

# Journal of the House

Thursday, April 8, 2021

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

## Devotional Exercises

A moment of silence was held in lieu of a devotional.

## Committee Bill Introduced; Referred to Ways and Means

### H. 446

By the Committee on Natural Resources, Fish, and Wildlife  
House bill, entitled

An act relating to miscellaneous natural resources and development subjects

Was read the first time and pending appearance on the Calendar for Notice, and pursuant to Rule 35(a), affecting the revenue of the State, was referred to the Committee on Ways and Means.

## Second Reading; Bill Amended; Third Reading Ordered

### H. 225

**Rep. Pugh of South Burlington**, for the Committee on Human Services, to which had been referred House bill, entitled

An act relating to possession of a therapeutic dosage of buprenorphine

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

#### Sec. 1. INTENT

It is the intent of the General Assembly to decriminalize possession of 224 milligrams or less of buprenorphine. Persons under 21 years of age in possession of 224 milligrams or less of buprenorphine would be referred to the Court Diversion Program for the purpose of enrollment in the Youth Substance Awareness Safety Program. Persons under 16 years of age in possession of 224 milligrams or less of buprenorphine would be subject to delinquency proceedings in the Family Division of the Superior Court. Knowing and unlawful possession of more than 224 milligrams of buprenorphine would continue to be criminal and penalized in the same manner as other narcotics pursuant to 18 V.S.A. § 4234.

Sec. 2. 18 V.S.A. § 4234 is amended to read:

§ 4234. DEPRESSANT, STIMULANT, AND NARCOTIC DRUGS

(a) Possession.

(1)(A) A Except as provided by subdivision (B) of this subdivision (1), a person knowingly and unlawfully possessing a depressant, stimulant, or narcotic drug, other than heroin or cocaine, shall be imprisoned not more than one year or fined not more than \$2,000.00, or both.

(B) A person knowingly and unlawfully possessing 224 milligrams or less of buprenorphine shall not be punished in accordance with subdivision (A) of this subdivision (1).

\* \* \*

(c) Possession of buprenorphine by a person under 21 years of age.

(1) Except as provided in subdivision (2) of this subsection, a person under 21 years of age who knowingly and unlawfully possesses 224 milligrams or less of buprenorphine commits a civil violation and shall be subject to the provisions of section 4230b of this title.

(2) A person under 16 years of age who knowingly and unlawfully possesses 224 milligrams or less of buprenorphine commits a delinquent act and shall be subject to the provisions of section 4230j of this title.

Sec. 3. EFFECTIVE DATE

This act shall take effect on July 1, 2021.

The bill, having appeared on the Calendar one day for Notice, was taken up, read the second time, and the report of the Committee on Human Services was agreed to.

Pending the question, Shall the bill be read a third time?, **Rep. Morgan, L. 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 bill be read a third time?, was decided in the affirmative. Yeas, 126. Nays, 19.

Those who voted in the affirmative are:

- |                          |                        |                        |
|--------------------------|------------------------|------------------------|
| Ancel of Calais          | Gregoire of Fairfield  | Page of Newport City   |
| Anthony of Barre City    | Harrison of Chittenden | Pajala of Londonderry  |
| Arrison of Weathersfield | Higley of Lowell       | Palasik of Milton      |
| Austin of Colchester     | Hooper of Montpelier   | Parsons of Newbury     |
| Bartholomew of Hartland  | Hooper of Randolph     | Partridge of Windham * |
| Beck of St. Johnsbury    | Hooper of Burlington   | Patt of Worcester      |

Birong of Vergennes	Houghton of Essex	Pearl of Danville
Black of Essex	Howard of Rutland City	Pugh of South Burlington
Bluemle of Burlington	James of Manchester *	Rachelson of Burlington
Bock of Chester	Jerome of Brandon	Redmond of Essex *
Bongartz of Manchester	Jessup of Middlesex	Rogers of Waterville *
Bos-Lun of Westminster	Killacky of South Burlington	Rosenquist of Georgia
Brady of Williston *	Kimbell of Woodstock	Satcowitz of Randolph
Briglin of Thetford	Kitzmillier of Montpelier	Scheu of Middlebury
Brown of Richmond	Kornheiser of Brattleboro *	Scheuermann of Stowe
Brownell of Pownal	LaClair of Barre Town	Shaw of Pittsford
Brumsted of Shelburne	LaLonde of South	Sheldon of Middlebury
Burditt of West Rutland	Burlington	Sibilia of Dover
Burke of Brattleboro	Lanpher of Vergennes	Sims of Craftsbury
Burrows of West Windsor	Lefebvre of Newark	Small of Winooski
Campbell of St. Johnsbury	Leffler of Enosburgh	Smith of New Haven
Chase of Colchester	Lippert of Hinesburg	Squirrell of Underhill
Christie of Hartford	Long of Newfane	Stebbins of Burlington *
Cina of Burlington	Marcotte of Coventry	Stevens of Waterbury
Coffey of Guilford	Martin of Franklin *	Strong of Albany
Colburn of Burlington *	Masland of Thetford	Sullivan of Dorset *
Colston of Winooski	Mattos of Milton	Surprenant of Barnard
Conlon of Cornwall	McCarthy of St. Albans City	Taylor of Colchester
Copeland Hanzas of	McCormack of Burlington	Till of Jericho
Bradford	McCullough of Williston	Toleno of Brattleboro
Corcoran of Bennington	McFaun of Barre Town	Toof of St. Albans Town
Cordes of Lincoln	Morris of Springfield	Townsend of South
Cupoli of Rutland City	Morrissey of Bennington	Burlington
Dolan of Essex	Mrowicki of Putney	Vyhovsky of Essex
Dolan of Waitsfield	Mulvaney-Stanak of	Walz of Barre City
Donahue of Northfield	Burlington	Webb of Shelburne
Donnally of Hyde Park	Murphy of Fairfax	White of Bethel
Durfee of Shaftsbury	Nicoll of Ludlow	White of Hartford
Elder of Starksboro	Nigro of Bennington	Whitman of Bennington *
Emmons of Springfield	Norris of Shoreham	Wood of Waterbury
Feltus of Lyndon	Notte of Rutland City	Yacovone of Morristown
Gannon of Wilmington	Noyes of Wolcott	Yantachka of Charlotte
Goldman of Rockingham	O'Brien of Tunbridge	
Grad of Moretown	Ode of Burlington	

Those who voted in the negative are:

Achey of Middletown	Graham of Williamstown	Morgan, M. of Milton
Springs	Hango of Berkshire	Peterson of Clarendon
Batchelor of Derby	Helm of Fair Haven	Savage of Swanton
Brennan of Colchester	Lefebvre of Orange	Smith of Derby
Canfield of Fair Haven	Martel of Waterford	Terenzini of Rutland Town
Fagan of Rutland City	McCoy of Poultney	Williams of Granby
Goslant of Northfield *	Morgan, L. of Milton	

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

Dickinson of St. Albans  
Town

Norris of Sheldon  
Seymour of Sutton

Troiano of Stannard

**Rep. Brady of Williston** explained her vote as follows:

“Madam Speaker:

I voted yes today on H 225 on behalf of people who cannot. I voted yes today for too many of my high school students who taught me about the trauma of addiction and even what the hub and spoke model is because they poured their souls into research projects that were all too personal. Too many of my students are experts about the toll of addiction by losing parents, siblings and friends. I also voted yes today in memory of my cousin who lost his battle with addiction tragically young.”

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

“Madam Speaker:

I vote yes. To any Vermonter struggling with substance use disorder, please stay with us, in whatever way works for you. We love you, you matter, and we want you here.”

**Rep. Goslant of Northfield** explained his vote as follows:

“Madam Speaker:

I voted no on H.225. I also want to save lives. I strongly believe this drug will save the lives of people fighting addiction. However, my concern is that this drug could lead an unsuspecting, uninformed young person down the road toward addiction. If that tragic event was to happen, my decision would haunt me for life.

I also feel we did not have current testimony from the Vermont Department of Public Safety and the Vermont Department of Health and probably others as I feel this bill was rushed.

I wish I had more time and testimony to possibly support this bill. After all, we all want to save and protect ALL lives. Thank you”

**Rep. James of Manchester** explained her vote as follows:

“Madam Speaker:

Madame Speaker, I vote yes today in support of everyone who is struggling with opioid use disorder and everyone who has fought or is fighting to overcome the disease of addiction. The barriers to recovery are real and they

are daunting. I vote yes to break down those barriers, to confront stigma, to help my fellow Vermonters, to reduce harm, and to save lives. ”

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

“Madam Speaker:

Today I gratefully vote yes to put personal decisions in the hands of my neighbors and save lives.”

**Rep. Martin of Franklin** explained his vote as follows:

“Madam Speaker:

Thank you Madame Speaker. I cautiously voted YES on this bill in honor of my cousin and childhood best friend who succumbed to his addictions fueled by his constant run ins with the judicial system from a young age. The culture he ultimately embraced by being a regular in the courtroom never helped reverse the course of his addiction. A hard hand has proved to not be the solution. Vermonters’s suffering from this disease need our help and I believe this bill creates a path forward.”

**Rep. Partridge of Windham** explained her vote as follows:

“Madam Speaker:

Nearly four years ago, my niece died of a fentanyl overdose. Had something less lethal been available to her, she might be alive today. If you have not experienced the loss of a loved one to substance abuse disorder, you are fortunate. It breaks hearts and tears families apart. Today, I cast my vote for Megan Anne and have faith that this bill will save lives.”

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

“Madam Speaker:

I cast my yes vote today in honor of 13 women who had returned to VT communities post-incarceration and have passed away since last November, the majority due to overdose. We must activate every tool in the toolbox to help Vermonters struggling with substance use disorder. In our Human Services Committee, we heard repeated testimony from providers that some Vermonters who don’t trust systems and institutions initially use non-prescription buprenorphine as their first steps to get into doctor-prescribed Medication Assisted Treatment. This is about reducing harm and giving Vermonters every pathway possible into treatment.”

**Rep. Rogers of Waterville** explained her vote as follows:

“Madam Speaker:

For those who have lost someone to an opiate overdose, there is no right or wrong way that the life should have been saved. The right way to save their life would’ve been the way that worked for them.”

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

“Madam Speaker:

I vote yes on H.225, because this bill will help save lives and also in honor of a constituent. This constituent ran against me in this past year’s primary. Throughout his campaign, he shared his personal story of nearly dying and living homeless, as a result of addiction. His strength of character and focus on helping everyone he can struggling with addiction, stays with me. When he lost the campaign, I vowed to keep his story and message front and center in my mind.”

**Rep. Sullivan of Dorset** explained her vote as follows:

“Madam Speaker:

I voted yes. The biggest effect of decriminalization has been to allow the stigma of drug addiction to fall, to let people speak clearly and to pursue professional help without fear. This Bill allows the possibility to deal with drug users outside the criminal system. Criminal prohibitions have also impeded the use of drugs for legitimate medical research, and have prevented patients from accessing drugs for palliative care and pain treatment. It is best for governments to rely instead on non-penal regulatory and public health policies when they can.”

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

“Madam Speaker:

I believe that today we have sent a message to all Vermonters that substance use disorder is not a crime. Thank you.”

### Adjournment

At two o'clock and twenty-eight 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.