

# Journal of the House

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Thursday, May 2, 2019

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

**Rep. Krowinski of Burlington** in chair.

## Devotional Exercises

Devotional exercises were conducted by Rep. David Potter of Clarendon.

## Bill Referred to Committee on Appropriations

### S. 131

Senate bill, entitled

An act relating to insurance and securities

Appearing on the Calendar, carrying an appropriation, under rule 35(a), was referred to the committee on Appropriations.

## Third Reading; Bill Passed in Concurrence with Proposal of Amendment

### S. 40

Senate bill, entitled

An act relating to testing and remediation of lead in the drinking water of schools and child care facilities

Was taken up and pending third reading of the bill, **Rep. Burditt of West Rutland** moved to propose to the Senate to amend the bill as follows:

By adding a Sec. 5b to read as follows:

Sec. 5b. ANR REPORT ON TESTING OF CONTAMINANTS OF

EMERGING CONCERN

(a) Findings. The General Assembly finds that:

(1) Contaminants of emerging concern (CECs) are increasingly being detected in surface waters, public water supplies, and effluent from wastewater treatment facilities.

(2) Recent studies have shown that some CECs can act as endocrine disruptors for humans and wildlife, disrupting normal hormone function and producing effects at the parts per billion or parts per trillion level.

(3) Many CECs do not break down, or they persist in the environment for a very long time, especially in water, and consequently, CECs can be found in many bodies of water and in the blood of humans and wildlife.

(4) Most CECs are not regulated under federal or State drinking water standards.

(5) To protect the health of Vermonters and prevent future degradation of the environment, the State should require the Secretary of Natural Resources to recommend to the General Assembly CECs that public water systems and other drinking water systems should be required to test.

(b) On or before January 15, 2020, the Secretary of Natural Resources shall submit to the General Assembly recommended CECs that the State should test for the presence of in drinking water. The recommendations shall:

(1) Summarize the basis for any recommendation, including how each recommendation will benefit the public health or the environment.

(2) Address, at a minimum, whether testing should be required for the following types or categories of CEC, and the reasons why:

(A) phthalates;

(B) bisphenol A;

(C) perfluoroalkyl, polyfluoroalkyl substances, and other perfluorinated chemicals;

(D) arsenic;

(E) brominated, chlorinated, or other types of flame retardants;

(F) glycol;

(G) dioxins; and

(H) mercury.

(3) If State or federal law already requires a public water system to test for a CEC, propose whether testing should be required in locations, such as schools or hospitals, where sensitive populations, such as children, pregnant women, or the elderly, may be present.

Thereupon, **Rep. Burditt of West Rutland** asked and was granted leave of the House to withdraw the amendment.

Thereupon, pending third reading of the bill, **Rep. Shaw of Pittsford** moved to propose to the Senate to amend the bill as follows:

In Sec. 1, 18 V.S.A. § 1244, in subdivision (2), after “performed” and before the “,” by inserting the following:  , provided that if an alternative

water source cannot be provided from another outlet in the building or facility, the Department of Health shall pay for the costs of any containerized, bottled, or packaged drinking water provided to the occupants of the building or facility

Thereupon **Rep. Shaw of Pittsford** asked and was granted leave of the House to withdraw the amendment. Thereupon, the bill was read the third time.

Pending the question, Shall the bill pass in concurrence with proposal of amendment? **Rep. Webb of Shelburne** 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 pass in concurrence with proposal of amendment? was decided in the affirmative. Yeas, 138. Nays, 3.

Those who voted in the affirmative are:

Ancel of Calais	Gamache of Swanton	Nicoll of Ludlow
Anthony of Barre City	Gannon of Wilmington	Norris of Shoreham
Austin of Colchester	Gardner of Richmond	Notte of Rutland City
Bancroft of Westford	Giambatista of Essex	Noyes of Wolcott
Bartholomew of Hartland	Goslant of Northfield	O'Brien of Tunbridge
Batchelor of Derby	Grad of Moretown	Ode of Burlington
Bates of Bennington	Graham of Williamstown	O'Sullivan of Burlington
Beck of St. Johnsbury	Gregoire of Fairfield	Page of Newport City
Birong of Vergennes	Haas of Rochester	Pajala of Londonderry
Bock of Chester	Hango of Berkshire	Palasik of Milton
Brennan of Colchester	Harrison of Chittenden	Patt of Worcester
Briglin of Thetford	Hashim of Dummerston	Potter of Clarendon
Brownell of Pownal	Helm of Fair Haven	Rachelson of Burlington
Browning of Arlington	Higley of Lowell	Ralph of Hartland
Brumsted of Shelburne	Hooper of Montpelier	Redmond of Essex
Burditt of West Rutland	Hooper of Randolph	Rogers of Waterville
Burke of Brattleboro	Hooper of Burlington	Rosenquist of Georgia
Campbell of St. Johnsbury	Houghton of Essex	Savage of Swanton
Canfield of Fair Haven	Howard of Rutland City	Scheu of Middlebury
Carroll of Bennington	James of Manchester	Scheuermann of Stowe
Chase of Colchester	Jerome of Brandon	Shaw of Pittsford
Chesnut-Tangerman of Middletown Springs	Jessup of Middlesex	Sheldon of Middlebury
Christensen of Weathersfield	Jickling of Randolph	Sibilia of Dover
Christie of Hartford	Killacky of South Burlington	Smith of Derby
Cina of Burlington	Kimbell of Woodstock	Smith of New Haven
Coffey of Guilford	Kitzmiller of Montpelier	Squirrell of Underhill
Colburn of Burlington	Kornheiser of Brattleboro	Stevens of Waterbury
Colston of Winooski	LaClair of Barre Town	Strong of Albany
Conlon of Cornwall	LaLonde of South Burlington	Sullivan of Dorset
Conquest of Newbury	Lanpher of Vergennes	Sullivan of Burlington
Copeland-Hanzas of Bradford	Lefebvre of Newark	Szott of Barnard
	Leffler of Enosburgh	Terenzini of Rutland Town
		Till of Jericho

Corcoran of Bennington	Lippert of Hinesburg	Toleno of Brattleboro
Cordes of Lincoln	Long of Newfane	Toll of Danville
Cupoli of Rutland City	Macaig of Williston	Toof of St. Albans Town
Demrow of Corinth	Marcotte of Coventry	Townsend of South
Dickinson of St. Albans Town	Masland of Thetford	Burlington
Dolan of Waitsfield	Mattos of Milton	Troiano of Stannard
Donahue of Northfield	McCarthy of St. Albans City	Walz of Barre City
Donovan of Burlington	McCormack of Burlington	Webb of Shelburne *
Durfee of Shaftsbury	McCoy of Poultney	White of Hartford
Elder of Starksboro	McCullough of Williston	Wood of Waterbury
Emmons of Springfield	McFaun of Barre Town	Yacovone of Morristown
Fagan of Rutland City	Morgan of Milton	Yantachka of Charlotte
Fegard of Berkshire	Morrissey of Bennington	Young of Greensboro
Feltus of Lyndon	Mrowicki of Putney	
	Murphy of Fairfax	
	Myers of Essex	

Those who voted in the negative are:

Seymour of Sutton	Taylor of Colchester	Trieber of Rockingham *
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Those members absent with leave of the House and not voting are:

Gonzalez of Winooski	Martel of Waterford	Quimby of Concord
Hill of Wolcott	Partridge of Windham	
Johnson of South Hero	Pugh of South Burlington	

**Rep. Trieber of Rockingham** explained his vote as follows:

“Madam Speaker:

The question before us is not should we protect our children from lead; of course we should. The question is, rather, how to pay for it. The longer we continue to funnel General Funds into education costs, thereby obscuring the actual cost of education from Vermonters, the more we delay the inevitable conclusion that our grand experiment of education funding is nothing more than an abject failure.”

**Rep. Webb of Shelburne** explained her vote as follows:

“Madam Speaker:

With the passage of this bill, Vermont will have the lowest mandatory action level in the country with one of the most health-protective remediation plans and supports.”

**Third Reading; Bill Passed in Concurrence  
With Proposal of Amendment**

**S. 43**

Senate bill, entitled

An act relating to prohibiting prior authorization requirements for medication-assisted treatment

Was taken up, read the third time and passed in concurrence with proposal of amendment.

#### **Recess**

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

At two o'clock and twelve minutes in the afternoon, the Speaker called the House to order.

#### **Third Reading; Bill Passed in Concurrence With Proposal of Amendment**

##### **S. 133**

Senate bill, entitled

An act relating to juvenile jurisdiction

Was taken up, read the third time and passed in concurrence with proposal of amendment.

#### **Third Reading; Resolution Passed in Concurrence**

##### **J.R.S. 13**

Senate resolution, entitled

Joint resolution authorizing the Commissioner of Forests, Parks and Recreation to amend the Department's lease with the Okemo Limited Liability Company and to authorize a conveyance of Woodchuck Mountain in Newbury as an alternative to the conveyance authorized in 2002 Acts and Resolves No. 149, Sec. 83(a)(3)

Was taken up, read the third time and passed in concurrence.

#### **Action on Bill Postponed**

##### **H. 133**

House bill, entitled

An act relating to miscellaneous energy subjects

Was taken up and pending consideration of the Senate proposal of amendment, on motion of **Rep. Patt of Worcester**, action on the bill was postponed until May 7, 2019.

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**Senate Proposal of Amendment Concurred in****H. 526**

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

An act relating to town clerk recording fees and town restoration and preservation reserve funds

The Senate proposes to the House to amend the bill as follows:

First: In Sec. 9, 24 V.S.A. § 1159, subdivision (a)(2), immediately following the words “certificate of the date” by inserting the words and time

Second: In Sec. 9, 24 V.S.A. § 1159, subsection (b), immediately following the words “and the date” by inserting the words and time

Which proposal of amendment was considered and concurred in.

**Adjournment**

At two o'clock and twenty minutes in the afternoon, on motion of **Rep. McCoy of Poultney**, the House adjourned until tomorrow at nine o'clock and thirty minutes in the forenoon.