

# Journal of the House

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Wednesday, January 10, 2024

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

## Devotional Exercises

Devotional exercises were conducted by Senator Mark Daly, Chair of the Irish Senate, County Kerry, Ireland.

## Rules Suspended, House Bills Introduced

Pending first reading of the bills, on motion of **Rep. McCoy of Poultney**, the rules were suspended and the bills were read the first time by number and referred to committee as follows:

### H. 715

By Reps. Sibia of Dover, Buss of Woodstock, Hango of Berkshire, Harrison of Chittenden, Priestley of Bradford, and Sims of Craftsbury,

House bill, entitled

An act relating to climate change resilience under Act 250

To the Committee on Environment and Energy.

### H. 716

By Reps. Marcotte of Coventry and Jerome of Brandon,

House bill, entitled

An act relating to career and technical education

To the Committee on Education.

### H. 717

By Reps. McGill of Bridport, Arsenault of Williston, Berbeco of Winooski, Brumsted of Shelburne, Burrows of West Windsor, Casey of Montpelier, Christie of Hartford, Cina of Burlington, Cordes of Lincoln, Elder of Starksboro, Farlice-Rubio of Barnet, LaMont of Morristown, Logan of Burlington, McCann of Montpelier, Pajala of Londonderry, Priestley of Bradford, Rachelson of Burlington, Roberts of Halifax, and Templeman of Brownington,

House bill, entitled

An act relating to supports to help students experiencing homelessness and students exiting the foster care system succeed in postsecondary educational institutions

To the Committee on Education.

#### **H. 718**

By Rep. Elder of Starksboro,

House bill, entitled

An act relating to the calculation of a school district's long-term membership

To the Committee on Education.

#### **H. 719**

By Reps. Bartley of Fairfax, Hango of Berkshire, Sims of Craftsbury, Small of Winooski, Andrews of Westford, Anthony of Barre City, Arrison of Weathersfield, Beck of St. Johnsbury, Bos-Lun of Westminster, Branagan of Georgia, Buss of Woodstock, Campbell of St. Johnsbury, Canfield of Fair Haven, Carpenter of Hyde Park, Clifford of Rutland City, Elder of Starksboro, Farlice-Rubio of Barnet, Goslant of Northfield, Harrison of Chittenden, Krasnow of South Burlington, LaBounty of Lyndon, Leavitt of Grand Isle, Logan of Burlington, Mattos of Milton, McCoy of Poultney, Morris of Springfield, Noyes of Wolcott, Oliver of Sheldon, Pajala of Londonderry, Patt of Worcester, Priestley of Bradford, Surprenant of Barnard, Templeman of Brownington, Toof of St. Albans Town, and Walker of Swanton,

House bill, entitled

An act relating to housing development and unit rehabilitation

To the Committee on Environment and Energy.

#### **H. 720**

By Rep. Carroll of Bennington,

House bill, entitled

An act relating to improper disclosure of discovery information in criminal proceedings

To the Committee on Judiciary.

**H. 721**

By Reps. Houghton of Essex Junction, Andrews of Westford, Anthony of Barre City, Arsenault of Williston, Berbeco of Winooski, Birong of Vergennes, Black of Essex, Bluemle of Burlington, Bongartz of Manchester, Bos-Lun of Westminster, Boyden of Cambridge, Brown of Richmond, Brumsted of Shelburne, Burke of Brattleboro, Burrows of West Windsor, Buss of Woodstock, Campbell of St. Johnsbury, Carpenter of Hyde Park, Chase of Chester, Chesnut-Tangerman of Middletown Springs, Cina of Burlington, Coffey of Guilford, Cole of Hartford, Conlon of Cornwall, Cordes of Lincoln, Dodge of Essex, Dolan of Essex Junction, Durfee of Shaftsbury, Elder of Starksboro, Emmons of Springfield, Farlice-Rubio of Barnet, Garofano of Essex, Goldman of Rockingham, Graning of Jericho, Headrick of Burlington, Holcombe of Norwich, Hooper of Burlington, Howard of Rutland City, Hyman of South Burlington, James of Manchester, Jerome of Brandon, Kornheiser of Brattleboro, Krasnow of South Burlington, LaBounty of Lyndon, LaLonde of South Burlington, Leavitt of Grand Isle, Logan of Burlington, Long of Newfane, McCann of Montpelier, McCarthy of St. Albans City, McFaun of Barre Town, McGill of Bridport, Morris of Springfield, Mrowicki of Putney, Mulvaney-Stanak of Burlington, Notte of Rutland City, Noyes of Wolcott, Nugent of South Burlington, Ode of Burlington, Pajala of Londonderry, Patt of Worcester, Pouech of Hinesburg, Priestley of Bradford, Rachelson of Burlington, Rice of Dorset, Roberts of Halifax, Satcowitz of Randolph, Sheldon of Middlebury, Sims of Craftsbury, Small of Winooski, Stevens of Waterbury, Stone of Burlington, Templeman of Brownington, Toleno of Brattleboro, Torre of Moretown, Troiano of Stannard, Waters Evans of Charlotte, Whitman of Bennington, Williams of Barre City, and Wood of Waterbury,

House bill, entitled

An act relating to expanding access to Medicaid and Dr. Dynasaur

To the Committee on Health Care.

**H. 722**

By Reps. McGill of Bridport, Arsenault of Williston, Berbeco of Winooski, Brumsted of Shelburne, Burrows of West Windsor, Casey of Montpelier, Chesnut-Tangerman of Middletown Springs, Christie of Hartford, Cina of Burlington, Cordes of Lincoln, Elder of Starksboro, Farlice-Rubio of Barnet, LaMont of Morristown, Logan of Burlington, McCann of Montpelier, Pajala of Londonderry, Priestley of Bradford, Rachelson of Burlington, Roberts of Halifax, and Templeman of Brownington,

House bill, entitled

An act relating to the waiver of certain fees for vital records and other identification for persons experiencing homelessness

To the Committee on Government Operations and Military Affairs.

#### **H. 723**

By Reps. Williams of Barre City, McCann of Montpelier, Casey of Montpelier, Anthony of Barre City, Boyden of Cambridge, Branagan of Georgia, Brown of Richmond, Brumsted of Shelburne, Burrows of West Windsor, Campbell of St. Johnsbury, Chapin of East Montpelier, Chase of Chester, Chesnut-Tangerman of Middletown Springs, Cina of Burlington, Cole of Hartford, Farlice-Rubio of Barnet, Goldman of Rockingham, Headrick of Burlington, Howard of Rutland City, Hyman of South Burlington, Krasnow of South Burlington, LaBounty of Lyndon, LaLonde of South Burlington, Logan of Burlington, Ode of Burlington, Patt of Worcester, Priestley of Bradford, Rice of Dorset, Stebbins of Burlington, Surprenant of Barnard, Torre of Moretown, Troiano of Stannard, Waters Evans of Charlotte, and Wood of Waterbury,

House bill, entitled

An act relating to flood recovery

To the Committee on Environment and Energy.

#### **H. 724**

By Rep. LaLonde of South Burlington,

House bill, entitled

An act relating to sealing eviction records

To the Committee on Judiciary.

#### **H. 725**

By Reps. Christie of Hartford, Anthony of Barre City, Burrows of West Windsor, Cina of Burlington, Cole of Hartford, Cordes of Lincoln, Elder of Starksboro, Garofano of Essex, Headrick of Burlington, Howard of Rutland City, Hyman of South Burlington, LaBounty of Lyndon, LaLonde of South Burlington, Logan of Burlington, McGill of Bridport, Mrowicki of Putney, Mulvaney-Stanak of Burlington, Priestley of Bradford, Rachelson of Burlington, Stevens of Waterbury, Stone of Burlington, and Templeman of Brownington,

House bill, entitled

An act relating to the Human Rights Commission

To the Committee on General and Housing.

**H. 726**

By Rep. Nugent of South Burlington,

House bill, entitled

An act relating to compliance checks by the Division of Liquor Control

To the Committee on Government Operations and Military Affairs.

**H. 727**

By Reps. Nugent of South Burlington, Anthony of Barre City, Farlice-Rubio of Barnet, Headrick of Burlington, and McGill of Bridport,

House bill, entitled

An act relating to social host liability for furnishing alcohol or cannabis to an individual under 21

To the Committee on Judiciary.

**H. 728**

By Reps. Dodge of Essex, Berbeco of Winooski, Carpenter of Hyde Park, Christie of Hartford, Cina of Burlington, Cole of Hartford, Dolan of Essex Junction, Elder of Starksboro, Farlice-Rubio of Barnet, Garofano of Essex, Goldman of Rockingham, Headrick of Burlington, Houghton of Essex Junction, Howard of Rutland City, Leavitt of Grand Isle, Logan of Burlington, Masland of Thetford, McCann of Montpelier, McGill of Bridport, Mrowicki of Putney, Mulvaney-Stanak of Burlington, Ode of Burlington, Patt of Worcester, Priestley of Bradford, Rachelson of Burlington, Roberts of Halifax, Sims of Craftsbury, Torre of Moretown, and Williams of Barre City,

House bill, entitled

An act relating to the provision of translation services during school enrollment

To the Committee on Education.

**H. 729**

By Reps. Gregoire of Fairfield, Anthony of Barre City, Boyden of Cambridge, Campbell of St. Johnsbury, Christie of Hartford, Cole of Hartford, Dodge of Essex, Garofano of Essex, Hango of Berkshire, Harrison of Chittenden, Howard of Rutland City, Labor of Morgan, LaBounty of Lyndon, Masland of Thetford, Noyes of Wolcott, Sibia of Dover, Stebbins of Burlington, Templeman of Brownington, and Williams of Granby,

House bill, entitled

An act relating to establishing a tobacco substitute directory

To the Committee on Human Services.

**H. 730**

By Reps. Christie of Hartford, Bluemle of Burlington, Cina of Burlington, Howard of Rutland City, Hyman of South Burlington, Mrowicki of Putney, Rachelson of Burlington, and Templeman of Brownington,

House bill, entitled

An act relating to uniformly removing members of State boards and commissions

To the Committee on Government Operations and Military Affairs.

**H. 731**

By Reps. Headrick of Burlington, Andrews of Westford, Bluemle of Burlington, Bos-Lun of Westminster, Burke of Brattleboro, Burrows of West Windsor, Casey of Montpelier, Chapin of East Montpelier, Christie of Hartford, Cina of Burlington, Cole of Hartford, Cordes of Lincoln, Elder of Starksboro, Farlice-Rubio of Barnet, Garofano of Essex, LaBounty of Lyndon, Leavitt of Grand Isle, Logan of Burlington, McCann of Montpelier, McGill of Bridport, Minier of South Burlington, Morris of Springfield, Mulvaney-Stanak of Burlington, Pouech of Hinesburg, Priestley of Bradford, Rachelson of Burlington, Rice of Dorset, Small of Winooski, Stebbins of Burlington, Stone of Burlington, and Surprenant of Barnard,

House bill, entitled

An act relating to Family Division jurisdiction in juvenile proceedings

To the Committee on Judiciary.

**H. 732**

By Reps. LaBounty of Lyndon, Andriano of Orwell, Anthony of Barre City, Berbeco of Winooski, Branagan of Georgia, Campbell of St. Johnsbury, Chesnut-Tangerman of Middletown Springs, Christie of Hartford, Farlice-Rubio of Barnet, Goslant of Northfield, Hango of Berkshire, Hooper of Burlington, Howard of Rutland City, Krasnow of South Burlington, Labor of Morgan, Masland of Thetford, McFaun of Barre Town, Page of Newport City, Patt of Worcester, Priestley of Bradford, Sammis of Castleton, Sheldon of Middlebury, Smith of Derby, Waters Evans of Charlotte, and Williams of Granby,

House bill, entitled

An act relating to traffic cameras and traffic violations for illegally passing a school bus

To the Committee on Transportation.

**H. 733**

By Rep. Carroll of Bennington,

House bill, entitled

An act relating to General Assistance emergency housing

To the Committee on Human Services.

**Joint Resolution Adopted in Concurrence****J.R.S. 36**

By Senator Baruth,

**J.R.S. 36.** Joint resolution relating to weekend adjournment on January 12, 2024.

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

That when the two Houses adjourn on Friday, January 12, 2024, it be to meet again no later than Tuesday, January 16, 2024.

Was taken up, read, and adopted in concurrence.

**Committee Relieved of Consideration and  
Bill Committed to Other Committee****H. 619**

**Rep. Stevens of Waterbury** moved that the Committee on General and Housing be relieved of House bill, entitled

An act relating to creating reciprocal rights to landlord-tenant attorney's fees and expenses

And that the bill be committed to the Committee on Judiciary, which was agreed to.

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

**H. 657**

**Rep. Sheldon of Middlebury** moved that the Committee on Environment and Energy be relieved of House bill, entitled

An act relating to the modernization of Vermont's communications taxes and fees

And that the bill be committed to the Committee on Ways and Means, which was agreed to.

**Second Reading; Bill Amended; Third Reading Ordered**

**H. 27**

**Rep. Arsenault of Williston**, for the Committee on Judiciary, to which had been referred House bill, entitled

An act relating to coercive controlling behavior and abuse prevention orders

Reported in favor of its passage when amended by striking out all after the enacting clause and inserting in lieu thereof the following:

Sec. 1. 15 V.S.A. § 1101 is amended to read:

§ 1101. DEFINITIONS

~~The following words as used in this chapter shall have the following meanings~~ As used in this chapter:

(1) "Abuse" means:

(A) the occurrence of one or more of the following acts between family or household members:

(A)(i) ~~Attempting~~ attempting to cause or causing physical harm;

(B)(ii) ~~Placing~~ placing another in fear of imminent serious physical harm;

(C)(iii) ~~Abuse~~ abuse to children as defined in 33 V.S.A. chapter 49, subchapter 2;

(D)(iv) ~~Stalking~~ stalking as defined in 12 V.S.A. § 5131(6); or



~~(E)(v)~~ Sexual sexual assault as defined in 12 V.S.A. § 5131(5); or

~~(B)~~ coercive controlling behavior between family or household members.

~~(2)(A)~~ “Coercive controlling behavior” means a pattern of conduct that recklessly causes or has the effect of causing a reasonable person:

~~(i)~~ to fear for the plaintiff’s safety or the safety of a family member; or

~~(ii)~~ to suffer substantial emotional distress.

~~(B)~~ “Coercive controlling behavior” does not include:

~~(i)~~ conduct between a child under 18 years of age and the child’s parent or guardian involving the exercise of a parent’s constitutional right to the care, custody, and control of the parent’s child;

~~(ii)~~ conduct taken by a plaintiff to protect themselves, the plaintiff’s family or household members, or an animal that is connected to the family from the risk of present or future harm; or

~~(iii)~~ constitutionally protected activity.

~~(3)~~ “Household members” means persons who, for any period of time, are living or have lived together, are sharing or have shared occupancy of a dwelling, are engaged in or have engaged in a sexual relationship, or minors or adults who are dating or who have dated. “Dating” means a social relationship of a romantic nature. Factors that the court may consider when determining whether a dating relationship exists or existed include:

~~(A)~~ the nature of the relationship;

~~(B)~~ the length of time the relationship has existed;

~~(C)~~ the frequency of interaction between the parties; and

~~(D)~~ the length of time since the relationship was terminated, if applicable.

~~(3)(4)~~ A “foreign abuse prevention order” means any protection order issued by the court of any other state that contains provisions similar to relief provisions authorized under this chapter, the Vermont Rules for Family Proceedings, 33 V.S.A. chapter 69, or 12 V.S.A. chapter 178.

~~(4)(5)~~ “Other state” and “issuing state” shall mean any state other than Vermont and any federally recognized Indian tribe, territory or possession of the United States, the Commonwealth of Puerto Rico, or the District of Columbia.

~~(5)~~(6) A “protection order” means any injunction or other order issued for the purpose of preventing violent or threatening acts or harassment against, or contact or communication with or physical proximity to, another person, including temporary and final orders issued by civil and criminal courts, other than support or child custody orders, whether obtained by filing an independent action or as a pendente lite order in another proceeding ~~so long as,~~ provided that any civil order was issued in response to a complaint, petition, or motion filed by or on behalf of a person seeking protection.

~~(6)~~(7) [Repealed.]

Sec. 2. 15 V.S.A. § 1101a is added to read:

§ 1101a. LEGISLATIVE INTENT; COERCIVE CONTROLLING  
BEHAVIOR

(a) It is the intent of the General Assembly to recognize that coercive controlling behavior is a form of abuse.

(b) The inclusion of coercive controlling behavior within the definition of “abuse” in section 1101 of this title and the language included in that section is derived from the 2022 Model Code on Domestic and Family Violence issued by the National Council of Juvenile and Family Court Judges.

(c) As identified in the model code, coercive controlling behavior may include a pattern of any of the following:

(1) monitoring or surveilling the plaintiff’s daily personal activities;

(2) manipulating the plaintiff’s mental health status to the detriment of the plaintiff;

(3) isolating the plaintiff from family or friends or the opportunity to participate in a faith community, employment, education, or other support networks;

(4) repeatedly humiliating, threatening, or intimidating the plaintiff;

(5) threatening to harm or abduct the plaintiff or the plaintiff’s children;

(6) committing or threatening to commit harm to an animal that is connected to the family;

(7) threatening deportation or to contact local or federal authorities based on actual or perceived immigration status of the plaintiff or the plaintiff’s family or threatening to jeopardize the immigration application status of the plaintiff or the plaintiff’s family;

(8) depriving the plaintiff of the means needed for independence, resistance, or escape, such as denying or impeding the plaintiff's access to a vehicle, banking services, or the plaintiff's own identification documents;

(9) controlling, regulating, or monitoring the plaintiff's finances or economic resources; or

(10) controlling the reproductive autonomy of the plaintiff through force, threat of force, or intimidation, including placing unreasonable pressure on the plaintiff to become pregnant, deliberately interfering with the plaintiff's contraceptive use or access to reproductive health information, or using coercive tactics to control or attempt to control pregnancy outcomes.

### Sec. 3. EFFECTIVE DATE

This act shall take effect on July 1, 2024.

The bill, having appeared on the Notice Calendar, was taken up, read the second time, report of the Committee on Judiciary agreed to, and third reading ordered.

### **Second Reading; Bill Amended; Third Reading Ordered**

#### **H. 72**

**Rep. Small of Winooski**, for the Committee on Human Services, to which had been referred House bill, entitled

An act relating to a harm-reduction criminal justice response to drug use

Reported in favor of its passage when amended by striking out all after the enacting clause and inserting in lieu thereof the following:

Sec. 1. 18 V.S.A. § 4254 is amended to read:

§ 4254. IMMUNITY FROM LIABILITY; OVERDOSE PREVENTION

\* \* \*

(j)(1) The following persons shall not be cited, arrested, or prosecuted for unlawful possession of a regulated drug in violation of this chapter or subject to the property forfeiture provisions of this chapter for participation in or with an overdose prevention center that has been approved pursuant to subsection (m) of this section:

(A) a person using the services of an overdose prevention center;

(B) a staff member or administrator of an overdose prevention center, including a health care professional, manager, employee, or volunteer; or

(C) a property owner who owns real property at which an overdose prevention center is located and operates.

(2) The immunity provisions of this subsection apply only to the use and derivative use of evidence gained as a proximate result of participation in or with an overdose prevention center.

(k) An overdose prevention center:

(1) provides a space supervised by health care professionals or other trained staff where persons who use drugs can consume preobtained drugs and medication for substance use disorder;

(2) provides harm reduction supplies, including sterile injection supplies; collects used hypodermic needles and syringes; and provides secure hypodermic needle and syringe disposal services;

(3) answers questions on safer consumption practices;

(4) administers first aid, if needed, and monitors and treats potential overdoses;

(5) provides referrals to addiction treatment, medical services, and social services;

(6) educates participants on the risks of contracting HIV and viral hepatitis, wound care, and safe sex education;

(7) provides overdose prevention education and distributes overdose reversal medications, including naloxone;

(8) educates participants regarding proper disposal of hypodermic needles and syringes;

(9) provides reasonable security of the program site;

(10) establishes operating procedures for the program as well as eligibility criteria for program participants; and

(11) trains staff members to deliver services offered by the program.

(l) The Department of Health, in consultation with stakeholders and health departments of other states that have overdose prevention centers, shall develop operating guidelines for overdose prevention centers.

(m)(1) An entity may apply to the Department of Health for approval to operate an overdose prevention center. Entities may apply to establish and operate more than one program, and services may be provided at a fixed location or a mobile unit, or both. A safe syringe program may apply to operate an overdose prevention center.

(2) If an applicant complies with all applicable laws, rules, and operating guidelines adopted pursuant to subsection (l) of this section, the application shall be approved within 45 days after receipt. If the application is

denied, the applicant shall be provided with a written explanation of the basis for the denial and the steps necessary to remedy the application. The applicant may resubmit the application and the Department shall have 45 days to respond. Approval for a program shall be for a period of two years and may be renewed.

(n) An entity operating an overdose prevention center shall make publicly available the following information annually on or before January 15:

(1) the number of program participants;

(2) deidentified demographic information of program participants;

(3) the number of overdoses and the number of overdoses reversed on-site;

(4) the number of times emergency medical services were contacted and responded for assistance;

(5) the number of times law enforcement were contacted and responded for assistance; and

(6) the number of participants directly and formally referred to other services and the type of services.

Sec. 2. 18 V.S.A. § 4475(2) is amended to read:

(2) “Organized community-based needle exchange program” means a program approved by the Commissioner of Health under section 4478 of this title, the purpose of which is to provide access to clean needles and syringes; ~~and which is operated by an AIDS service organization, a substance abuse treatment provider, or a licensed health care provider or facility.~~ Such programs shall be operated in a manner that is consistent with the provisions of 10 V.S.A. chapter 159 (waste management; hazardous waste), and any other applicable laws.

Sec. 3. 18 V.S.A. § 4478 is amended to read:

#### § 4478. NEEDLE EXCHANGE PROGRAMS

The Department of Health, in ~~collaboration~~ consultation with the ~~statewide harm reduction coalition~~ community stakeholders, shall develop operating guidelines for needle exchange programs. If a program complies with such operating guidelines and with existing laws and regulations, it shall be approved by the Commissioner of Health. ~~Such operating guidelines shall be established no later than September 30, 1999.~~ A needle exchange program may apply to be an overdose prevention center pursuant to section 4254 of this title.

Sec. 4. 33 V.S.A. § 2004 is amended to read:

§ 2004. MANUFACTURER FEE

(a) Annually, each pharmaceutical manufacturer or labeler of prescription drugs that are paid for by the Department of Vermont Health Access for individuals participating in Medicaid, Dr. Dynasaur, or VPharm shall pay a fee to the Agency of Human Services. The fee shall be ~~1.75~~ 2.25 percent of the previous calendar year's prescription drug spending by the Department and shall be assessed based on manufacturer labeler codes as used in the Medicaid rebate program.

(b) Fees collected under this section shall fund collection and analysis of information on pharmaceutical marketing activities under 18 V.S.A. §§ 4632 and 4633; analysis of prescription drug data needed by the Office of the Attorney General for enforcement activities; the Vermont Prescription Monitoring System established in 18 V.S.A. chapter 84A; the evidence-based education program established in 18 V.S.A. chapter 91, subchapter 2; statewide unused prescription drug disposal initiatives; prevention of prescription drug misuse, abuse, and diversion; the Substance Misuse Prevention Oversight and Advisory Council established in 18 V.S.A. § 4803; treatment of substance use disorder; exploration of nonpharmacological approaches to pain management; a hospital antimicrobial program for the purpose of reducing hospital-acquired infections; the purchase and distribution of fentanyl testing strips; the purchase and distribution of naloxone to emergency medical services personnel; ~~and any opioid-antagonist education, training, and distribution program operated by the Department of Health or its agents; and grants to overdose prevention centers to address the harms of the opioid epidemic.~~ The fees shall be collected in the Evidence-Based Education and Advertising Fund established in section 2004a of this title.

(c) The Secretary of Human Services or designee shall make rules for the implementation of this section.

\* \* \*

Sec. 5. 33 V.S.A. § 2004a is amended to read:

§ 2004a. EVIDENCE-BASED EDUCATION AND ADVERTISING FUND

(a) The Evidence-Based Education and Advertising Fund is established in the State Treasury as a special fund to be a source of financing for activities relating to fund collection and analysis of information on pharmaceutical marketing activities under 18 V.S.A. §§ 4632 and 4633; for analysis of prescription drug data needed by the Office of the Attorney General for enforcement activities; for the Vermont Prescription Monitoring System established in 18 V.S.A. chapter 84A; for the evidence-based education

program established in 18 V.S.A. chapter 91, subchapter 2; for statewide unused prescription drug disposal initiatives; for the prevention of prescription drug misuse, abuse, and diversion; for the Substance Misuse Prevention Oversight and Advisory Council established in 18 V.S.A. § 4803; for treatment of substance use disorder; for exploration of nonpharmacological approaches to pain management; for a hospital antimicrobial program for the purpose of reducing hospital-acquired infections; for the purchase and distribution of fentanyl testing strips; for the purchase and distribution of naloxone to emergency medical services personnel; ~~and~~ for the support of any opioid-antagonist education, training, and distribution program operated by the Department of Health or its agents; and grants to overdose prevention centers to address the harms of the opioid epidemic. Monies deposited into the Fund shall be used for the purposes described in this section.

\* \* \*

#### Sec. 6. PILOT PROGRAM; OVERDOSE PREVENTION CENTERS

In fiscal year 2025, \$1,000,000.00 is authorized from the Evidence-Based Education and Advertising Fund pursuant to 33 V.S.A. § 2004a to the Department of Health for the purpose of awarding one or more grants for fixed-site or mobile overdose prevention centers to applicants that demonstrate the ability to run such a program in accordance with the requirements of Sec. 1 of this act. The Department shall award grants based on an applicant's ability to establish such sites in accordance with guidelines established by the Department for overdose prevention centers.

#### Sec. 7. STUDY; OVERDOSE PREVENTION CENTERS

(a) On or before December 1, 2024, the Department of Health shall contract with a researcher or independent consulting entity with expertise in the field of rural addiction or overdose prevention centers, or both, to study the impact of overdose prevention center pilot programs authorized in Sec. 6 of this act in their respective communities. The study shall evaluate the current impacts of the overdose crisis in Vermont, as well as any changes up to four years following the implementation of the overdose prevention center pilot programs. The work of the researcher or independent consulting entity shall be governed by the following goals:

(1) the current state of the overdose crisis and deaths across the State of Vermont and the impact of overdose prevention center pilot programs on the overdose crisis and deaths across Vermont, with a focus on the communities where pilot programs are established;

(2) the current crime rates in communities where the overdose prevention center pilot programs will be established and the impact of

overdose prevention center pilot programs on crime rates in communities where the overdose prevention center pilot programs are established;

(3) the current rates of syringe litter in communities where overdose prevention center pilot programs will be established and the impact of overdose prevention center pilot programs on the rates of syringe litter where overdose prevention center pilot programs are established;

(4) the current number of emergency medical services response calls related to overdoses across Vermont, with a focus on the communities where pilot programs will be established, and the impact of overdose prevention center pilot programs on the number of emergency response calls related to overdoses;

(5) the current rate of syringe service program participant uptake of treatment and recovery services and the impact of overdose prevention center pilot programs on the rates of participant uptake of treatment and recovery services; and

(6) the impact of overdose prevention center pilot programs on the number of emergency response calls related to overdoses across Vermont, with a focus on the communities where pilot programs are established.

(b) The Department of Health shall collaborate with the researcher or independent consulting agency to provide the General Assembly with interim annual reports on or before January 15 of each year with a final report containing the results of the study and any recommendations on or before January 15, 2029.

Sec. 8. APPROPRIATION; STUDY; OVERDOSE PREVENTION  
CENTERS

In fiscal year 2025, \$300,000.00 is appropriated to the Department of Health from the General Fund for the purpose of funding the study of the impact of overdose prevention center pilot programs authorized in Sec. 7 of this act.

Sec. 9. EFFECTIVE DATE

This act shall take effect on July 1, 2024.

**Rep. Kornheiser of Brattleboro**, for the Committee on Ways and Means, recommended the bill ought to pass when amended as recommended by the Committee on Human Services.



**Rep. Bluemle of Burlington**, for the Committee on Appropriations, recommended the bill ought to pass when amended as recommended by the Committee on Human Services.

The bill, having appeared on the Notice Calendar, was taken up and read the second time.

Pending the question, Shall the bill be amended as recommended by the Committee on Human Services?, **Reps. Wood of Waterbury, Small of Winooski, Brumsted of Shelburne, Garofano of Essex, Gregoire of Fairfield, Hyman of South Burlington, McGill of Bridport, Noyes of Wolcott, Pajala of Londonderry, and Whitman of Bennington** moved to amend the report of the Committee on Human Services as follows:

First: In Sec. 1, 18 V.S.A. § 4254, in subsection (1), after the words “overdose prevention centers” and before the period by inserting “not later than April 1, 2025”

Second: In Sec. 6, Pilot Program; Overdose Prevention Centers, in the first sentence by striking out “\$1,000,000.00” and inserting in lieu thereof “\$2,000,000.00” and by striking out “one or more” and after “grants for” by inserting “two”

Third: In Sec. 8, Appropriation; Study; Overdose Prevention Centers, by striking out “General Fund” and inserting in lieu thereof “Opioid Abatement Special Fund”

Fourth: In Sec. 9, Effective Date, by striking out “July 1, 2024” and inserting in lieu thereof “passage”

Which was agreed to.

Pending the question, Shall the bill be amended as recommended by the Committee on Human Services, as amended?, **Rep. Wood of Waterbury** 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 recommended by the Committee on Human Services, as amended?, was decided in the affirmative. Yeas, 96. Nays, 35.

Those who voted in the affirmative are:

Andrews of Westford	Emmons of Springfield	Nicoll of Ludlow
Anthony of Barre City	Farlice-Rubio of Barnet	Notte of Rutland City
Arsenault of Williston	Garofano of Essex	Noyes of Wolcott
Austin of Colchester	Goldman of Rockingham	Nugent of South Burlington
Bartholomew of Hartland	Graning of Jericho	O'Brien of Tunbridge
Berbeco of Winooski *	Headrick of Burlington	Ode of Burlington
Black of Essex	Holcombe of Norwich	Pajala of Londonderry
Bluemle of Burlington *	Hooper of Burlington	Patt of Worcester

Bongartz of Manchester	Houghton of Essex Junction	Pearl of Danville
Bos-Lun of Westminster	Howard of Rutland City	Rachelson of Burlington *
Boyden of Cambridge	Hyman of South Burlington	Rice of Dorset
Brady of Williston	James of Manchester	Roberts of Halifax *
Brown of Richmond *	Jerome of Brandon	Sammis of Castleton
Brumsted of Shelburne	Kornheiser of Brattleboro	Satcowitz of Randolph
Burke of Brattleboro	Krasnow of South	Scheu of Middlebury
Burrows of West Windsor	Burlington	Sheldon of Middlebury
Buss of Woodstock	LaBounty of Lyndon	Sibilia of Dover
Carpenter of Hyde Park	LaLonde of South	Sims of Craftsbury
Carroll of Bennington	Burlington	Small of Winooski
Casey of Montpelier	LaMont of Morristown	Squirrell of Underhill
Chapin of East Montpelier	Lanpher of Vergennes	Stebbins of Burlington
Chase of Chester	Leavitt of Grand Isle	Stevens of Waterbury
Chase of Colchester	Lipsky of Stowe	Stone of Burlington
Chesnut-Tangerman of	Logan of Burlington	Surprenant of Barnard
Middletown Springs	Long of Newfane	Taylor of Colchester
Christie of Hartford	Masland of Thetford	Templeman of Brownington
Coffey of Guilford	McCarthy of St. Albans	Toleno of Brattleboro
Cole of Hartford	City	Torre of Moretown
Conlon of Cornwall	McGill of Bridport	Troiano of Stannard
Dodge of Essex	Mihaly of Calais	Waters Evans of Charlotte
Dolan of Essex Junction	Minier of South Burlington	Whitman of Bennington *
Dolan of Waitsfield	Mrowicki of Putney	Williams of Barre City *
Durfee of Shaftsbury	Mulvaney-Stanak of	Wood of Waterbury *
Elder of Starksboro	Burlington	

Those who voted in the negative are:

Arrison of Weathersfield	Galfetti of Barre Town	Morgan of Milton
Branagan of Georgia	Goslant of Northfield	Morris of Springfield
Brennan of Colchester	Gregoire of Fairfield	Morrissey of Bennington
Brownell of Pownal	Hango of Berkshire	Page of Newport City
Burditt of West Rutland	Harrison of Chittenden	Parsons of Newbury
Canfield of Fair Haven	Hooper of Randolph	Peterson of Clarendon *
Clifford of Rutland City	Labor of Morgan	Shaw of Pittsford
Corcoran of Bennington	Laroche of Franklin	Smith of Derby
Demar of Enosburgh	Maguire of Rutland City *	Taylor of Milton
Dickinson of St. Albans	Marcotte of Coventry	Toof of St. Albans Town
Town	Mattos of Milton	Williams of Granby
Donahue of Northfield	McCoy of Poultney	Wilson of Lyndon

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

Andriano of Orwell	Cordes of Lincoln	McFaun of Barre Town
Bartley of Fairfax	Demrow of Corinth	Oliver of Sheldon
Beck of St. Johnsbury	Graham of Williamstown	Pouech of Hinesburg
Birong of Vergennes	Higley of Lowell	Priestley of Bradford
Campbell of St. Johnsbury	Lalley of Shelburne	Walker of Swanton

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Cina of Burlington

McCann of Montpelier

White of Bethel

**Rep. Berbeco of Winooski** explained her vote as follows:

“Madam Speaker:

I am voting yes because until our system of care can offer people living with substance use issues, comprehensive integrated mental health and substance use care and recovery services, we are obligated to be nearby as compassionate neighbors, family members and friends.”

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

“Madam Speaker:

I support this bill, grateful for the combined courage, persistence, compassion and expertise that finally brought it to the floor today. I cast this vote in honor of the life work and tireless advocacy of Scot Pavek.”

**Rep. Brown of Richmond** explained her vote as follows:

“Madam Speaker:

I voted yes in support of H.72 because it is imperative that we provide this harm reduction strategy to communities overwhelmed by our current overdose crisis. The urgency of this issue and its heartbreaking impact on Vermonters in our communities cannot be overstated. We must employ new strategies to meet this challenging moment.”

**Rep. Maguire of Rutland City** explained his vote as follows:

“Madam Speaker:

The State of Vermont does not have the substance abuse contingency of care infrastructure in place to support this harm reduction model.”

**Rep. Peterson of Clarendon** explained his vote as follows:

“Madam Speaker:

Passage of H.72 will make Vermont drug dealers very happy.”

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

“Madam Speaker:

Research shows that overdose prevention centers make a positive difference by reducing public drug use, decreasing syringe litter, lowering the demand on local health care providers and emergency responders, connecting people to other services, and most importantly preventing drug overdoses. Let’s not lose any more Vermonters to overdoses, a preventable cause of death.”

**Rep. Roberts of Halifax** explained his vote as follows:

“Madam Speaker:

It’s not just our population that’s suffering, but our workforce. I vote Yes for the reduced toll this will have on our Emergency Medical Services and our hard-working EMTs. For the individual already traumatized by their addiction, their overdose can be prevented, or reversed in a loving environment where they can be recalled back to life by name, and without shame.”

**Rep. Whitman of Bennington** explained his vote as follows:

“Madam Speaker:

During the COVID-19 pandemic, we promised Vermonters that we would follow the science and prioritize saving lives. I believe that H.72 continues this promise by making life-saving services available for Vermonters at-risk of fatal overdose.”

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

“Madam Speaker:

I vote yes for my brother Justin. I am so grateful he is still with us. My new nephew is so beautiful! So many others were not so lucky. I look forward to when an overdose prevention center is built in Barre, next door, or otherwise.”

**Rep. Wood of Waterbury** explained her vote as follows:

“Madam Speaker:

Today we took a brave step forward to save lives and increase access to supportive services, including counseling and medical care. My yes vote is to provide hope to people impacted by substance use disorder and hope to all citizens of our brave state.”

Thereupon third reading was ordered.

### **Adjournment**

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