Y	Y	Y	Y	Y	Y	N	N	N
Morrissey of Bennington	Y	Y	Y	Y	Y	Y	N	Y	Y	Townsend of S. Burlington	Y	Y	Y	N	Y	N	N	Y	Y
Mrowicki of Putney	N	Y	Y	N	Y	N	ABS	Y	Y*	Trieber of Rockingham	N	N*	N	ABS	Y	N	N	Y	Y
Murphy of Fairfax	Y*	Y	Y	N	Y	Y	N	Y	Y	Troiano of Stannard	N	Y	Y	N	Y	N	N	Y	Y
Myers of Essex	Y	Y	Y	ABS	Y	Y	N	Y	Y	Walz of Barre City	Y	Y	Y	N	Y	N	N	Y	Y
Nicoll of Ludlow	N	Y	Y	N	Y	Y	N	Y	Y	Webb of Shelburne	N	Y*	Y	N	Y	N	N	Y	Y
Norris of Shoreham	Y	Y	Y	Y	Y	Y	ABS	Y	Y	White of Hartford	N	Y	Y	N	Y	ABS	ABS	ABS	Y
Notte of Rutland City	N	Y	Y	N	Y	Y	N	Y	Y	Wood of Waterbury	ABS	Y	Y*	N	Y	N	N	Y	Y
Noyes of Wolcott	N	Y	Y	N	Y	Y	N	Y	Y	Yacovone of Morristown	N	Y	Y	N	Y	Y	N	Y*	Y
O'Brien of Tunbridge	N	Y	Y	N	Y	Y	N	Y	Y	Yantacka of Charlotte	N	Y	Y	N	Y	N	N	Y	Y*
O'Sullivan of Burlington	N	Y	Y	N	Y	N	N	Y*	Y	Young of Greensboro	N	Y	N	N	Y	ABS	Y	Y*	Y

State says no to letting towns make plastic bag, straw ban more stringent than law

(continued from page 1)

Thursday morning May 9 rejected an amendment to allow municipalities to pass ordinances tougher than the new state standards.

Any legislator may propose an amendment to a bill after it is voted out of committee but before it goes to the Floor for a House vote. This process allows committees of jurisdiction to weigh in before the vote goes to the Floor.

Rep. Zachariah Ralph (P-Hartland) wanted to allow towns to impose tougher restrictions than those imposed by the bill. Rep. Jim McCullough (D-Williston), who hours later reported the bill out to the House floor for the committee, said his opposition “is born out of the Vermont Grocers’ Association comments that this kind of legislation - because the landscape that is developing around the state of this municipality doing this, and that municipality doing that - would make it very difficult for them and their suppliers.”

Consumers, too, might be confused by different bag rules in different towns. The committee agreed with McCullough and pronounced itself



Legislature honors Rutland Humane Society—the House approved HCR 149 Friday May 10, honoring the Rutland County Humane Society on its 60th anniversary. With RCHS Executive Director Beth Saradarian (holding resolution) on behalf of the entire county delegation are Reps. Tom Terenzini, Lawrence Cupoli, Kitty Jerome, and Butch Shaw. The Chronicle is happy as time permits to photograph legislators with visitors from their districts, text 802-505-0448.

“unfriendly” to Ralph’s amendment.

Rep. Mollie Burke (P-Brattleboro) wanted to ‘grandfather’ stores with large existing inventories of plastic bags. McCullough: “It is about one store. We seldom do things for one person around the state, in legislation. And this appears to be a carveout for one store.” The committee agreed.

Rep. Jim Harrison (R-Killington, Mendon) wanted the optional, store

charge for paper bags reduced from 10 cents to five cents per bag. McCullough: “A fee helps change behavior. In some jurisdictions if you didn’t have a fee on paper bags, paper bag use went up 800%. If 10 cents is more of a deterrent than five.....it helps people understand they need to change their habits and bring their own bags.” Again the committee agreed.

Harrison, former president of the

Vermont Grocers’ Association, noted during floor discussion later than afternoon that it takes seven tractor trailers to transport the same number of paper bags as one tractor trailer can carry plastic bags. The bill received final House approval Friday May 10 and is not believed to face opposition from Gov. Phil Scott.

- Editor

S163 seeks ‘professional’ State enforcement of rental housing health & safety laws

By Guy Page

A bill to give the State of Vermont comprehensive oversight over rental housing and register home contractors is on a fast track in what could be the final week of the 2019 Vermont Legislature.

Housing inspections to enforce state safety and health laws have traditionally been the responsibility of municipalities. S163 was reviewed Monday by two House committees, Commerce and Economic Development and Appropriations. As submitted to those two committees, S163 would:

- Create a state rental housing data base, including all inspections conducted by local health officers. These reports will be public record. Fines for violations of housing codes will double, and unpaid violations will be pursued in superior court.
- Initiate study of a “comprehensive system for the professional en-

forcement of state rental housing safety and health laws, including an option for a State government-run system.”

- Require every municipality to provide the State with a year’s worth of inspection information.
- Require home construction and remodeling contractors to register (for a fee) with the state office of Professional Regulation and offers “voluntary” certification in areas of expertise.
- Outline required proposal, contract and billing practices for contractors to use with customers.

The following were among the bills on Monday’s House calendar:

[H13](#) allows non-citizens possessing E-2 visas to acquire a Vermont liquor license. It also would increase penalties for alcohol and tobacco sale violations.

[H547](#) gives the City of Montpelier power to enact and enforce

minimum energy efficiency standards for new and existing buildings. A similar ordinance recently passed by the City of New York has been praised by climate activists and criticized by advocates for affordable housing and homeless people.

[S37](#) expands medical monitoring and liability for possible exposure to toxic substances. Under certain conditions, “a person with or without a present injury or disease shall have a cause of action for the remedy of medical monitoring against a person who released a toxic substance.”

[H460](#) expunges criminal records of arrest or conviction of retail theft, burglary, receiving stolen property, and most drug possession charges.

“Upon entry of an expungement order, the order shall be

legally effective immediately and the person whose record is expunged shall be treated in all respects as if he or she had never been arrested, convicted, or sentenced for the offense,” the bill says.

One bill *not* scheduled for committee or floor review as of Monday afternoon is S54, retail marijuana. Now in Ways & Means, major questions of taxation and spending remain S54 could reach the floor. In particular, members of Ways and Means are concerned that start-up revenue would be insufficient to pay for the regulatory apparatus, requiring the committee to identify another funding source. S54 champion Rep. Sarah Copeland-Hanzas (D-Bradford) told WDEV’s Lee Kittell on the Dave Gram Show Friday, “I’m not throwing in the towel, but it is looking harder to get to.”

Still, prospects for high-interest bills like S54 can change quickly as the session nears adjournment.

When poorly-laid plans go sour, VT government just moves on

Burlington Electric Department in 2017 initiated a plan to provide rebates to be used by low- or moderate-income customers to purchase electric vehicles. What sounds like a great idea -- benefitting the less-well-off while stewarding the environment -- is instead an example of the problems of connecting a policy's intentions with its effects.

The \$1,800 rebates were to "incentivize" these poor Vermonters to purchase more eco-friendly vehicles; higher income earners were offered a lower sum. The result? *Three* low- or moderate-income customers "took advantage" of the program (that's \$5,400). Another 77 higher earners used the lower rebate, benefitting about \$85,000.

Had the water company withheld money from ratepayers (many of whom are low- or moderate-income), and then incentivized in-ground swimming pools in similar structure, the result would be similar: wealthier people who could take advantage of the offer would do so; the poor who could not afford a swimming pool would not. But all the poorer people would have subsidized the in-ground pools.

The difference is the "moral justification" employed for this wealth transfer: in this case, environmental-

ism. I do not suggest that this insidious wealth transfer is deliberate -- I'm demonstrating that it is insidious. The wealth transfer from the poorest through the State Lottery to the state coffers is accomplished under the guise of "education." There are inherent inefficiencies in tax and monetary policy, and there are always unintended consequences.

As the Vermont legislature embarks with unprecedented zeal on its utopian dream to transfer all the citizens' wealth around (carbon tax, school systems, minimum wage, water cleanup tax, family leave, daycare, heating oil tax), it will always do so in the name of benefiting the greater good. And when its best-intended but poorly-laid plans go sour (like the universal healthcare computer system, in the morally-cloaked fiasco called "Green Mountain Care"), the government just moves on. The "greater good" in this way becomes a greater bad, with zero accountability.

Better to have foresight than hindsight. Now would be a good time.

John Klar, Brookfield

Editor's note: a May VT Public Radio news report corroborates Mr. Klar's claim about the number of rebates going to low and middle-income Burlingtonians.

are both economically and environ-

McKibben's influence strong In 2019 Legislature

(continued from page eight)

mentally stable. We can acknowledge that New England cut its electricity-related carbon emissions in half this century when it chose natural gas over coal and oil.

In "Falter," McKibben calls for a national mobilization of money and self-sacrifice similar to how our parents and grandparents fought World War II. A note of caution: Germany could lose this war, too.

- Editor

Please email comments, story ideas, and letters to the editor to:

New anti-bias working group to target student performance, curriculum in school districts

(continued from page one)

transgender, queer, questioning, intersex, asexual, or nonbinary."

The other 10 members will include a "Vermont-based, college-level faculty expert in ethnic studies, Secretary of Education (or designee), the Executive Director of the Vermont-National Education Association, Executive Director of Racial Equity, Executive Director of the Vermont School Boards Association, representative for Vermont Principals' Association with expertise in curriculum, representative for the Vermont Curriculum Leaders Association, Executive Director of the Vermont Superintendents Association, Executive Director of the Vermont Independent Schools Association, and Executive Director of Vermont Human Rights Commission.

All members will be paid a per-diem and expenses. Total annual budget will be \$15,860. By June 2021 the group must recommend additional standards designed to [verbatim from Act 1]:

- increase cultural competency of students in prekindergarten through grade 12;
- increase attention to and promote critical thinking about the history, contributions, and perspectives of ethnic groups and social groups;
- commit the school to eradicating any racial bias in its curriculum;
- provide, across its curriculum, content and methods that enable students to explore safely questions of identity, race equality, and racism; and
- ensure basic curriculum and extracurricular programs are welcoming to all students and take into account parental concerns about religion or culture.

Act 1 says "The Working Group may review State statutes, State Board rules, and school district and supervisory union policies that concern or impact standards for student performance or curriculum used in schools" and "shall include in its report to the General Assembly... any statute, State Board rule, or school district or supervisory union policy that it has identified as needing review or amendment."

The law cites a 2017 U.S. Department of Justice report that of the 35 hate crimes reported in Vermont that year, "51 percent were based on a motivation involving racial bias, 23 percent were based on a motivation involving sexual orientation bias, 17 percent were based on a motivation involving religious bias, and 9 percent were based on a motivation involving disability bias."

Other new laws limit senate districts to three members, prohibit sexual exploitation of people in police custody, support lead poisoning prevention, provide for disposition of veterans' remains, and extend the moratorium for home health agency certificates of need.

Budget, revenue, lead in drinking water bills go to conference committees

Eight bills with significant differences between House and Senate versions were scheduled for House/Senate conference committees as of Tuesday morning:

- H.541 – changes that affect the revenue of the State, including changes in capital gains taxation on the sale of timber.
- H.533 – workforce development.
- S.40 – testing and remediation of lead in the drinking water of schools and child care facilities. House negotiators are concerned that the Senate version creates an underfunded mandate.
- H.542 – making appropriations for the support of government. This is the state budget bill.

For conference committee updates, go to www.legislature.vermont.gov and click on Committees of Conference.

Analysis:

Influence of Bill McKibben seen in 2019 Legislature

Never underestimate the influence of Bill McKibben on the Vermont Legislature.

Case in point: last Wednesday afternoon, Sen. Jane Kitchel (D-Caledonia) was expressing her concern to the rest of the Senate Democratic Caucus about the fast-growing number of Vermont children in foster care. The reasons are uncertain – other states with worse opioid addiction crises aren't seeing the same growth. A UVM-led study will be completed in November. But here's the reality: there are a lot more children in foster care than there used to be, and the state must pay for their care.

Sen. Alison Clarkson (D-Windsor) acknowledged the financial problem and added, "every line in our budget reflects our values. Bill McKibben's speech [in Montpelier the night before] reinforces it. I would not give up on our existential threat." Clearly Sen. Clarkson meant the threat of climate change, the main topic of McKibben's talk at the Sierra Club-sponsored gathering at the Unitarian Church on Main Street.

Since the late 1980's, the Ripton journalist, Middlebury College teacher, and founder of 350.org has been warning the world about climate change. Our Legislature has listened in rapt attention. Both houses of the Legislature gave the author of the global-warming classic "The End of Nature" lengthy, memorable [standing ovations](#) both before and after his January, 2013 special address at the State House.

McKibben's core message hasn't changed, if his new book "Falter" is any guide: government must act now to prevent global environmental disaster later. The illustrations he uses are updated – he calls Pres. Trump a Koch-brother crony and blames the 2018 California forest fires on climate change – but as always he concludes that only aggressively mobilized government (he hopefully cites the Green New Deal) can stop the "creepy jungle" of neo-liberal, laissez-faire capitalism in which the fossil fuel industry thrives.

Clearly, many legislators agree. A House committee is rewriting Act 250 with an eye to reducing carbon emissions. H439, the weatherization-

through-fuel taxation bill, is a climate change bill, supporters said during House floor debate. Clarkson's S173, mitigation of climate change, and a companion bill in the House would give Agency of Natural Resources broad authority to evaluate virtually every decision of state government for its climate change impact. S66 would ban most new construction of natural gas pipelines and some other fossil fuel infrastructure. All of these bills could move forward, this year or next. And as Clarkson notes, the proposed budget does indeed reflect climate change values, including more funding for rail travel and EV charging stations.

McKibben's critics fall mostly into two camps. One disputes the severity or even reality of climate change. The other believes high-tech industry offers better longterm solutions than government preference for low-intensity energy generation. The latter wonder why McKibben continues to insist that what he calls the "miracle" of solar power – and maybe wind and hydro, but mostly solar, solar, solar – is the sole answer to the 21st century's carbon-free energy needs.

As pro-nuclear climate change activist Michael Shellenberger notes, early supporters of solar and wind power like German philosopher Martin Heidegger never thought renewables would make enough juice to power a first-world industrial economy. The looming collapse of Germany's renewable power revolution is proving these predictions true, Shellenberger says. Meanwhile, he observes the obvious: people in developed First World economies like the comfortable world that cheap power provides, and people in the developing economies of India and China have had a taste of that comfort and want more. Few people in any of these countries want to go backward.

Vermont has responsible, economically-sound climate change solutions beyond the McKibben paradigm. Our utilities can buy more hydro power from Canada. Our Legislature can encourage New England's remaining nuclear power plants to stay open (Gov. Scott already has). We can sell carbon sequestration credits to California to ensure our carbon-eating forests

(continued on page seven)



A loveable and valuable state employee visited the Card Room of the State House last week: Crockett, a five-year-old Labrador retriever trained to find gunpowder, drugs, and people while working with handler Senior Game Warden Robert Sterling, the F&W canine specialist. Chronicle photo

Like his TV namesake, Crockett sniffs out crime

MAY 9, 2019 - Crockett, the five-year-old labrador retriever with Vermont Fish & Wildlife, is sprawled on the Card Room floor. He's tucked out from long hours of training the day before. Handler and Senior Game Warden Bob Sterling is about to show an admiring crowd what Crockett does best: find things.

Sterling pulls his keys from his pocket and tosses them on the floor. He gives the command: "find."

Immediately Crockett's head pops up. He scrambles to his feet and quickly finds the keys. He assumes the Sphinx position, keys protected between his two outstretched front paws. His vibe says that no-one - except Sterling - may seize his prize.

On the job, Crockett helps Sterling catch bad guys who unlawfully take Vermont wildlife. A lone spent shell casing with a few grains of residual gunpowder can tell Sterling what gun it came from and (by its location) where its trigger was pulled. Any fan of CSI television shows knows that a shell casing is crucial forensic evidence. In the great outdoors, the tiny pieces of metal are hard for humans to find.

That's when Crockett and his well-trained nose earn their keep.

Crockett does more than find shell casings. He can sniff out illegal drugs. Sometimes he finds people. Last year he and Sterling found a runaway child almost four miles from home. Sterling and another Fish & Wildlife dog found an autistic child half-dressed and shivering in the cold rain a mile into the woods. "There's no better feeling than that," he said.

Crockett responds to three commands: "Find" when he has been given a scent for a specific object or person; "search it out," which means to generally scout the area for items of interest; and, "powder" - for gunpowder (obviously).

Despite his love of the outdoors, Crockett is not named after famed frontiersman Davey Crockett. Sterling explained that as a child he was a big fan of Miami Vice and especially Don Johnson's character, Sonny Crockett. Crockett lives with Sterling, Fish & Wildlife's chief canine specialist, and his family in Fair Haven.

- Editor