

# Journal of the House

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**Friday, March 23, 2018**

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

## **Devotional Exercises**

Devotional exercises were conducted by Rev. Mark Pitton, Sharon Congregational Church, Sharon, VT.

## **Senate Bill Referred**

**S. 192**

Senate bill, entitled

An act relating to transferring the professional regulation of law enforcement officers from the Vermont Criminal Justice Training Council to the Office of Professional Regulation

Was read and referred to the committee on Government Operations.

## **Senate Bill Referred**

**S. 197**

Senate bill, entitled

An act relating to liability for toxic substance exposures or releases

Was read and referred to the committee on Judiciary.

## **Senate Bill Referred**

**S. 269**

Senate bill, entitled

An act relating to blockchain, cryptocurrency, and financial technology

Was read and referred to the committee on Commerce and Economic Development.

## **Senate Bill Referred**

**S. 273**

Senate bill, entitled

An act relating to miscellaneous law enforcement amendments

Was read and referred to the committee on Government Operations.

**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 bills of the following titles:

**S. 53.** An act relating to recommendations for achieving universal coverage for primary care in Vermont.

**S. 85.** An act relating to simplifying government for small businesses.

**S. 253.** An act relating to Vermont's adoption of the Interstate Medical Licensure Compact.

**S. 260.** An act relating to funding the cleanup of State waters.

**S. 262.** An act relating to miscellaneous changes to the Medicaid program and the Department of Vermont Health Access.

**S. 276.** An act relating to rural economic development.

**S. 281.** An act relating to the mitigation of systemic racism.

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

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

**S.C.R. 22.** Senate concurrent resolution designating Saturday, March 24, 2018 as Northeast Kingdom Day in Vermont.

The Senate has on its part adopted concurrent resolutions originating in the House of the following titles:

**H.C.R. 279.** House concurrent resolution honoring Andrew A. Pallito for his exemplary leadership and wisdom as a Vermont public official.

**H.C.R. 280.** House concurrent resolution designating July 2018 as Parks and Recreation Month in Vermont.

**H.C.R. 281.** House concurrent resolution designating March 19, 2018 as Women in Public Office Day.

**H.C.R. 283.** House concurrent resolution designating March 2018 as Older Vermonters Nutrition Month.

**H.C.R. 284.** House concurrent resolution congratulating the St. Johnsbury

Academy Hilltoppers on winning their fourth consecutive Division I girls' indoor track and field championship.

**H.C.R. 285.** House concurrent resolution congratulating the 2018 St. Johnsbury Academy Hilltoppers Division I championship boys' indoor track and field team.

**H.C.R. 286.** House concurrent resolution in memory of Elaine B. Little of Shelburne and Burlington.

**H.C.R. 287.** House concurrent resolution honoring the life and legacy of Robert Romeo De Cormier Jr. of Belmont.

**H.C.R. 288.** House concurrent resolution celebrating the cultural and economic centrality of agriculture in the State of Vermont.

**H.C.R. 289.** House concurrent resolution designating March 22, 2018 as Vermont Nonprofit Legislative Day at the State House.

**H.C.R. 290.** House concurrent resolution designating March 2018 as National Social Work Month in Vermont.

### **Second Reading; Consideration Interrupted**

#### **S. 55**

**Rep. Lalonde of South Burlington**, for the committee on Judiciary, to which had been referred Senate bill, entitled

An act relating to the disposition of unlawful and abandoned firearms

Reported in favor of its passage in concurrence with proposal of amendment as follows:

Sec. 1. 20 V.S.A. § 2301 is amended to read:

§ 2301. APPLICABILITY OF CHAPTER

Notwithstanding any other provisions of law relating to the retention and disposition of evidence or lost, unclaimed, or abandoned property, the provisions of this chapter shall govern the retention or disposition, or both, of unlawful firearms, ~~as defined in section 2302 of this title,~~ in the possession of any agency, ~~as defined in section 2302 and the disposition of abandoned firearms in the possession of the Department of Public Safety.~~

Sec. 2. 20 V.S.A. § 2302 is amended to read:

§ 2302. UNLAWFUL FIREARMS; AGENCY

~~(a) For purposes of As used in this chapter;~~

(1) “~~unlawful~~ Unlawful firearms” means firearms the possession of which constitutes a violation of federal or state State law and firearms carried

or used in violation of any federal or state State law or in the commission of any federal or state State felony.

(b)(2) ~~For purposes of this chapter, “agency”~~ “Agency” means any state State or local law enforcement agency, any state State agency except the ~~Vermont fish and wildlife department~~ Department of Fish and Wildlife, and any local government entity.

(3) “Unlawful per se” means firearms the possession of which is unlawful under any circumstances under State or federal law.

(4) “Abandoned firearms” means firearms in the possession of the Department of Public Safety that are no longer needed as evidence and remain unclaimed for more than 18 months from the date the firearms come into the Department’s possession.

Sec. 3. 20 V.S.A. § 2305 is amended to read:

§ 2305. DISPOSITION OF UNLAWFUL FIREARMS

(a) ~~Any unlawful firearm which the commissioner of public safety determines to be unsafe or~~ the possession of which is unlawful per se shall either be destroyed, or if the ~~commissioner of public safety~~ Commissioner of Public Safety deems ~~such to be it~~ appropriate, retained by the ~~department of public safety~~ Department of Public Safety for purposes of forensic science reference. In no event shall the ~~commissioner of public safety~~ Commissioner of Public Safety dispose of such an ~~unlawful~~ a firearm in any other manner or to any other person.

(b)(1) Except as provided in section 2306 of this title, all other unlawful and abandoned firearms shall either be:

(A) delivered to the state treasurer Commissioner of Buildings and General Services as directed by him or her for disposition by public sale pursuant to the provisions of chapter 13 of Title 27, or by such other manner of sale deemed appropriate by the state treasurer, or sale to a federally licensed firearms dealer pursuant to the Commissioner’s authority under Title 29;

(B) at the discretion of the state treasurer Commissioner of Buildings and General Services, donated to a governmental agency or to a nonprofit organization upon the recommendation of the commissioner of fish and wildlife, transferred to the Commissioner of Fish and Wildlife for disposition; or;

(C) if the commissioner of public safety Commissioner of Public Safety deems such to be it appropriate, retained by the ~~department of public safety~~ Department of Public Safety for purposes of forensic science reference.

(2) Notwithstanding the foregoing provision subdivision (1) of this subsection, an unlawful firearm used in the commission of a homicide shall not be delivered to the state treasurer for disposition by public sale Commissioner of Buildings and General Services, but shall be disposed of only in accordance with:

(A) the provisions of subsection (a) of this section in the same manner as unlawful per se firearms; or

(B) section 2306 of this title.

(c) When the firearms sold under this section have been delivered to the commissioner of public safety by a local law enforcement agency, the state treasurer Commissioner of Buildings and General Services shall return two-thirds of the net proceeds from the sale to the appropriate municipality. The remaining proceeds shall be allocated pursuant to the authority of the Commissioner of Buildings and General Services under 29 V.S.A. § 1557. Proceeds allocated to a municipality under this subsection shall, to the extent needed by the municipality, be used to offset the costs of storing nonevidentiary firearms.

(d) No State agency or department or State official shall be subject to any civil, criminal, administrative, or regulatory liability for any act taken or omission made in reliance on the provisions of this chapter.

Sec. 4. 20 V.S.A. § 2306 is amended to read:

#### § 2306. RIGHTS OF INNOCENT OWNER

Nothing contained in subsection 2305(b) of this title shall prejudice the rights of the bona fide owner of any unlawful firearm, the disposition of which is governed by that subsection, upon affirmative proof by him or her that he or she had no express or implied knowledge that such unlawful firearm was being or intended to be used illegally or for illegal purposes. If the bona fide owner provides reasonable and satisfactory proof of his or her ownership and of his or her lack of express or implied knowledge to the ~~commissioner of public safety~~ Commissioner of Public Safety, the unlawful firearm shall be returned to him or her. If the ~~commissioner of public safety~~ Commissioner of Public Safety determines that the proof offered is not satisfactory or reasonable, the person may, within 14 days, request a hearing before the ~~state treasurer~~ Commissioner of Buildings and General Services and the ~~commissioner of public safety~~ Commissioner of Public Safety, jointly. The ~~state treasurer~~ Commissioner of Buildings and General Services and the ~~commissioner of public safety~~ Commissioner of Public Safety shall promptly hold a hearing on any claim filed under this section, in accordance with the provisions for contested cases in 3 V.S.A. chapter 25 of Title 3.

Sec. 5. 20 V.S.A. § 2307 is amended to read:

§ 2307. FIREARMS RELINQUISHED PURSUANT TO RELIEF FROM  
ABUSE ORDER; STORAGE; FEES; RETURN

\* \* \*

(2)(A)(i) If the owner fails to retrieve the firearm, ammunition, or weapon and pay the applicable storage fee within 90 days of the court order releasing the items, the firearm, ammunition, or weapon may be sold for fair market value. Title to the items shall pass to the law enforcement agency or firearms dealer for the purpose of transferring ownership, except that the Vermont State Police shall follow the procedure described in section 2305 of this title.

\* \* \*

Sec. 6. 13 V.S.A. § 4019 is added to read:

§ 4019. FIREARMS TRANSFERS; BACKGROUND CHECKS

(a) As used in this section:

(1) “Firearm” shall have the same meaning as in subsection 4017(d) of this title.

(2) “Immediate family member” means a spouse, parent, stepparent, child, stepchild, sibling, stepsibling, grandparent, stepgrandparent, grandchild, stepgrandchild, greatgrandparent, stepgreatgrandparent, greatgrandchild, and stepgreatgrandchild.

(3) “Law enforcement officer” shall have the same meaning as in subdivision 4016(a)(4) of this title.

(4) “Licensed dealer” means a person issued a license as a dealer in firearms pursuant to 18 U.S.C. § 923(a).

(5) “Proposed transferee” means an unlicensed person to whom a proposed transferor intends to transfer a firearm.

(6) “Proposed transferor” means an unlicensed person who intends to transfer a firearm to another unlicensed person.

(7) “Transfer” means to transfer ownership of a firearm by means of sale, trade, or gift.

(8) “Unlicensed person” means a person who has not been issued a license as a dealer, importer, or manufacturer in firearms pursuant to 18 U.S.C. § 923(a).

(b)(1) Except as provided in subsection (e) of this section, an unlicensed

person shall not transfer a firearm to another unlicensed person unless:

(A) the proposed transferor and the proposed transferee physically appear together with the firearm before a licensed dealer and request that the licensed dealer facilitate the transfer; and

(B) the licensed dealer agrees to facilitate the transfer and determines that the proposed transferee is not prohibited by State or federal law from purchasing or possessing the firearm.

(2) A person shall not, in connection with the transfer or attempted transfer of a firearm pursuant to this section, knowingly make a false statement or exhibit a false identification intended to deceive a licensed dealer with respect to any fact material to the transfer.

(c)(1) A licensed dealer who agrees to facilitate a firearm transfer pursuant to this section shall comply with all requirements of State and federal law and shall, unless otherwise expressly provided in this section, conduct the transfer in the same manner as the licensed dealer would if selling the firearm from his or her own inventory, but shall not be considered a vendor.

(2) A licensed dealer shall return the firearm to the proposed transferor and decline to continue facilitating the transfer if the licensed dealer determines that the proposed transferee is prohibited by federal or State law from purchasing or possessing the firearm.

(3) A licensed dealer may charge a reasonable fee to facilitate the transfer of a firearm between a proposed transferor and a proposed transferee pursuant to this section.

(d)(1) An unlicensed person who transfers a firearm to another unlicensed person in violation of subdivision (b)(1) of this section shall be imprisoned not more than one year or fined not more than \$500.00, or both.

(2) A person who violates subdivision (b)(2) of this section shall be imprisoned not more than one year or fined not more than \$500.00, or both.

(e) This section shall not apply to:

(1) the transfer of a firearm by or to a law enforcement agency;

(2) the transfer of a firearm by or to a law enforcement officer or member of the U.S. Armed Forces acting within the course of his or her official duties;

(3) the transfer of a firearm from one immediate family member to another immediate family member; or

(4) a person who transfers the firearm to another person in order to

prevent imminent harm to any person, provided that this subdivision shall only apply while the risk of imminent harm exists.

(f) A licensed dealer who facilitates a firearm transfer pursuant to this section shall be immune from any civil or criminal liability for any actions taken or omissions made when facilitating the transfer in reliance on the provisions of this section. This subsection shall not apply to reckless or intentional misconduct by a licensed dealer.

Sec. 7. 13 V.S.A. § 4020 is added to read

§ 4020. SALE OF FIREARMS TO MINORS PROHIBITED

(a) A person shall not sell a firearm to a person under 21 years of age. A person who violates this subsection shall be imprisoned for not more than one year or fined not more than \$1,000.00, or both.

(b) This section shall not apply to:

(1) a law enforcement officer;

(2) an active or veteran member of the Vermont National Guard, of the National Guard of another state, or of the U.S. Armed Forces;

(3) a person who provides the seller with a certificate of satisfactory completion of a Vermont hunter safety course or an equivalent hunter safety course that is approved by the Commissioner; or

(4) a person who provides the seller with a certificate of satisfactory completion of a hunter safety course in another state or a province of Canada that is approved by the Commissioner.

(c) As used in this section:

(1) "Firearm" shall have the same meaning as in subsection 4017(d) of this title.

(2) "Law enforcement officer" shall have the same meaning as in subsection 4016(a) of this title.

Sec. 8. 13 V.S.A. § 4021 is added to read

§ 4021. LARGE CAPACITY AMMUNITION FEEDING DEVICES

(a) A person shall not manufacture, possess, transfer, offer for sale, purchase, receive, or import into this State a large capacity ammunition feeding device.

(b) A person who violates this section shall be imprisoned for not more than one year or fined not more than \$500.00, or both.

(c) The prohibition on possession of large capacity ammunition feeding



devices established by subsection (a) of this section shall not apply to a large capacity ammunition feeding device lawfully possessed on or before the effective date of this act.

(d) This section shall not apply to any large capacity ammunition feeding device:

(1) manufactured for, transferred to, or possessed by the United States or a department or agency of the United States, or any state or a department, agency, or political subdivision of a state;

(2) transferred to or possessed by a state or federal law enforcement officer for legitimate law enforcement purposes, whether the officer is on or off duty;

(3) transferred to a licensee under Title I of the Atomic Energy Act of 1954 for purposes of establishing and maintaining an on-site physical protection system and security organization required by federal law, or possessed by an employee or contractor of such a licensee on-site for these purposes, or off-site for purposes of licensee-authorized training or transportation of nuclear materials;

(4) possessed by an individual who is retired from service with a law enforcement agency after having been transferred to the individual by the agency upon his or her retirement, provided that the individual is not otherwise prohibited from receiving ammunition; or

(5) manufactured, transferred, or possessed by a licensed manufacturer or licensed importer for the purposes of testing or experimentation authorized by the U.S. Attorney General.

(e) As used in this section, "large capacity ammunition feeding device" means a magazine, belt, drum, feed strip, or similar device that has a capacity of, or that can be readily restored or converted to accept, more than 10 rounds of ammunition, provided that "large capacity ammunition feeding device" shall not include an attached tubular device designed to accept, and capable of operating only with, .22 caliber rimfire ammunition.

Sec. 9. 13 V.S.A. § 4023 is added to read

§ 4023. BUMP-FIRE STOCKS; POSSESSION PROHIBITED

(a) As used in this section, "bump-fire stock" means a butt stock designed to be attached to a semiautomatic firearm and intended to increase the rate of fire achievable with the firearm to that of a fully automatic firearm by using the energy from the recoil of the firearm to generate a reciprocating action that facilitates the repeated activation of the trigger.

(b) A person shall not possess a bump-fire stock. A person who violates this subsection shall be imprisoned not more than one year or fined not more than \$1,000.00, or both.

Sec. 10. EFFECTIVE DATE

This act shall take effect on passage.

The bill, having appeared on the Calendar one day for notice, was taken up and read the second time.

Thereupon, **Rep. Poirier of Barre City** moved that action on the bill be postponed until April 10, 2018.

Pending the question, Shall the House postpone action on the bill until April 10, 2018? Rep. Poirier of Barre City demanded the Yeas and Nays, which demand was sustained by the Constitutional number.

**Recess**

At ten o'clock and twenty-six minutes in the forenoon, the Speaker declared a recess until the fall of the gavel.

At eleven o'clock and twenty-four minutes in the forenoon, the Speaker called the House to order.

**Consideration Resumed; Bill Amended; Consideration Interrupted**

**S. 55**

Consideration resumed on Senate bill, entitled

An act relating to the disposition of unlawful and abandoned firearms

Thereupon, the Clerk proceeded to call the roll and the question, Shall the House postpone action on the bill until April 10, 2018? was decided in the negative. Yeas, 61. Nays, 85.

Those who voted in the affirmative are:

Bancroft of Westford	Harrison of Chittenden	Parent of St. Albans Town
Baser of Bristol	Hebert of Vernon *	Pearce of Richford
Batchelor of Derby	Helm of Fair Haven	Poirier of Barre City *
Beck of St. Johnsbury	Higley of Lowell	Quimby of Concord
Beyor of Highgate	Jickling of Randolph	Rosenquist of Georgia
Brennan of Colchester	Juskiewicz of Cambridge	Savage of Swanton
Browning of Arlington	Keefe of Manchester	Scheuermann of Stowe
Buckholz of Hartford	LaClair of Barre Town	Shaw of Pittsford
Burditt of West Rutland	Lawrence of Lyndon	Smith of Derby
Canfield of Fair Haven	Lefebvre of Newark	Smith of New Haven
Cupoli of Rutland City	Lewis of Berlin	Strong of Albany
Devereux of Mount Holly	Marcotte of Coventry	Sullivan of Dorset
Dickinson of St. Albans	Martel of Waterford	Terenzini of Rutland Town

Town	Mattos of Milton	Turner of Milton *
Donahue of Northfield	McCoy of Poultney	Van Wyck of Ferrisburgh
Fagan of Rutland City	McFaun of Barre Town	Viens of Newport City
Feltus of Lyndon	Morrissey of Bennington	Willhoit of St. Johnsbury *
Frenier of Chelsea	Myers of Essex	Wright of Burlington *
Gage of Rutland City	Nolan of Morristown	Yacovone of Morristown
Gamache of Swanton	Norris of Shoreham	Young of Glover
Graham of Williamstown	Pajala of Londonderry	

Those who voted in the negative are:

Ancel of Calais	Gardner of Richmond	Noyes of Wolcott
Bartholomew of Hartland	Giambatista of Essex	Ode of Burlington
Belaski of Windsor	Gonzalez of Winooski	O'Sullivan of Burlington
Bissonnette of Winooski	Grad of Moretown *	Partridge of Windham
Bock of Chester	Haas of Rochester	Potter of Clarendon
Botzow of Pownal	Head of South Burlington	Pugh of South Burlington
Briglin of Thetford	Hill of Wolcott	Rachelson of Burlington
Brumsted of Shelburne	Hooper of Montpelier	Read of Fayston
Burke of Brattleboro	Hooper of Randolph	Scheu of Middlebury
Carr of Brandon	Houghton of Essex	Sharpe of Bristol
Chesnut-Tangerman of Middletown Springs	Howard of Rutland City	Sibilia of Dover *
Christensen of Weathersfield	Jessup of Middlesex	Squirrell of Underhill
Christie of Hartford	Joseph of North Hero *	Stevens of Waterbury
Cina of Burlington	Keenan of St. Albans City	Stuart of Brattleboro
Colburn of Burlington	Kimbell of Woodstock	Sullivan of Burlington
Conlon of Cornwall	Kitzmiller of Montpelier	Taylor of Colchester
Connor of Fairfield	Krowinski of Burlington *	Till of Jericho
Conquest of Newbury	Lalonde of South Burlington	Toleno of Brattleboro
Copeland-Hanzas of Bradford	Lanpher of Vergennes	Toll of Danville
Corcoran of Bennington	Lippert of Hinesburg	Townsend of South Burlington
Dakin of Colchester	Long of Newfane	Trieber of Rockingham
Deen of Westminster	Lucke of Hartford	Troiano of Stannard
Donovan of Burlington	Macaig of Williston	Walz of Barre City *
Dunn of Essex	Masland of Thetford	Webb of Shelburne
Emmons of Springfield	McCormack of Burlington	Weed of Enosburgh
Fields of Bennington	McCullough of Williston	Wood of Waterbury
Forguites of Springfield	Miller of Shaftsbury	Yantachka of Charlotte
Gannon of Wilmington	Morris of Bennington	
	Mrowicki of Putney *	
	Murphy of Fairfax	

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

Ainsworth of Royalton	Condon of Colchester	Sheldon of Middlebury
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**Rep. Grad of Moretown** explained her vote as follows:

“Madam Speaker:

I voted no on this motion for a number of reasons.

First, a public hearing on gun legislation was held 6 weeks ago in this chamber that I and other members attended.

Second, this bill received an enormous amount of testimony in committee.

Third, I, with the help of my committee assistant, have created a public record on my committee page where I forward all emails to be posted there. All paper messages are kept on file.

Fourth, my committee held hearings for House members to testify on S.55.

Fifth, members held public hearings in Barre, Bennington and elsewhere.

Sixth, the Education Committees of this body and the other body held public hearings.

The House Judiciary Committee has done its due diligence thoughtfully and with the utmost process and so I voted no.”

**Rep. Hebert of Vernon** explained his vote as follows:

“Madam Speaker:

I voted yes. Many of my constituents have been pleading for a public hearing on this proposed monumental shift in Vermont culture. This refusal by this body to respect and honor their requests is indefensible.”

**Rep. Joseph of North Hero** explained his vote as follows:

“Madam Speaker:

There is no need for a delay. I have attended a public meeting where people spoke out about S.55. I placed a description of that meeting in my local newspaper, The Islander, and received phone calls and emails from constituents in all 6 towns that I represent. The public is well-informed about this bill.”

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

“Madam Speaker:

I vote no. I’m proud of the work our Judiciary committee has done to thoroughly vet this gun violence prevention bill. Vermonters are ready for us to act. Let’s get to work.”

**Rep. Mrowicki of Putney** explained his vote as follows:

“Madam Speaker:

I voted No.

We have had many public hearings on this issue. The time for talk is done. It’s time to vote.”

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**Rep. Poirier of Barre City** explained his vote as follows:

“Madam Speaker:

I voted yes to give the people of Vermont what they want – a public hearing.”

**Rep. Sibilia of Dover** explained her vote as follows:

“Madam Speaker:

I attended the well-attended Senate public hearing in this chamber. The member from Wilmington and I held a hearing in our towns last week in Whitingham.”

**Rep. Turner of Milton** explained his vote as follows:

“Madam Speaker:

Our legislative process was designed to be a slow methodical process in order to allow all stakeholders equal opportunity to share their view on the issue at hand. It seems that in this case, this body didn’t want to hear anymore from the gun rights advocacy. Adding additional time would have allowed everyone the time they requested. Thank you.”

**Rep. Walz of Barre City** explained his vote as follows:

“Madam Speaker:

I voted NO on this question, but not because I am opposed to public hearings. We already held a very large public hearing on this bill here at the State House, and a number of us have held hearings in our local communities. Barre’s was just on Tuesday. And I know all of us have heard from the public in other ways. The process has been a good one. It is time to make some decisions.”

**Rep. Willhoit of St. Johnsbury** explained his vote as follows:

“Madam Speaker:

I vote yes because, while the Senate held a public hearing early this session, neither S.55 as passed by the Senate nor as further amended by House Judiciary were discussed.

Given the significance of our body’s work today, the people of Vermont deserve a public hearing.”

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

“Madam Speaker:

A public hearing in one community or one committee is not the same as a

full public hearing in the well of the House. I voted yes to allow both sides to weigh in on an issue that emerged as a very different bill than anything the public or the legislature was considering 6 weeks ago. This is too important to not ensure that all sides, across the state, not just in a committee hearing, feel they had the opportunity to be heard.”

Pending the question, Shall the House propose to the Senate to amend the bill as offered by the committee on Judiciary? **Reps. Higley of Lowell and Buckholz of Hartford** moved to amend the proposal of amendment as offered by the committee on Judiciary as follows:

By adding a new Sec. 10 to read as follows:

Sec. 10. PREK TO GRADE 4 EDDIE EAGLE GUN SAFE PROGRAM

Once each school year, every Vermont school shall ensure that all students in grades PreK to 4 watch the National Rifle Association’s (NRA) Eddie Eagle Gun Safe Program educational video, and shall contact the NRA to obtain related educational materials that shall be made available to students.

and by renumbering the remaining section (effective date) to be numerically correct.

Thereupon, **Rep. Buckholz of Hartford** asked and was granted leave of the House to withdraw the amendment.

Pending the question, Shall the House propose to the Senate to amend the bill as offered by the committee on Judiciary? **Rep. Bancroft of Westford** moved to amend the proposal of amendment as offered by the committee on Judiciary as follows:

In Sec. 6, 13 V.S.A. § 4019, by striking out subsection (b) in its entirety and inserting in lieu thereof a new subsection (b) to read as follows:

(b)(1) Except as provided in subsection (e) of this section, an unlicensed person shall not transfer a firearm to another unlicensed person unless:

(A)(i) the proposed transferor and the proposed transferee physically appear together with the firearm before a licensed dealer and request that the licensed dealer facilitate the transfer; and

(ii) the licensed dealer agrees to facilitate the transfer and determines that the proposed transferee is not prohibited by State or federal law from purchasing or possessing the firearm; or

(B)(i) the proposed transferee physically appears at a law enforcement agency and requests that the agency conduct a background check on him or her; and

(ii) upon a request for a background check made pursuant to subdivision (i) of this subdivision (B), the law enforcement agency shall conduct a background check on the proposed transferee, and:

(I) shall issue a certificate, valid for 30 days following the date of issuance, stating that the proposed transferee is not prohibited by State or federal law from purchasing or possessing a firearm; or

(II) shall decline to continue facilitating the transfer if the agency determines that the proposed transferee is prohibited by federal or State law from purchasing or possessing a firearm.

(iii) The proposed transferee shall retain the original certificate issued under subdivision (B)(ii)(I) of this subdivision (1) and provide a copy to the proposed transferor prior to the sale. A proposed transferor shall not transfer a firearm to a proposed transferee until the certificate is received.

(iv) A law enforcement agency that conducts a background check on a proposed transferee pursuant to this subdivision (1) may charge a fee of not more than \$10.00.

(2) A person shall not, in connection with the transfer or attempted transfer of a firearm pursuant to this section, knowingly make a false statement or exhibit a false identification intended to deceive a licensed dealer with respect to any fact material to the transfer.

Pending the question, Shall the report of the Committee on Judiciary be amended as offered by Rep. Bancroft of Westford? **Rep. Bancroft of Westford** 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 report of the Committee on Judiciary be amended as offered by Rep. Bancroft of Westford? was decided in the negative. Yeas, 57. Nays, 89.

Those who voted in the affirmative are:

Bancroft of Westford  
 Batchelor of Derby  
 Beck of St. Johnsbury  
 Beyor of Highgate  
 Brennan of Colchester  
 Buckholz of Hartford  
 Canfield of Fair Haven  
 Cupoli of Rutland City  
 Devereux of Mount Holly  
 Dickinson of St. Albans  
 Town  
 Donahue of Northfield  
 Fagan of Rutland City  
 Feltus of Lyndon

Higley of Lowell  
 Jickling of Randolph  
 Juskiewicz of Cambridge  
 Keefe of Manchester  
 LaClair of Barre Town  
 Lawrence of Lyndon  
 Lefebvre of Newark  
 Lewis of Berlin  
 Marcotte of Coventry  
 Martel of Waterford  
 Mattos of Milton  
 McCoy of Poultney  
 McFaun of Barre Town  
 Morrissey of Bennington

Pearce of Richford  
 Poirier of Barre City  
 Quimby of Concord  
 Read of Fayston  
 Rosenquist of Georgia \*  
 Savage of Swanton  
 Scheuermann of Stowe  
 Shaw of Pittsford  
 Sibia of Dover  
 Smith of Derby  
 Smith of New Haven  
 Strong of Albany  
 Terenzini of Rutland Town  
 Turner of Milton

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Gage of Rutland City	Murphy of Fairfax	Van Wyck of Ferrisburgh
Gamache of Swanton	Myers of Essex	Viens of Newport City
Graham of Williamstown	Nolan of Morristown	Willhoit of St. Johnsbury
Harrison of Chittenden	Norris of Shoreham	Wright of Burlington *
Hebert of Vernon	Pajala of Londonderry	
Helm of Fair Haven	Parent of St. Albans Town	

Those who voted in the negative are:

Ancel of Calais	Forguites of Springfield	Mrowicki of Putney
Bartholomew of Hartland	Frenier of Chelsea *	Noyes of Wolcott
Baser of Bristol	Gannon of Wilmington	Ode of Burlington
Belaski of Windsor	Gardner of Richmond	O'Sullivan of Burlington
Bissonnette of Winooski	Giambatista of Essex	Partridge of Windham
Bock of Chester	Gonzalez of Winooski	Potter of Clarendon
Botzow of Pownal	Grad of Moretown	Pugh of South Burlington
Briglin of Thetford	Haas of Rochester	Rachelson of Burlington
Browning of Arlington	Head of South Burlington	Scheu of Middlebury
Brumsted of Shelburne	Hill of Wolcott	Sharpe of Bristol
Burditt of West Rutland *	Hooper of Montpelier	Squirrell of Underhill
Burke of Brattleboro	Hooper of Randolph	Stevens of Waterbury
Carr of Brandon	Houghton of Essex	Stuart of Brattleboro
Chesnut-Tangerman of Middletown Springs	Howard of Rutland City	Sullivan of Dorset
Christensen of Weathersfield	Jessup of Middlesex	Sullivan of Burlington
Christie of Hartford	Joseph of North Hero	Taylor of Colchester
Cina of Burlington	Keenan of St. Albans City	Till of Jericho
Colburn of Burlington	Kimbell of Woodstock	Toleno of Brattleboro
Conlon of Cornwall	Kitzmiller of Montpelier	Toll of Danville
Connor of Fairfield	Krowinski of Burlington	Townsend of South Burlington
Conquest of Newbury	Lalonde of South Burlington	Trieber of Rockingham
Copeland-Hanzas of Bradford	Lanpher of Vergennes	Troiano of Stannard
Corcoran of Bennington	Lippert of Hinesburg	Walz of Barre City
Dakin of Colchester	Long of Newfane	Webb of Shelburne
Deen of Westminster	Lucke of Hartford	Weed of Enosburgh
Donovan of Burlington	Macaig of Williston	Wood of Waterbury
Dunn of Essex	Masland of Thetford	Yacovone of Morristown
Emmons of Springfield	McCormack of Burlington	Yantachka of Charlotte
Fields of Bennington	McCullough of Williston	Young of Glover
	Miller of Shaftsbury	
	Morris of Bennington *	

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

Ainsworth of Royalton	Condon of Colchester	Sheldon of Middlebury
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**Rep. Burditt of West Rutland** explained his vote as follows:

“Madam Speaker:

I vote no. However, I like the potential of this amendment. Unfortunately it need more time and vetting to do it right. I hope the member pursues



bringing it forward.”

**Rep. Frenier of Chelsea** explained his vote as follows:

“Madam Speaker:

This amendment makes a bad bill better but not good enough. It is still a bad bill and always will be.”

**Rep. Morris of Bennington** explained her vote as follows:

“Madam Speaker:

This body has been falsely painted as rushing through this deliberative process. Moving forward with floor amendments on issues of this importance flies in the face of the very criticism aimed against the good members of this body. While an important consideration it has not had the time or review needed to ensure its appropriateness.”

**Rep. Rosenquist of Georgia** explained his vote as follows:

“Madam Speaker:

I voted yes. This is a practical way of getting this done. What happens if you can’t find a gun dealer to do the transaction. This is constraint of trade. I can’t sell my weapon.”

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

“Madam Speaker:

I voted yes. It is unfortunate to hear that this amendment may have had merit, but that the committee did not have time to adequately consider it, right after voting against a delay to provide for a public hearing, a delay that would also have allowed time to properly consider this proposal. A proposal that might have worked better and been less costly for Vermonters, while potentially achieving the same result.”

Pending the question, Shall the House propose to the Senate to amend the bill as offered by the committee on Judiciary? **Rep. McFaun of Barre Town** moved to amend the proposal of amendment as offered by the committee on Judiciary as follows:

By inserting a new section to be Sec. 10 to read as follows:

Sec. 10. SCHOOL SAFETY ADVISORY GROUP; REPORT

(a) Creation. There is created the School Safety Advisory Group to develop statewide standards and best practices concerning school safety and the prevention of school shootings.

(b) Membership. The Advisory Group shall be composed of the following

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five members:

(1) the Secretary of Education or designee;

(2) the Commissioner of Public Safety or designee;

(3) the Executive Director of the Vermont School Boards Association or designee;

(4) the President of the Vermont National Education Association or designee; and

(5) a representative of the Vermont Principals' Association.

(c) Powers and duties. The Advisory Group shall study the following issues and develop specific guidelines and best practices for Vermont schools concerning them:

(1) improving security in and around school buildings and property;

(2) ensuring staff and students know what they should do in the event of a school shooting or other incident;

(3) training for staff and students, including the type and frequency of the training; and

(4) sharing information with parents and community if an event occurs.

(d) Assistance. The Advisory Group shall have the administrative, technical, and legal assistance of the Agency of Education and Department of Public Safety.

(e) Report. On or before April 13, 2018, the Advisory Group shall submit a written report to the General Assembly with its findings, including specific guidelines and best practices, and any recommendations for legislative action necessary to ensure that all schools in Vermont begin implementing those guidelines and best practices, and have a plan for compliance, before the beginning of the next school year.

(f) Meetings.

(1) The Secretary of Education shall call the first meeting of the Advisory Group.

(2) The Commissioner of Public Safety or designee shall be the Chair.

(3) A majority of the membership shall constitute a quorum.

(4) The Advisory Group shall cease to exist on April 13, 2018.

(g) Compensation and reimbursement. Members of the Advisory Group who are not employees of the State of Vermont and who are not otherwise

compensated or reimbursed for their attendance shall be entitled to per diem compensation and reimbursement of expenses pursuant to 32 V.S.A. § 1010 for meetings. These payments shall be made from monies appropriated to the General Assembly.

and by renumbering the remaining section (effective date) to be numerically correct.

Thereupon, **Rep. McFaun of Barre Town** asked and was granted leave of the House to withdraw his amendment.

Thereupon, **Rep. Donahue of Northfield** asked that the question be divided and that Sections 1-5 be taken first, Section 9 be taken second, Section 6 be taken third, Section 8 be taken fourth, Section 7 be taken fifth and Section 10 be taken sixth.

Pending the question, Shall the House propose to the Senate to amend in the first instance of Amendment, Sections 1-5, only? **Rep. Turner of Milton** 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 in the first instance of Amendment, Sections 1-5, only? was decided in the affirmative. Yeas, 141. Nays, 2.

Those who voted in the affirmative are:

Ancel of Calais	Gardner of Richmond	Ode of Burlington
Bancroft of Westford	Giambatista of Essex	O'Sullivan of Burlington
Bartholomew of Hartland	Grad of Moretown	Pajala of Londonderry
Baser of Bristol	Haas of Rochester	Parent of St. Albans Town
Batchelor of Derby	Harrison of Chittenden	Partridge of Windham
Beck of St. Johnsbury	Head of South Burlington	Pearce of Richford
Belaski of Windsor	Hebert of Vernon	Poirier of Barre City
Beyor of Highgate	Helm of Fair Haven	Potter of Clarendon
Bissonnette of Winooski	Higley of Lowell	Pugh of South Burlington
Bock of Chester	Hill of Wolcott	Quimby of Concord
Botzow of Pownal	Hooper of Montpelier	Rachelson of Burlington
Brennan of Colchester	Hooper of Randolph	Read of Fayston
Briglin of Thetford	Houghton of Essex	Rosenquist of Georgia
Browning of Arlington	Howard of Rutland City	Savage of Swanton
Brumsted of Shelburne	Jessup of Middlesex	Scheu of Middlebury
Buckholz of Hartford	Jickling of Randolph	Scheuermann of Stowe
Burke of Brattleboro	Joseph of North Hero	Sharpe of Bristol
Canfield of Fair Haven	Juskiewicz of Cambridge	Shaw of Pittsford
Carr of Brandon	Keefe of Manchester	Sibilia of Dover
Chesnut-Tangerman of	Keenan of St. Albans City	Smith of Derby
Middletown Springs	Kimbell of Woodstock	Smith of New Haven
Christensen of Weathersfield	Kitzmiller of Montpelier	Squirrell of Underhill
Christie of Hartford	Krowinski of Burlington	Stevens of Waterbury
Cina of Burlington	LaClair of Barre Town	Strong of Albany

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Colburn of Burlington	Lalonde of South Burlington	Sullivan of Dorset
Conlon of Cornwall	Lanpher of Vergennes	Sullivan of Burlington
Connor of Fairfield	Lawrence of Lyndon	Taylor of Colchester
Conquest of Newbury	Lefebvre of Newark	Terenzini of Rutland Town
Copeland-Hanzas of Bradford	Lewis of Berlin	Till of Jericho
Corcoran of Bennington	Lippert of Hinesburg	Toleno of Brattleboro
Cupoli of Rutland City	Long of Newfane	Toll of Danville
Dakin of Colchester	Macaig of Williston	Townsend of South Burlington
Deen of Westminster	Marcotte of Coventry	Trieber of Rockingham
Devereux of Mount Holly	Martel of Waterford	Troiano of Stannard
Dickinson of St. Albans Town	Masland of Thetford	Turner of Milton
Donahue of Northfield	Mattos of Milton	Van Wyck of Ferrisburgh
Donovan of Burlington	McCormack of Burlington	Viens of Newport City
Dunn of Essex	McCoy of Poultney	Walz of Barre City
Emmons of Springfield	McCullough of Williston	Webb of Shelburne
Fagan of Rutland City	McFaun of Barre Town	Weed of Enosburgh
Feltus of Lyndon	Miller of Shaftsbury	Willhoit of St. Johnsbury
Fields of Bennington	Morris of Bennington	Wood of Waterbury
Forguites of Springfield	Morrissey of Bennington	Wright of Burlington
Frenier of Chelsea	Mrowicki of Putney	Yacovone of Morristown
Gage of Rutland City	Murphy of Fairfax	Yantachka of Charlotte
Gamache of Swanton	Myers of Essex	Young of Glover
Gannon of Wilmington	Nolan of Morristown	
	Norris of Shoreham	
	Noyes of Wolcott	

Those who voted in the negative are:

Burditt of West Rutland      Graham of Williamstown

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

Ainsworth of Royalton      Gonzalez of Winooski      Sheldon of Middlebury  
 Condon of Colchester      Lucke of Hartford      Stuart of Brattleboro

Pending the question, Shall the House propose to the Senate to amend the bill as proposed by the Judiciary Committee in the second instance, Section 9, only? **Rep. Turner of Milton** 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 proposed by the Judiciary Committee in the second instance, Section 9, only? was decided in the affirmative. Yeas, 119. Nays, 25.

Those who voted in the affirmative are:

Ancel of Calais	Gardner of Richmond	O'Sullivan of Burlington
Bancroft of Westford *	Giambatista of Essex	Pajala of Londonderry
Bartholomew of Hartland	Grad of Moretown	Parent of St. Albans Town
Baser of Bristol	Haas of Rochester	Partridge of Windham
Beck of St. Johnsbury	Harrison of Chittenden	Pearce of Richford
Belaski of Windsor	Head of South Burlington	Poirier of Barre City

Bissonnette of Winooski	Hill of Wolcott	Potter of Clarendon
Bock of Chester	Hooper of Montpelier	Pugh of South Burlington
Botzow of Pownal	Hooper of Randolph	Rachelson of Burlington
Briglin of Thetford	Houghton of Essex	Read of Fayston
Browning of Arlington	Howard of Rutland City	Rosenquist of Georgia
Brumsted of Shelburne	Jessup of Middlesex	Scheu of Middlebury
Buckholz of Hartford	Jickling of Randolph	Scheuermann of Stowe
Burke of Brattleboro	Joseph of North Hero	Sharpe of Bristol
Canfield of Fair Haven	Juskiewicz of Cambridge	Shaw of Pittsford
Carr of Brandon	Keefe of Manchester	Smith of New Haven
Chesnut-Tangerman of Middletown Springs	Keenan of St. Albans City	Squirrell of Underhill
Christensen of Weathersfield	Kimbell of Woodstock	Stevens of Waterbury
Christie of Hartford	Kitzmiller of Montpelier	Strong of Albany
Cina of Burlington	Krowinski of Burlington	Stuart of Brattleboro *
Colburn of Burlington	LaClair of Barre Town	Sullivan of Dorset
Conlon of Cornwall	Lalonde of South Burlington	Sullivan of Burlington
Connor of Fairfield	Lanpher of Vergennes	Taylor of Colchester
Conquest of Newbury	Lefebvre of Newark	Till of Jericho
Copeland-Hanzas of Bradford	Lippert of Hinesburg	Toleno of Brattleboro
Corcoran of Bennington	Long of Newfane	Toll of Danville
Dakin of Colchester	Macaig of Williston	Townsend of South Burlington
Deen of Westminster	Masland of Thetford	Trieber of Rockingham
Dickinson of St. Albans Town	Mattos of Milton	Troiano of Stannard
Donahue of Northfield	McCormack of Burlington	Turner of Milton
Donovan of Burlington	McCullough of Williston *	Van Wyck of Ferrisburgh
Dunn of Essex	McFaun of Barre Town	Walz of Barre City
Emmons of Springfield	Miller of Shaftsbury	Webb of Shelburne
Fagan of Rutland City	Morris of Bennington	Weed of Enosburgh
Feltus of Lyndon	Morrissey of Bennington	Willhoit of St. Johnsbury
Fields of Bennington	Mrowicki of Putney	Wood of Waterbury
Forguites of Springfield	Murphy of Fairfax	Wright of Burlington
Gannon of Wilmington	Myers of Essex	Yacovone of Morristown
	Nolan of Morristown	Yantachka of Charlotte
	Noyes of Wolcott	Young of Glover
	Ode of Burlington	

Those who voted in the negative are:

Batchelor of Derby	Graham of Williamstown	Norris of Shoreham
Beyor of Highgate	Hebert of Vernon	Quimby of Concord
Brennan of Colchester	Helm of Fair Haven	Savage of Swanton
Burditt of West Rutland	Higley of Lowell	Sibilia of Dover *
Cupoli of Rutland City	Lawrence of Lyndon	Smith of Derby
Devereux of Mount Holly *	Lewis of Berlin	Terenzini of Rutland Town
Frenier of Chelsea	Marcotte of Coventry	Viens of Newport City
Gage of Rutland City	Martel of Waterford	
Gamache of Swanton	McCoy of Poultney *	

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

Ainsworth of Royalton	Gonzalez of Winooski	Sheldon of Middlebury
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**Rep. Bancroft of Westford** explained his vote as follows:

“Madam Speaker:

I voted yes under the assumption that there will be an amendment to change the effective date of the bump-stock ban.”

**Rep. Devereux of Mount Holly** explained his vote as follows:

“Madam Speaker:

I want to prohibit bumpstocks, but until we figure out a way to not turn the present owners into criminals I cannot support this.”

**Rep. McCoy of Poultney** explained her vote as follows:

“Madam Speaker:

I voted no today as there is no time frame for those law abiding citizens to relinquish their bump-fire stocks purchased legally without fines and imprisonment. I look forward to an amendment to rectify this section of the bill.”

**Rep. McCullough of Williston** explained his vote as follows:

“Madam Speaker:

I support this ban on bump stocks. This is ‘common sense’ legislation. Also, it is comforting for me to know the National Rifle Association agrees and has my back.”

**Rep. Sibia of Dover** explained her vote as follows:

“Madam Speaker:

This is a reasonable measure. We have to make reasonable accommodations for Vermonters to comply. I will offer an amendment that will accomplish that.”

**Rep. Stuart of Brattleboro** explained her vote as follows:

“Madam Speaker:

Shortly after the massacre of roughly 59 innocent civilians at an outdoor concert at the Mandalay Bay Hotel in Las Vegas, I attended a legislative conference there I had paid for months before.

Madam Speaker, The cold-hearted shooter mowed down these individuals with a semi-automatic weapon equipped with a bump stock on a beautiful evening of what was supposed to be wonderful outdoor country music.

As I looked out the window of the Mandalay Bay Hotel each night, the location where the deranged killer shot those concert goers and wounded 500 others from his hotel window, I could not stop thinking about the mothers and fathers, sisters and brothers and friends that now have a hole in their hearts. Madam Speaker, I vote yes to banning bump stocks.”

**Recess**

At two o'clock and fifty-three minutes in the afternoon, the Speaker declared a recess until the fall of the gavel.

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

**Consideration Resumed; Bill Amended; Third Reading Ordered**

**S. 55**

Consideration resumed on Senate bill, entitled

An act relating to the disposition of unlawful and abandoned firearms

Pending the question, Shall the House propose to the Senate to amend the bill as recommended in the report of the Committee on Judiciary in the third instance, Section 6, only? **Rep. Turner of Milton** 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 recommended in the report of the Committee on Judiciary in the third instance, Section 6, only? was decided in the affirmative. Yeas, 83. Nays, 61.

Those who voted in the affirmative are:

- |  |                             |                           |
|--|-----------------------------|---------------------------|
| Ancel of Calais                            | Gannon of Wilmington        | Ode of Burlington         |
| Bartholomew of Hartland                    | Gardner of Richmond         | O'Sullivan of Burlington  |
| Belaski of Windsor                         | Giambatista of Essex        | Partridge of Windham      |
| Bissonnette of Winooski                    | Gonzalez of Winooski        | Pugh of South Burlington  |
| Bock of Chester                            | Grad of Moretown            | Rachelson of Burlington * |
| Botzow of Pownal                           | Haas of Rochester           | Read of Fayston           |
| Briglin of Thetford                        | Head of South Burlington    | Scheu of Middlebury       |
| Browning of Arlington                      | Hill of Wolcott             | Sharpe of Bristol         |
| Brumsted of Shelburne                      | Hooper of Montpelier        | Sheldon of Middlebury     |
| Burke of Brattleboro                       | Houghton of Essex           | Squirrell of Underhill    |
| Carr of Brandon                            | Howard of Rutland City      | Stevens of Waterbury      |
| Chesnut-Tangerman of<br>Middletown Springs | Jessup of Middlesex         | Stuart of Brattleboro     |
| Christensen of Weathersfield               | Joseph of North Hero        | Sullivan of Dorset        |
| Christie of Hartford                       | Keenan of St. Albans City   | Sullivan of Burlington    |
| Cina of Burlington                         | Kimbell of Woodstock        | Taylor of Colchester      |
| Colburn of Burlington                      | Kitzmiller of Montpelier    | Till of Jericho           |
| Conlon of Cornwall                         | Krowinski of Burlington     | Toleno of Brattleboro     |
|  | Lalonde of South Burlington | Toll of Danville          |

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Connor of Fairfield	Lanpher of Vergennes	Townsend of South Burlington
Copeland-Hanzas of Bradford	Lefebvre of Newark	Trieber of Rockingham
Dakin of Colchester	Lippert of Hinesburg	Troiano of Stannard
Deen of Westminster	Long of Newfane	Walz of Barre City
Donovan of Burlington	Macaig of Williston	Webb of Shelburne
Dunn of Essex *	Masland of Thetford	Weed of Enosburgh
Emmons of Springfield	McCormack of Burlington	Wood of Waterbury
Fagan of Rutland City	McCullough of Williston	Yacovone of Morristown
Fields of Bennington	Miller of Shaftsbury	Yantachka of Charlotte
Forguites of Springfield	Morris of Bennington	
	Mrowicki of Putney *	

Those who voted in the negative are:

Bancroft of Westford	Hebert of Vernon	Pajala of Londonderry
Baser of Bristol	Helm of Fair Haven	Parent of St. Albans Town
Batchelor of Derby	Higley of Lowell	Pearce of Richford
Beck of St. Johnsbury	Hooper of Randolph	Poirier of Barre City
Beyor of Highgate	Jickling of Randolph	Potter of Clarendon
Brennan of Colchester	Juskiewicz of Cambridge	Quimby of Concord
Buckholz of Hartford	Keefe of Manchester	Rosenquist of Georgia *
Burditt of West Rutland	LaClair of Barre Town	Savage of Swanton
Canfield of Fair Haven	Lawrence of Lyndon	Scheuermann of Stowe
Conquest of Newbury	Lewis of Berlin	Shaw of Pittsford
Corcoran of Bennington	Marcotte of Coventry	Sibilia of Dover
Cupoli of Rutland City	Martel of Waterford	Smith of Derby
Devereux of Mount Holly	Mattos of Milton	Smith of New Haven
Dickinson of St. Albans Town	McCoy of Poultney	Strong of Albany
Donahue of Northfield *	McFaun of Barre Town	Terenzini of Rutland Town
Feltus of Lyndon	Morrissey of Bennington	Turner of Milton
Frenier of Chelsea	Murphy of Fairfax	Van Wyck of Ferrisburgh
Gage of Rutland City	Myers of Essex	Viens of Newport City
Gamache of Swanton	Nolan of Morristown	Willhoit of St. Johnsbury
Harrison of Chittenden *	Norris of Shoreham	Wright of Burlington
	Noyes of Wolcott	

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

Ainsworth of Royalton	Graham of Williamstown	Young of Glover
Condon of Colchester	Lucke of Hartford	

**Rep Donahue of Northfield** explained her vote as follows:

“Madam Speaker:

Friend to friend transfers in Vermont are not the loophole in background checks that will increase safety if closed. The real gaps in law are beyond our control because that have to do with the flaws in the ability to establish who prohibited persons are under federal law, how to identify persons we are trying to address as risks in accessing weapons, who are also the very persons who will lie on applications. This law may feel like it addresses our safety issues.



In fact, it does almost nothing in that regard while simultaneously burdening the ability of law-abiding citizens to purchase and sell firearms. My test for sensible gun safety laws are approaches to safety that are actually effective and workable, and that does not place burdens disproportionate to actual benefits. This bill fails that test.”

**Rep. Dunn of Essex** explained her vote as follows:

“Madam Speaker:

I support section 6 of S. 55. There have been times in all of our lives that we thought we knew a person, and we were wrong. Domestic abusers, and those who have a restraining order, are found in all socio-economic groups. They are in fact frequently indistinguishable from you and I. I believe background checks are necessary to prevent a person we thought we knew from receiving a gun he should not have. And if its only one mass shooting we prevent that might mean 15-20 people live. This is worth it.”

**Rep. Harrison of Chittenden** explained his vote as follows:

“Madam Speaker:

This requirement is too easy to sidestep by traveling a short drive to New Hampshire to avoid this requirement and fee. I plan to offer an amendment to delay this section to address this issue.”

**Rep. Mrowicki of Putney** explained his vote as follows:

“Madam Speaker:

Background checks work if they save just one life it’s worth it.”

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

“Madam Speaker:

Research from many reputable studies has shown that universal background checks from all firearm purchases, including private sales, are effective in saving lives including through suicide decreasing gun fatality rates and keeping guns out of the hands of criminals when someone is denied a handgun purchase the risk that they will commit a crime drops as much as 30%.”

**Rep. Rosenquist of Georgia** explained his vote as follows:

“Madam Speaker:

I voted no on this portion of the bill since the process presented is impractical, a financial burden, and is a constraint on trade. If you cannot find a compliant dealer you cannot complete the sale. The amendment from the member from Westford was much more straight forward and practical. I may have voted yes on this portion if his amendment had been added.”

Pending the question, Shall the House propose to the Senate to amend the bill as recommended in the report of the Committee on Judiciary in the fourth instance, Section 8, only? **Rep. Morrissey of Bennington** 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 recommended in the report of the Committee on Judiciary in the fourth instance, Section 8, only? was decided in the affirmative. Yeas, 79. Nays, 66.

Those who voted in the affirmative are:

Ancel of Calais	Gardner of Richmond	Ode of Burlington
Bartholomew of Hartland	Giambatista of Essex	O'Sullivan of Burlington
Belaski of Windsor	Gonzalez of Winooski	Partridge of Windham
Bissonnette of Winooski	Grad of Moretown	Pugh of South Burlington
Bock of Chester	Haas of Rochester	Rachelson of Burlington
Botzow of Pownal	Head of South Burlington	Scheu of Middlebury
Briglin of Thetford	Hooper of Montpelier	Sharpe of Bristol *
Brumsted of Shelburne	Houghton of Essex	Sheldon of Middlebury
Burke of Brattleboro	Howard of Rutland City	Squirrell of Underhill
Carr of Brandon	Jessup of Middlesex	Stevens of Waterbury
Chesnut-Tangerman of Middletown Springs	Joseph of North Hero	Stuart of Brattleboro
Christensen of Weathersfield	Keefe of Manchester	Sullivan of Dorset
Christie of Hartford	Keenan of St. Albans City *	Sullivan of Burlington
Cina of Burlington	Kimbell of Woodstock	Till of Jericho
Colburn of Burlington	Kitzmiller of Montpelier	Toleno of Brattleboro
Conlon of Cornwall	Krowinski of Burlington	Toll of Danville
Connor of Fairfield	Lalonde of South Burlington	Townsend of South Burlington
Copeland-Hanzas of Bradford	Lanpher of Vergennes	Troiano of Stannard
Dakin of Colchester	Lippert of Hinesburg	Walz of Barre City
Deen of Westminster	Long of Newfane	Webb of Shelburne
Donovan of Burlington	Lucke of Hartford	Weed of Enosburgh *
Dunn of Essex	Macaig of Williston	Wood of Waterbury
Emmons of Springfield	Masland of Thetford	Wright of Burlington
Fields of Bennington	McCormack of Burlington	Yacovone of Morristown
Forguites of Springfield	McCullough of Williston	Yantachka of Charlotte
Gannon of Wilmington	Miller of Shaftsbury	
	Morris of Bennington	
	Mrowicki of Putney	

Those who voted in the negative are:

Bancroft of Westford	Hebert of Vernon	Parent of St. Albans Town
Baser of Bristol	Helm of Fair Haven	Pearce of Richford
Batchelor of Derby	Higley of Lowell	Poirier of Barre City
Beck of St. Johnsbury	Hill of Wolcott	Potter of Clarendon
Beyor of Highgate	Hooper of Randolph	Quimby of Concord
Brennan of Colchester	Jickling of Randolph	Read of Fayston
Browning of Arlington	Juskiewicz of Cambridge	Rosenquist of Georgia

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Buckholz of Hartford	LaClair of Barre Town	Savage of Swanton
Burditt of West Rutland	Lawrence of Lyndon	Scheuermann of Stowe
Canfield of Fair Haven	Lefebvre of Newark	Shaw of Pittsford
Conquest of Newbury	Lewis of Berlin	Sibilia of Dover
Corcoran of Bennington	Marcotte of Coventry	Smith of Derby
Cupoli of Rutland City	Martel of Waterford	Smith of New Haven
Devereux of Mount Holly	Mattos of Milton	Strong of Albany
Dickinson of St. Albans Town	McCoy of Poultney	Taylor of Colchester
Donahue of Northfield	McFaun of Barre Town	Terenzini of Rutland Town
Fagan of Rutland City	Morrissey of Bennington	Trieber of Rockingham
Feltus of Lyndon	Murphy of Fairfax	Turner of Milton
Frenier of Chelsea	Myers of Essex	Van Wyck of Ferrisburgh
Gage of Rutland City	Nolan of Morristown	Viens of Newport City
Gamache of Swanton	Norris of Shoreham	Willhoit of St. Johnsbury
Harrison of Chittenden	Noyes of Wolcott	
	Pajala of Londonderry	

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

Ainsworth of Royalton	Graham of Williamstown
Condon of Colchester	Young of Glover

**Rep. Keenan of St. Albans City** explained her vote as follows:

“Madam Speaker:

I am voting yes on the premise that an issue I am concerned about will be addressed prior to third reading. If this situation is not addressed I will be a no vote on Tuesday.”

**Rep. Sharpe of Bristol** explained his vote as follows:

“Madam Speaker:

I fail to understand why we do not restrict the magazine capacity when shooting people while we do restrict the number of bullets in a gun when hunting wildlife.”

**Rep. Weed of Enosburgh** explained her vote as follows:

“Madam Speaker:

I vote yes and look forward to an amendment that excludes our local gun manufacturers.”

Pending the question, Shall the House propose to the Senate to amend the bill as recommended by the Committee on Judiciary in the fifth instance, Section 7, only? **Rep. Savage of Swanton** 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 recommended by the Committee on Judiciary in

the fifth instance, Section 7, only? was decided in the affirmative. Yeas, 88. Nays, 56.

Those who voted in the affirmative are:

Ancel of Calais	Gardner of Richmond	Pajala of Londonderry
Bartholomew of Hartland	Giambatista of Essex	Partridge of Windham
Baser of Bristol	Gonzalez of Winooski	Pugh of South Burlington
Belaski of Windsor	Grad of Moretown	Rachelson of Burlington
Bissonnette of Winooski	Haas of Rochester	Scheu of Middlebury
Bock of Chester	Harrison of Chittenden	Scheuermann of Stowe
Botzow of Pownal	Head of South Burlington	Sharpe of Bristol
Briglin of Thetford	Hooper of Montpelier	Sheldon of Middlebury
Browning of Arlington	Hooper of Randolph	Sibilia of Dover
Brumsted of Shelburne	Houghton of Essex	Squirrell of Underhill
Burke of Brattleboro	Howard of Rutland City	Stevens of Waterbury
Carr of Brandon	Jessup of Middlesex	Stuart of Brattleboro
Chesnut-Tangerman of Middletown Springs	Joseph of North Hero	Sullivan of Dorset
Christensen of Weathersfield	Keefe of Manchester	Sullivan of Burlington
Christie of Hartford	Keenan of St. Albans City	Taylor of Colchester
Cina of Burlington	Kitzmiller of Montpelier	Till of Jericho
Colburn of Burlington	Krowinski of Burlington	Toleno of Brattleboro
Conlon of Cornwall	Lalonde of South Burlington	Toll of Danville
Connor of Fairfield	Lanpher of Vergennes	Townsend of South Burlington
Conquest of Newbury	Lippert of Hinesburg	Trieber of Rockingham
Copeland-Hanzas of Bradford	Long of Newfane	Troiano of Stannard
Corcoran of Bennington	Lucke of Hartford	Walz of Barre City
Dakin of Colchester	Macaig of Williston	Webb of Shelburne
Deen of Westminster	Masland of Thetford	Weed of Enosburgh
Donovan of Burlington	McCormack of Burlington	Wood of Waterbury
Dunn of Essex *	McCullough of Williston	Wright of Burlington
Emmons of Springfield	Miller of Shaftsbury	Yacovone of Morristown
Fagan of Rutland City	Morris of Bennington	Yantachka of Charlotte
Fields of Bennington	Mrowicki of Putney	
	Ode of Burlington	
	O'Sullivan of Burlington	

Those who voted in the negative are:

Bancroft of Westford	Helm of Fair Haven	Norris of Shoreham
Beck of St. Johnsbury	Higley of Lowell	Noyes of Wolcott
Beyor of Highgate	Hill of Wolcott	Parent of St. Albans Town
Brennan of Colchester	Jickling of Randolph	Pearce of Richford
Buckholz of Hartford	Juskiewicz of Cambridge	Poirier of Barre City
Burditt of West Rutland	Kimbell of Woodstock	Potter of Clarendon
Canfield of Fair Haven	LaClair of Barre Town	Quimby of Concord
Cupoli of Rutland City	Lawrence of Lyndon	Read of Fayston
Devereux of Mount Holly	Lefebvre of Newark	Rosenquist of Georgia
Dickinson of St. Albans Town	Lewis of Berlin	Savage of Swanton
Donahue of Northfield *	Marcotte of Coventry	Shaw of Pittsford
Feltus of Lyndon	Martel of Waterford	Smith of Derby
	Mattos of Milton	Smith of New Haven

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Forguites of Springfield	McCoy of Poultney	Strong of Albany
Frenier of Chelsea	McFaun of Barre Town	Terenzini of Rutland Town
Gage of Rutland City	Morrissey of Bennington	Turner of Milton
Gamache of Swanton	Murphy of Fairfax	Van Wyck of Ferrisburgh
Gannon of Wilmington	Myers of Essex	Viens of Newport City
Hebert of Vernon	Nolan of Morristown	Willhoit of St. Johnsbury

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

Ainsworth of Royalton	Condon of Colchester	Young of Glover
Batchelor of Derby	Graham of Williamstown	

**Rep. Bancroft of Westford** explained his vote as follows:

“Madam Speaker:

I am bothered by the duplicity of those who support the 26th Amendment of the US Constitution and, at the same time, support limiting the rights of individuals between the age of 18 and 20. I am curious of what sort of mental gymnastics one must go through to on one hand conclude the 18-20 year olds are not intellectually mature enough to buy a firearm, buy or drink alcohol, and starting July 1 prohibited from growing and possessing marijuana and then on the other hand believe they have the mental acumen to decide who our local, state and nation leaders will be and join our armed forces.”

**Rep. Donahue of Northfield** explained her vote as follows:

“Madam Speaker:

I do not support age discrimination in constitutional rights among those who have reached the age of majority.”

**Rep. Dunn of Essex** explained her vote as follows:

“Madam Speaker:

I voted yes for this portion of the bill. In the U.S. a minor is generally legally defined as 18 years of age. Although in Vermont in the context of alcohol, gambling and marijuana the age is 21. And to rent a car is 25. I do support 21 as the age for purchasing a gun. And if they satisfactorily complete a Vermont hunter safety course they can buy a gun sooner.”

Pending the question, Shall the House propose to the Senate to amend the bill as offered by the committee on Judiciary in the sixth instance (Sec. 10 only)? **Rep. Sibilia of Dover** moved to amend the proposal of amendment as offered by the committee on Judiciary as follows:

By striking out Sec. 10 in its entirety and inserting in lieu thereof a new Sec. 10 to read as follows:

Sec. 10. EFFECTIVE DATES

(a) This section and Secs. 1-8 shall take effect upon passage.

(b) Sec. 9 (bump stocks) shall take effect on October 1, 2018.

Which was agreed to.

Pending the question, Shall the House propose to the Senate to amend the bill as offered by the committee on Judiciary in the sixth instance (Sec. 10 only)? **Rep. Harrison of Chittenden** moved to amend the proposal of amendment as offered by the committee on Judiciary as follows:

In Sec. 10 (effective dates), in subsection (a), by striking out “1-8” and inserting in lieu thereof “1-5 and 7-8” and by adding a subsection (c) to read as follows:

(c) Sec. 6 (background checks) shall take effect when New Hampshire enacts, by legislative or administrative enactment of statewide applicability and enforcement, a requirement that a background check be conducted prior to the private sale of any firearm.

Which was disagreed to.

Thereupon the sixth instance of amendment was agreed to.

Pending the question, Shall the bill be read a third time? **Rep. Krowinski of Burlington** 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 bill be read a third time? was decided in the affirmative. Yeas, 85. Nays, 59.

Those who voted in the affirmative are:

Ancel of Calais *	Gannon of Wilmington	O'Sullivan of Burlington
Bartholomew of Hartland	Gardner of Richmond	Partridge of Windham
Baser of Bristol	Giambatista of Essex	Pugh of South Burlington
Belaski of Windsor	Gonzalez of Winooski	Rachelson of Burlington
Bissonnette of Winooski	Grad of Moretown	Read of Fayston
Bock of Chester	Haas of Rochester	Scheu of Middlebury
Botzow of Pownal	Head of South Burlington	Scheuermann of Stowe
Briglin of Thetford	Hill of Wolcott	Sharpe of Bristol
Browning of Arlington	Hooper of Montpelier	Sheldon of Middlebury
Brumsted of Shelburne	Houghton of Essex	Squirrell of Underhill
Burke of Brattleboro	Howard of Rutland City	Stevens of Waterbury
Carr of Brandon	Jessup of Middlesex	Stuart of Brattleboro *
Chesnut-Tangerman of Middletown Springs	Joseph of North Hero	Sullivan of Dorset
Christensen of Weathersfield	Keenan of St. Albans City	Sullivan of Burlington
Christie of Hartford *	Kimbell of Woodstock	Taylor of Colchester
Cina of Burlington	Kitzmiller of Montpelier	Till of Jericho
Colburn of Burlington *	Krowinski of Burlington	Toleno of Brattleboro
Conlon of Cornwall	Lalonde of South Burlington	Toll of Danville
	Lanpher of Vergennes	Townsend of South

Connor of Fairfield	Lippert of Hinesburg	Burlington
Copeland-Hanzas of Bradford *	Long of Newfane	Trieber of Rockingham
Dakin of Colchester	Lucke of Hartford	Troiano of Stannard
Deen of Westminster	Macaig of Williston	Walz of Barre City
Donovan of Burlington *	Masland of Thetford	Webb of Shelburne
Dunn of Essex	McCormack of Burlington	Weed of Enosburgh
Emmons of Springfield	McCullough of Williston	Wood of Waterbury
Fagan of Rutland City	Miller of Shaftsbury	Yacovone of Morristown
Fields of Bennington	Morris of Bennington *	Yantachka of Charlotte
Forguites of Springfield	Mrowicki of Putney	
	Ode of Burlington	

Those who voted in the negative are:

Bancroft of Westford	Helm of Fair Haven	Noyes of Wolcott
Beck of St. Johnsbury	Higley of Lowell	Pajala of Londonderry
Beyor of Highgate	Hooper of Randolph	Parent of St. Albans Town
Brennan of Colchester	Jickling of Randolph	Pearce of Richford
Buckholz of Hartford	Juskiewicz of Cambridge	Poirier of Barre City
Burditt of West Rutland	Keefe of Manchester	Potter of Clarendon
Canfield of Fair Haven	LaClair of Barre Town	Quimby of Concord
Conquest of Newbury	Lawrence of Lyndon	Rosenquist of Georgia
Corcoran of Bennington	Lefebvre of Newark	Savage of Swanton
Cupoli of Rutland City	Lewis of Berlin	Shaw of Pittsford
Devereux of Mount Holly	Marcotte of Coventry	Sibilia of Dover
Dickinson of St. Albans Town	Martel of Waterford	Smith of Derby
Donahue of Northfield	Mattos of Milton	Smith of New Haven
Feltus of Lyndon	McCoy of Poultney	Strong of Albany
Frenier of Chelsea	McFaun of Barre Town	Terenzini of Rutland Town
Gage of Rutland City	Morrissey of Bennington	Turner of Milton
Gamache of Swanton	Murphy of Fairfax	Van Wyck of Ferrisburgh
Harrison of Chittenden	Myers of Essex	Viens of Newport City
Hebert of Vernon	Nolan of Morristown	Willhoit of St. Johnsbury
	Norris of Shoreham	Wright of Burlington *

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

Ainsworth of Royalton	Condon of Colchester	Young of Glover
Batchelor of Derby	Graham of Williamstown	

**Rep. Ancel of Calais** explained her vote as follows:

“Madam Speaker:

After Sandy Hook, I made a promise that I would support any reasonable restrictions on firearms that were consistent with the constitution. S. 55 represents my first real opportunity to act on that promise and I am proud to vote yes. I do this on behalf of my three grandsons and to honor the young people who have raised their voices to demand that we act.

**Rep. Chestnut-Tangerman of Middletown Springs** explained his vote

as follows:

“Madam Speaker:

I voted yes on all three of these measures, in part because of changes made for reasonable exemptions. These steps alone obviously will not eradicate gun violence, but I believe that they are an important part of the mix. What all of these measures do cumulatively is decrease both the possibility and the lethality of impulsive destruction.”

**Rep. Christie of Hartford** explained his vote as follows:

“Madam Speaker:

This is a complex issue, our work today was an important part. I remember the Friday night of Sandy Hook I met with my superintendent and we started the hard work of securing our schools, my responsibility to the 1500 students and staff 400 staff. Each of our schools have a police officer and yesterday we did active shooter training and I will continue to work to keep our community safe. I vote yes to share the hope.”

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

“Madam Speaker:

I have two daughters, ages 11 and 1, and I have watched and listened in gratitude and awe as students around the state have flooded into this building to speak not just to their experience, but to the experience of my own children. They have begged us to act. I do not believe, as many have claimed, that this bill offers them false promises. I believe it offers common-sense, evidence based gun safety reforms that have proven to reduce fatalities in jurisdictions that have adopted them. I vote yes as one step to improve the safety of all Vermonters. I echo the words of a Burlington high school student who earlier this week testified ‘we act now because we have the privilege to be alive right now.’”

**Rep. Copeland-Hanzas of Bradford** explained her vote as follows:

“Madam Speaker:

We’ve heard the argument that the safety measures in this bill won’t solve the problem. But I don’t think anyone in this chamber would argue we shouldn’t have BAC limits, require bartenders to cut you off if you are overly impaired, equip our police with BAC sensors or allow our court system to take away your rights to drive if you have driven while intoxicated. Our kids are asking us to take real and meaningful steps to lessen the chances that someone with violent intent will have free and unfettered ability to murder them while they are at school. Moviegoers, concertgoers, churchgoers, night club patrons



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across the country should be afforded this small piece of mind. I am proud of the work we've done today in this chamber."

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

"Madam Speaker:

I voted yes on S. 55 for the young woman who was taken off life support last evening at the UVM medical center after being shot in the head on Main street in Burlington. This one young life lost in a random shooting because a man had access to a handgun."

**Rep. Morris of Bennington** explained her vote as follows:

"Madam Speaker:

This work is hard and very important. We took large measures to have very thoughtful considerations to each aspect of this bill. As a gun owner, as a mother, as a Vermonter, I take this work seriously and with great respect for the responsibility given to each person who sits in these seats. I vote in support of this bill for needed change, for our future."

**Rep. Stuart of Brattleboro** explained her vote as follows:

"Madam Speaker:

'What about our right to live' a young woman from Florida stated on the TV news shortly after the most recent school shooting in Parkland, Florida. That was her counterpoint to the constitution's right to bear arms. America comprises a mere 4.2% of the world's population, yet we own 42% of the world's guns. A recent study shows Americans are 10 times more likely to be killed by guns than people in other developed countries. Madam Speaker, I support Vermont's hunting traditions and responsible gun ownership. This bill does nothing to infringe upon those or Vermonters' second amendment rights. But we must stand up as lawmakers and leaders to stem the slaughter of innocent civilians. Our youth are pleading with us for common sense gun legislation. S.55 is a step in the right direction."

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

"Madam Speaker:

Regrettably, I could not support this bill. I voted for 3 of the provisions, as well as supporting other bills such as the extreme risk protection bill and domestic violence. But the universal background check, without consideration of an amendment that might have been better and united people rather than divide them, made this bill unpalatable to me, unfortunately."

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**Bill Amended; Read Third Time; Bill Passed**
**H. 924**

House bill, entitled

An act relating to making appropriations for the support of government

Was taken up and pending third reading of the bill, **Rep. Toll of Danville** moved to amend the bill as follows:

First: By striking out Sec. B.200 in its entirety and inserting in lieu thereof a new Sec. B.200 to read as follows:

Sec. B.200 Attorney general

Personal services	9,953,901
Operating expenses	1,423,414
Grants	<u>26,894</u>
Total	11,404,209

Source of funds

General fund	5,206,635
Special funds	1,685,836
Tobacco fund	348,000
Federal funds	1,220,634
Interdepartmental transfers	<u>2,943,104</u>
Total	11,404,209

Second: In Sec. B.1100.1(a) by striking out the figure “\$2,989,000” and inserting in lieu thereof the figure “\$2,989,900”

Third: In Sec. C.105.1 by striking out subdivision (a)(3) in its entirety and inserting in lieu thereof a new subdivision (a)(3) to read as follows:

(a)(3) \$2,000,000 is transferred to the General Fund and reserved in the General Fund Balance Reserve established pursuant to 32 V.S.A. § 308c.

Fourth: In Sec. C.110(b)(2)(A), by striking out the figure “\$5,000,0000” and inserting in lieu thereof the figure “\$5,000,000”

Fifth: In Sec. E.113 by striking out subsection (a) in its entirety and inserting in lieu thereof a new subsection (a) to read as follows:

(a) The \$3,432,525 interdepartmental transfer in this appropriation shall be from the fiscal year 2019 General Bond Fund appropriation in the Capital Bill

of the 2017 legislative session (2017 Acts and Resolves No. 85, Sec. 2(c)(3)).

Sixth: By striking Sec. E. 800 in its entirety

Which was agreed to.

Pending third reading of the bill, **Rep. Viens of Newport City** moved to amend the bill as follows:

First: By striking Sec. B.202 in its entirety and inserting in lieu thereof a new Sec. B.202 to read as follows:

Sec. B.202 Defender general - public defense

Personal services	11,471,891
Operating expenses	<u>1,082,613</u>
Total	12,554,504
Source of funds	
General fund	11,964,851
Special funds	<u>589,653</u>
Total	12,554,504

Second: By striking Sec. B.205 in its entirety and inserting in lieu thereof a new Sec. B.205 to read as follows:

Sec. B.205 State's attorneys

Personal services	13,349,576
Operating expenses	<u>1,834,103</u>
Total	15,183,679
Source of funds	
General fund	12,363,761
Special funds	106,471
Federal funds	31,000
Interdepartmental transfers	<u>2,682,447</u>
Total	15,183,679

Pending the question, Shall the bill be amended as offered by Rep. Viens of Newport City? **Rep. Savage of Swanton** 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 bill be amended as offered by Rep. Viens of Newport City? was decided in the negative. Yeas, 45. Nays, 90.

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 Those who voted in the affirmative are:

Bancroft of Westford	Howard of Rutland City	Quimby of Concord
Baser of Bristol	Joseph of North Hero	Rosenquist of Georgia
Beck of St. Johnsbury	Keefe of Manchester	Savage of Swanton
Brennan of Colchester	Lawrence of Lyndon	Shaw of Pittsford
Buckholz of Hartford	Lewis of Berlin	Sibilia of Dover *
Canfield of Fair Haven	Marcotte of Coventry	Smith of Derby
Chesnut-Tangerman of Middletown Springs	Martel of Waterford	Smith of New Haven
Cupoli of Rutland City	Mattos of Milton	Strong of Albany
Dickinson of St. Albans Town	McCoy of Poultney	Sullivan of Dorset
Frenier of Chelsea	McFaun of Barre Town	Terenzini of Rutland Town
Gamache of Swanton	Morrissey of Bennington	Turner of Milton
Harrison of Chittenden	Myers of Essex	Van Wyck of Ferrisburgh
Hebert of Vernon	Nolan of Morristown	Viens of Newport City
Higley of Lowell	Norris of Shoreham	Willhoit of St. Johnsbury
	Parent of St. Albans Town	Wright of Burlington
	Potter of Clarendon	

## Those who voted in the negative are:

Ancel of Calais	Gannon of Wilmington	Noyes of Wolcott
Bartholomew of Hartland	Gardner of Richmond	Ode of Burlington
Belaski of Windsor	Gonzalez of Winooski	O'Sullivan of Burlington
Bissonnette of Winooski	Grad of Moretown	Pajala of Londonderry
Bock of Chester	Haas of Rochester	Partridge of Windham
Botzow of Pownal	Head of South Burlington	Pearce of Richford
Briglin of Thetford	Helm of Fair Haven	Poirier of Barre City
Brumsted of Shelburne	Hill of Wolcott	Pugh of South Burlington
Burke of Brattleboro	Hooper of Montpelier	Rachelson of Burlington
Carr of Brandon	Hooper of Randolph	Read of Fayston
Christensen of Weathersfield	Houghton of Essex	Scheu of Middlebury
Christie of Hartford	Jessup of Middlesex	Sharpe of Bristol
Cina of Burlington	Jickling of Randolph	Sheldon of Middlebury
Colburn of Burlington	Juskiewicz of Cambridge	Squirrell of Underhill
Conlon of Cornwall	Keenan of St. Albans City	Stevens of Waterbury
Connor of Fairfield	Kimbell of Woodstock	Stuart of Brattleboro
Conquest of Newbury	Krowinski of Burlington	Sullivan of Burlington
Copeland-Hanzas of Bradford	LaClair of Barre Town	Taylor of Colchester
Corcoran of Bennington	Lalonde of South Burlington	Toleno of Brattleboro
Dakin of Colchester	Lanpher of Vergennes	Toll of Danville
Deen of Westminster	Lippert of Hinesburg	Townsend of South Burlington
Donahue of Northfield	Long of Newfane	Trieber of Rockingham
Donovan of Burlington	Lucke of Hartford	Troiano of Stannard
Dunn of Essex	Macaig of Williston	Walz of Barre City
Emmons of Springfield	Masland of Thetford	Webb of Shelburne
Fagan of Rutland City	McCormack of Burlington	Weed of Enosburgh
Feltus of Lyndon	McCullough of Williston	Wood of Waterbury
Fields of Bennington	Miller of Shaftsbury	Yacovone of Morristown
Forguites of Springfield	Morris of Bennington	Yantachka of Charlotte *
	Mrowicki of Putney	

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Gage of Rutland City

Murphy of Fairfax

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

Ainsworth of Royalton

Condon of Colchester

Lefebvre of Newark

Batchelor of Derby

Devereux of Mount Holly

Scheuermann of Stowe

Beyor of Highgate

Giambatista of Essex

Till of Jericho

Browning of Arlington

Graham of Williamstown

Young of Glover

Burditt of West Rutland

Kitzmiller of Montpelier

**Rep. Sibilia of Dover** explained her vote as follows:

“Madam Speaker:

I voted in favor of the extreme protection orders legislators in this body passed. We have to maintain our ability to enact and staff that law if it is to make a difference in ensuring student safety.”

**Rep. Yantachka of Charlotte** explained his vote as follows:

“Madam Speaker:

I voted no, but when we have competing needs and refuse to consider additional revenues, we end up starving both. This is not living up to our responsibilities.”

Pending third reading of the bill, **Rep. Gage of Rutland City and Hooper of Randolph** moved to amend the bill as follows:

Sec. E.221. VIOLENT AND GRAPHIC VIDEO GAMES AND SCHOOL

SHOOTING; TASK FORCE

(a) Creation. There is created the Violent and Graphic Video Games and School Shooting Task Force to study the connection between violent and sexually graphic video games and school shootings and to develop a scientifically based rating system for violent and sexually graphic video games.

(b) Membership. The Task Force shall be composed of the following 11 members:

(1) two current members of the House of Representatives, not from the same political party, who shall be appointed by the Speaker of the House;

(2) two current members of the Senate, not from the same political party, who shall be appointed by the Committee on Committees;

(3) one member of a school board, who shall be appointed by the Vermont School Boards Association;

(4) the Attorney General or designee;

(5) the President of the Vermont Federation of Sportsmen's Clubs or designee;

(6) the Executive Director of Gun Sense Vermont or designee;

(7) the Director of the Vermont State Police or designee;

(8) the Commissioner of the Department of Mental Health or designee; and

(9) a member of the public who is interested in public safety, who shall be appointed by the Committee on Committees.

(c) Powers and duties. The Task Force shall:

(1) study the connection between violent and sexually graphic video games and school shootings including:

(A) the addictive nature of violent and sexually graphic video games;

(B) the scientific basis for the connection between violent and sexually graphic video games and school violence and school shootings;

(C) the link between mass shootings and the perpetrator's use of violent and sexually graphic video games;

(D) the impact upon youth when the viewing of, or use of, violent and sexually graphic video games is curtailed; and

(2) develop a scientifically based ratings system for violent and sexually graphic video games, including:

(A) a rating system to provide parents with an easy to understand method of determining whether a video game is suitable to be used or watched by a child based on the child's age and the content of the video game; and

(B) a rating system to be used in establishing restrictions concerning the purchase or rental of violent or sexually graphic video games based on a child's age.

(d) Assistance. The Task Force shall have the administrative, technical, and legal assistance of the Department of Public Safety and the Department of Mental Health.

(e) Report. On or before January 15, 2019, and the Task Force shall submit a written report to the General Assembly, the House Committees on Health Care and on Human Services, and the Senate Committee on Health and Welfare with specific findings and recommendations for legislative action.

(f) Meetings.

(1) The first appointed member of the House of Representatives shall

call the first meeting of the Task Force to occur on or before June 30, 2018.

(2) The Committee shall select a chair from among its members at the first meeting.

(3) A majority of the membership shall constitute a quorum.

(4) The Task Force shall meet at least once a month until it ceases to exist.

(5) The Task Force shall cease to exist on January 15, 2019.

(g) Compensation and reimbursement.

(1) For attendance at meetings during adjournment of the General Assembly, a legislative member of the Task Force shall be entitled to per diem compensation and reimbursement of expenses pursuant to 2 V.S.A. § 406 for meetings.

(2) Other members of the Task Force who are not employees of the State of Vermont and who are not otherwise compensated or reimbursed for their attendance shall be entitled to per diem compensation and reimbursement of pursuant to 32 V.S.A. § 1010 for meetings. These payments shall be made from monies appropriated to the General Assembly.

(h) Appropriation. The sum of \$5,000.00 is appropriated to the General Assembly from the General Fund in fiscal year 2019 for per diem compensation and reimbursement of expenses for members of the Task Force.

Thereupon, **Rep. Gage of Rutland City** asked and was granted leave of the House to withdraw his amendment.

Pending third reading of the bill, **Rep. Willhoit of St. Johnsbury** moved to amend the bill as follows:

First: In Sec. C.110(b) by striking out subdivision (3) in its entirety and renumbering the remaining subdivisions (including internal references) to be numerically correct

Second: In Sec. C.1000(a) by striking out subdivision (1) in its entirety and inserting in lieu thereof a new subdivision (1) to read as follows:

(1) To be transferred to the Next Generation Initiative Fund and appropriated to the Department of Labor for the purposes of funding professional development and training for incumbent workers in the early childhood care and education field. The Department shall coordinate with the Community College of Vermont and the Child Development Division of the Department for Children and Families to ensure the related instruction and coursework aligns with licensing requirements. \$120,000

Pending the question, Shall the bill be amended as offered by Rep. Willhoit of St. Johnsbury? **Rep. Willhoit of St. Johnsbury** demanded the Yeas and Nays, which demand was sustained by the Constitutional number.

Thereupon, **Rep. Willhoit of St. Johnsbury** asked and was granted leave of the House to withdraw the request for a roll call. Thereupon, the amendment as offered by **Rep. Willhoit of St. Johnsbury** was disagreed to.

Thereupon, the bill was read the third time and passed on a division Yeas, 122 and Nays, 10.

### **Adjournment**

At nine o'clock and three minutes in the evening, on motion of **Rep. Turner of Milton**, the House adjourned until Tuesday, March 27, 2018, at ten o'clock in the forenoon, pursuant to the provisions of J.R.S. 52.

### **Concurrent Resolutions Adopted**

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

#### **H.C.R. 279**

House concurrent resolution honoring Andrew A. Pallito for his exemplary leadership and wisdom as a Vermont public official;

#### **H.C.R. 280**

House concurrent resolution designating July 2018 as Parks and Recreation Month in Vermont;

#### **H.C.R. 281**

House concurrent resolution designating March 19, 2018 as Women in Public Office Day;

#### **H.C.R. 282**

House concurrent resolution in memory of Dr. John W. Hennessey Jr. of Shelburne;

#### **H.C.R. 283**

House concurrent resolution designating March 2018 as Older Vermonters Nutrition Month;

#### **H.C.R. 284**

House concurrent resolution congratulating the St. Johnsbury Academy Hilltoppers on winning their fourth consecutive Division I girls' indoor track



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and field championship;

**H.C.R. 285**

House concurrent resolution congratulating the 2018 St. Johnsbury Academy Hilltoppers Division I championship boys' indoor track and field team;

**H.C.R. 286**

House concurrent resolution in memory of Elaine B. Little of Shelburne and Burlington;

**H.C.R. 287**

House concurrent resolution honoring the life and legacy of Robert Romeo De Cormier Jr. of Belmont;

**H.C.R. 288**

House concurrent resolution celebrating the cultural and economic centrality of agriculture in the State of Vermont;

**H.C.R. 289**

House concurrent resolution designating March 22, 2018 as Vermont Nonprofit Legislative Day at the State House;

**H.C.R. 290**

House concurrent resolution designating March 2018 as National Social Work Month in Vermont;

**S.C.R. 22**

Senate concurrent resolution designating Saturday, March 24, 2018 as Northeast Kingdom Day in Vermont;

[The full text of the concurrent resolutions appeared in the House Calendar Addendum on the preceding legislative day and will appear in the Public Acts and Resolves of the 2018, seventy-fourth Biennial session.]