

# Journal of the House

---

Thursday, March 29, 2018

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

## Devotional Exercises

Devotional exercises were conducted by Rob Backlund for Alzheimer's Awareness and Advocacy Day, Burlington, VT.

## Senate Bill Referred

**S. 257**

Senate bill, entitled

An act relating to miscellaneous changes to education law

Was read and referred to the committee on Education.

## Senate Bill Referred

**S. 94**

Senate bill, entitled

An act relating to promoting remote work

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

## Message from the Senate No. 42

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. 94.** An act relating to promoting remote work.

**S. 257.** An act relating to miscellaneous changes to education law.

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

---

**Committee Relieved of Consideration  
and Bill Committed to Other Committee**

**S. 179**

**Rep. Conquest of Newbury** moved that the committee on Judiciary be relieved of House bill, entitled

An act relating to community justice centers

And that the bill be committed to the committee on Corrections and Institutions, which was agreed to.

**Senate Proposal of Amendment Concurred in**

**S. 103**

The Senate proposed to the House to amend House bill, entitled

An act relating to the regulation of toxic substances and hazardous materials

The Senate concurs in the House proposal of amendment with the following proposal of amendment thereto:

First: By striking out “Intergovernmental” wherever it appears in the bill and inserting in lieu thereof Interagency

Second: In Sec. 1, 10 V.S.A. § 6633, in subsection (b), after the word “following” by striking out “nine” and inserting in lieu thereof eight

And by striking out subdivisions (b)(1) and (2) in their entirety and renumbering the remaining subdivisions in subsection (b) to be numerically correct

And by striking out the period after the renumbered (b)(7) and inserting in lieu thereof a new semicolon

And by adding a new subdivision (b)(8) to read:

(8) the Secretary of Transportation or designee.

Third: In Sec. 1, 10 V.S.A. § 6633, in subdivision (f)(2), after “July 1,” by striking out “2017” and inserting in lieu thereof 2018

Fourth: In Sec. 2 (Intergovernmental Committee on Chemical Management report), in the first sentence, after “February 15,” by striking out “2018” and inserting in lieu thereof 2019

Fifth: In Sec. 4 (ANR groundwater source testing rule), in the first sentence, by striking out “2017” where it appears and inserting in lieu thereof 2018

And in the second sentence, by striking out “2018” where it appears and

inserting in lieu thereof 2019

Sixth: In Sec. 9 (Effective Dates), by striking out subsection (b) in its entirety and inserting in lieu thereof the following:

(b) Sec. 3 (groundwater source testing) shall take effect on July 1, 2019, except that 10 V.S.A. § 1982(e) shall take effect on passage.

(c) All other sections shall take effect on July 1, 2018.

Which proposal of amendment was considered.

Pending the question, Shall the House concur in the Senate proposal to the House proposal of amendment? **Rep. Poirier of Barre City** moved that the House concur in the Senate proposal of amendment with a further amendment thereto as follows:

By striking out Sec. 8 (rulemaking; additional chemicals of concern) in its entirety and inserting in lieu thereof the following:

Sec. 8. [Deleted.]

Pending the question, Shall the House concur in the Senate proposal of amendment to the House proposal of amendment with further amendment thereto as moved by Rep. Poirier of Barre City? **Rep. Poirier of Barre City** 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 concur in the Senate proposal of amendment to the House proposal of amendment with further amendment thereto as moved by Rep. Poirier of Barre City? was decided in the negative. Yeas, 53. Nays, 84.

Those who voted in the affirmative are:

Bancroft of Westford	Harrison of Chittenden	Pearce of Richford
Baser of Bristol	Hebert of Vernon	Poirier of Barre City
Batchelor of Derby	Helm of Fair Haven	Quimby of Concord
Beck of St. Johnsbury	Higley of Lowell	Read of Fayston
Brennan of Colchester	Juskiewicz of Cambridge	Rosenquist of Georgia
Burditt of West Rutland	Keefe of Manchester	Savage of Swanton
Canfield of Fair Haven	Kimbell of Woodstock	Scheuermann of Stowe
Cupoli of Rutland City	LaClair of Barre Town	Shaw of Pittsford
Devereux of Mount Holly	Lawrence of Lyndon	Smith of Derby
Dickinson of St. Albans Town	Lewis of Berlin	Smith of New Haven
Donahue of Northfield	Marcotte of Coventry	Strong of Albany
Fagan of Rutland City	Mattos of Milton	Sullivan of Dorset
Feltus of Lyndon	McCoy of Poultney	Terenzini of Rutland Town
Frenier of Chelsea	McFaun of Barre Town	Turner of Milton
Gage of Rutland City	Myers of Essex	Van Wyck of Ferrisburgh
Gamache of Swanton	Nolan of Morristown	Viens of Newport City
Graham of Williamstown	Norris of Shoreham	Willhoit of St. Johnsbury
	Parent of St. Albans Town	Wright of Burlington

Those who voted in the negative are:

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

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

Ainsworth of Royalton	Condon of Colchester	Martel of Waterford
Beyor of Highgate	Gonzalez of Winooski	Stevens of Waterbury
Brumsted of Shelburne	Kitzmiller of Montpelier	Toll of Danville
Cina of Burlington	Lefebvre of Newark	Yantachka of Charlotte

Pending the question, Shall the House concur in the Senate proposal of amendment to the House proposal of amendment? **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 concur in the Senate proposal of amendment to the House proposal of amendment? was decided in the affirmative. Yeas, 96. Nays, 42.

Those who voted in the affirmative are:

Ancel of Calais	Gannon of Wilmington	Murphy of Fairfax
Bartholomew of Hartland	Gardner of Richmond	Norris of Shoreham

---

Baser of Bristol	Giambatista of Essex	Noyes of Wolcott
Belaski of Windsor	Grad of Moretown	Ode of Burlington
Bissonnette of Winooski	Haas of Rochester	O'Sullivan of Burlington
Bock of Chester	Harrison of Chittenden	Pajala of Londonderry
Botzow of Pownal	Head of South Burlington	Partridge of Windham
Briglin of Thetford	Hill of Wolcott	Pearce of Richford
Browning of Arlington	Hooper of Montpelier	Potter of Clarendon
Buckholz of Hartford	Hooper of Randolph	Pugh of South Burlington
Burke of Brattleboro	Houghton of Essex	Rachelson of Burlington
Canfield of Fair Haven	Howard of Rutland City	Scheu of Middlebury
Carr of Brandon	Jessup of Middlesex	Sharpe of Bristol
Chesnut-Tangerman of Middletown Springs	Jickling of Randolph	Sheldon of Middlebury
Christensen of Weathersfield	Joseph of North Hero	Sibilia of Dover
Christie of Hartford	Keefe of Manchester	Squirrell of Underhill
Colburn of Burlington	Keenan of St. Albans City	Stevens of Waterbury
Conlon of Cornwall	Kimbell of Woodstock	Stuart of Brattleboro
Connor of Fairfield	Krowinski of Burlington *	Sullivan of Dorset
Conquest of Newbury	Lalonde of South Burlington	Sullivan of Burlington
Copeland-Hanzas of Bradford	Lanpher of Vergennes	Taylor of Colchester
Corcoran of Bennington	Lawrence of Lyndon	Till of Jericho
Dakin of Colchester	Lippert of Hinesburg	Toleno of Brattleboro
Deen of Westminster	Long of Newfane	Townsend of South Burlington
Devereux of Mount Holly	Lucke of Hartford	Trieber of Rockingham
Donovan of Burlington	Macaig of Williston	Troiano of Stannard
Dunn of Essex	Masland of Thetford	Walz of Barre City
Emmons of Springfield	McCormack of Burlington	Webb of Shelburne
Feltus of Lyndon	McCullough of Williston	Weed of Enosburgh
Fields of Bennington	Miller of Shaftsbury	Wood of Waterbury
Forguites of Springfield	Morris of Bennington *	Yacovone of Morristown
	Morrissey of Bennington	Young of Glover
	Mrowicki of Putney *	

Those who voted in the negative are:

Bancroft of Westford	Helm of Fair Haven	Rosenquist of Georgia
Batchelor of Derby	Higley of Lowell	Savage of Swanton
Beck of St. Johnsbury	Juskiewicz of Cambridge	Scheuermann of Stowe
Brennan of Colchester	LaClair of Barre Town	Shaw of Pittsford
Burditt of West Rutland	Lewis of Berlin	Smith of Derby
Cupoli of Rutland City	Marcotte of Coventry	Smith of New Haven
Dickinson of St. Albans Town	Mattos of Milton	Strong of Albany
Donahue of Northfield	McCoy of Poultney	Terenzini of Rutland Town
Fagan of Rutland City	McFaun of Barre Town	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	Parent of St. Albans Town	Willhoit of St. Johnsbury
Graham of Williamstown	Poirier of Barre City	Wright of Burlington
Hebert of Vernon	Quimby of Concord	
	Read of Fayston	

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

---

Ainsworth of Royalton	Condon of Colchester	Martel of Waterford
Beyor of Highgate	Gonzalez of Winooski	Toll of Danville
Brumsted of Shelburne	Kitzmiller of Montpelier	Yantachka of Charlotte
Cina of Burlington	Lefebvre of Newark	

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

“Madam Speaker:

I vote yes to better protect Vermonters - especially our children - from toxic chemicals.”

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

“Madam Speaker:

I vote in favor of this bill for two reasons:

1. It is our duty to ensure the harmful practices of the past do not continue to hurt Vermonters into the future.
2. Science is real.”

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

“Madam Speaker:

I vote yes to support the committee’s work to protect Vermonters - especially children - from dangerous chemicals in the environment.

These kinds of protections will move Vermont into a future that ensures a strong, healthy Vermont.”

### **Message from the Senate No. 43**

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 considered bills originating in the House of the following titles:

**H. 846.** An act relating to the application of general law to chartered municipalities.

**H. 829.** An act relating to appointing town grand jurors.

And has passed the same in concurrence.

---

**Second Reading; Consideration Interrupted****S. 221**

**Rep. Grad of Moretown**, for the committee on Judiciary, to which had been referred Senate bill, entitled

An act relating to establishing extreme risk protection orders

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

First: In Sec. 1, 13 V.S.A. § 4053, in subdivision (c)(2)(A)(ii), by striking out “intended to place” and inserting in lieu thereof “placed”

Second: In Sec. 1, in 13 V.S.A. § 4053, in subdivision (e)(1), by striking out “at the time of the hearing”

Third: In Sec. 1, in 13 V.S.A. § 4053, in subdivision (e)(2), by striking out “60 days” and inserting in lieu thereof “six months”

Fourth: In Sec. 1, 13 V.S.A. § 4054, in subdivision (a)(1), at the end of the subdivision, by striking out “filed” and inserting in lieu thereof “submitted”

Fifth: In Sec. 1, 13 V.S.A. § 4054, in subdivision (b)(1), at the end of the subdivision, after the word “title” by inserting “, and the court shall deliver a copy to the holding station”

Sixth: In Sec. 1, 13 V.S.A. § 4054, in subdivision (b)(2)(A)(ii), by striking out “intended to place” and inserting in lieu thereof “placed”

Seventh: In Sec. 1, in 13 V.S.A. § 4055, in subdivisions (b)(1) and (b)(2), by, in each instance, striking out “60 days” and inserting in lieu thereof “six months”

Eighth: In Sec. 1, in 13 V.S.A. § 4056, in subsection (a), in the second sentence, after the word “service” by inserting “, and shall deliver a copy to the holding station”

Ninth: In Sec. 1, 13 V.S.A., after § 4060, by inserting a § 4061 to read as follows:

§ 4061. EFFECT ON OTHER LAWS

This chapter shall not be construed to prevent a court from prohibiting a person from possessing firearms under any other provision of law.

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

---

**Recess**

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

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

**Consideration Resumed; Proposal of Amendment Agreed to;  
Third Reading Ordered**

**S. 221**

Consideration resumed on House bill, entitled

An act relating to establishing extreme risk protection orders

Thereupon the proposal of amendment of the committee on Judiciary was agreed to.

Pending the question, Shall the bill be read a third time? **Rep. Grad of Moretown** 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, 136. Nays, 0.

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	Graham of Williamstown	Partridge of Windham
Batchelor of Derby	Haas of Rochester	Pearce of Richford
Beck of St. Johnsbury	Harrison of Chittenden	Poirier of Barre City
Belaski of Windsor	Head of South Burlington	Potter of Clarendon
Bissonnette of Winooski	Hebert of Vernon	Pugh of South Burlington
Bock of Chester	Helm of Fair Haven	Quimby of Concord
Botzow of Pownal	Higley of Lowell	Rachelson of Burlington
Brennan of Colchester	Hill of Wolcott	Read of Fayston
Briglin of Thetford	Hooper of Montpelier	Rosenquist of Georgia
Browning of Arlington	Hooper of Randolph	Savage of Swanton
Buckholz of Hartford	Howard of Rutland City	Scheu of Middlebury
Burditt of West Rutland	Jessup of Middlesex	Scheuermann of Stowe
Burke of Brattleboro	Jickling of Randolph	Sharpe of Bristol
Canfield of Fair Haven	Joseph of North Hero	Shaw of Pittsford
Carr of Brandon	Juskiewicz of Cambridge	Sheldon of Middlebury
Chesnut-Tangerman of Middletown Springs	Keefe of Manchester	Sibilia of Dover
Christensen of Weathersfield	Keenan of St. Albans City	Smith of Derby
Christie of Hartford	Krowinski of Burlington	Smith of New Haven
Colburn of Burlington	LaClair of Barre Town	Squirrell of Underhill
Conlon of Cornwall	Lalonde of South Burlington	Stevens of Waterbury
	Lanpher of Vergennes	Strong of Albany



---

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

Those who voted in the negative are: none

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

Ainsworth of Royalton	Gonzalez of Winooski	Martel of Waterford
Beyor of Highgate	Houghton of Essex	Toll of Danville
Brumsted of Shelburne	Kimbell of Woodstock	Yantachka of Charlotte
Cina of Burlington	Kitzmiller of Montpelier	
Condon of Colchester	Lefebvre of Newark	

**Rep. McFaun of Barre Town** explained his vote as follows:

“Madam Speaker:

I voted yes on S. 221 because it is a true public protection bill. I thank the committee for their good work.”

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

“Madam Speaker:

The incident thankfully thwarted in Fair Haven shook us all. I vote yes as S. 221 provides for extreme risk protection orders that can and will be properly accessed when someone poses a threat to themselves or others.”

### Adjournment

At four o'clock and sixteen minutes in the afternoon, on motion of **Rep. Turner of Milton**, the House adjourned until tomorrow at nine o'clock and thirty minutes in the forenoon.