

Journal of the House

Wednesday, April 13, 2022

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

Devotional Exercises

Devotional exercises were conducted by Pastor Herb Hatch, The Old Brick Church, East Montpelier.

Joint Resolution Adopted in Concurrence

J.R.S. 50

By Senator Balint,

J.R.S. 50. Joint resolution relating to weekend adjournment.

Resolved by the Senate and House of Representatives:

That when the two Houses adjourn on Friday, April 15, 2022, it be to meet again no later than Tuesday, April 19, 2022.

Was taken up, read, and adopted in concurrence.

Ceremonial Reading

H.C.R. 131

House concurrent resolution honoring Melinda Moulton and Lisa Steele for their pivotal role in rejuvenating the Burlington waterfront

Offered by: Reps. Rachelson of Burlington, Anthony of Barre City, Austin of Colchester, Birong of Vergennes, Bluemle of Burlington, Brumsted of Shelburne, Cina of Burlington, Colburn of Burlington, Copeland Hanzas of Bradford, Dolan of Waitsfield, Garofano of Essex, Hooper of Burlington, Killacky of South Burlington, LaClair of Barre Town, Masland of Thetford, Mulvaney-Stanak of Burlington, Nicoll of Ludlow, Ode of Burlington, Partridge of Windham, Pugh of South Burlington, Sims of Craftsbury, Stebbins of Burlington, Stevens of Waterbury, Till of Jericho, Vyhovsky of Essex, Wood of Waterbury, and Yantachka of Charlotte

Having been adopted in concurrence on Friday, April 1, 2022 in accord with Joint Rule 16b, was read.

Third Reading; Bill Passed**H. 741**

House bill, entitled

An act relating to approval of amendments to the charter of the City of St. Albans

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

**Third Reading; Bill Passed in Concurrence
With Proposal of Amendment****S. 171**

Senate bill, entitled

An act relating to adoption of a State code of ethics

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

**Favorable Report; Second Reading;
Proposal of Amendment Disagreed to; Third Reading Ordered****S. 74**

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

An act relating to modifications to Vermont's patient choice at end of life laws

Reported in favor of its passage. The bill, having appeared on the Notice Calendar, was taken up and read the second time.

Pending the question, Shall the bill be read a third time?, **Rep. Donahue of Northfield** moved that the House propose to the Senate to amend the bill as follows:

First: In Sec. 1, 18 V.S.A. § 5281, following the ellipses, by inserting the following:

(4) "Health care provider" means a person, partnership, corporation, facility, or institution, ~~that is~~ licensed ~~or~~ certified, or otherwise authorized by law to ~~administer health care~~ provide health care services or dispense medication in the ordinary course of business or practice of a profession.

* * *

Second: In Sec. 2, 18 V.S.A. § 5283, following the ellipses after subdivision (a)(6), by inserting the following:

(10)(A) The physician informed the patient that the patient may rescind the request at any time and in any manner and offered the patient an opportunity to rescind after the patient's second oral request.

(B) One or more of the following occurred either in the physician's physical presence or in the physical presence of another health care provider who was able to determine that the patient was not being subjected to coercive influences and who informed the physician of this determination:

(i) one or both of the patient's oral requests pursuant to subdivisions (1) and (2) of this subsection (a);

(ii) the physician's determination that the patient's request was voluntary pursuant to subdivision (5)(D) of this subsection (a);

(iii) the second physician's determination that the patient was acting voluntarily pursuant to subdivision (7) of this subsection (a); or

(iv) the physician's confirmation that the patient was making an informed decision pursuant to subdivision (11) of this subsection (a).

* * *

Pending the question, Shall the House propose to the Senate to amend the bill as offered by Rep. Donahue of Northfield?, **Rep. Donahue of Northfield** 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 offered by Rep. Donahue of Northfield?, was decided in the negative. Yeas, 41. Nays, 98.

Those who voted in the affirmative are:

Achey of Middletown
Springs
Beck of St. Johnsbury
Campbell of St. Johnsbury
Canfield of Fair Haven
Cupoli of Rutland City
Dickinson of St. Albans
Town
Donahue of Northfield
Fagan of Rutland City
Feltus of Lyndon
Goslant of Northfield
Graham of Williamstown
Gregoire of Fairfield
Hango of Berkshire

Harrison of Chittenden
Helm of Fair Haven
Higley of Lowell
Kascenska of Burke
LaClair of Barre Town
Laroche of Franklin
Lefebvre of Orange
Marcotte of Coventry
Mattos of Milton
McCoy of Poultney
McFaun of Barre Town
Morgan, L. of Milton
Morgan, M. of Milton
Morris of Springfield
Morrissey of Bennington

Murphy of Fairfax
Norris of Sheldon
Page of Newport City
Peterson of Clarendon
Rosenquist of Georgia
Scheuermann of Stowe
Shaw of Pittsford
Smith of Derby
Strong of Albany
Terenzini of Rutland Town
Toof of St. Albans Town
Walker of Swanton
Williams of Granby

Those who voted in the negative are:

Ancel of Calais	Grad of Moretown	Partridge of Windham
Anthony of Barre City	Hooper of Montpelier	Patt of Worcester
Arrison of Weathersfield	Hooper of Randolph	Pearl of Danville
Austin of Colchester	Hooper of Burlington	Pugh of South Burlington
Bartholomew of Hartland	Houghton of Essex	Rachelson of Burlington
Black of Essex	Howard of Rutland City	Rogers of Waterville
Bluemle of Burlington	James of Manchester	Satcowitz of Randolph
Bock of Chester	Jerome of Brandon	Scheu of Middlebury
Bongartz of Manchester	Jessup of Middlesex	Sheldon of Middlebury
Bos-Lun of Westminster	Killacky of South Burlington	Sibilia of Dover
Brady of Williston	Kimbell of Woodstock	Sims of Craftsbury
Briglin of Thetford	Kitzmiller of Montpelier	Small of Winooski
Brown of Richmond	Kornheiser of Brattleboro	Squirrell of Underhill
Brownell of Pownal	LaLonde of South Burlington	Stebbins of Burlington
Brumsted of Shelburne	Lanpher of Vergennes	Stevens of Waterbury
Burke of Brattleboro	Lefebvre of Newark	Sullivan of Dorset
Burrows of West Windsor	Leffler of Enosburgh	Surprenant of Barnard
Chase of Colchester	Lippert of Hinesburg	Taylor of Colchester
Christie of Hartford	Long of Newfane	Till of Jericho
Coffey of Guilford	Masland of Thetford	Toleno of Brattleboro
Colburn of Burlington	McCarthy of St. Albans City	Townsend of South Burlington
Colston of Winooski	McCormack of Burlington	Troiano of Stannard
Conlon of Cornwall	McCullough of Williston	Vyhovsky of Essex
Copeland Hanzas of Bradford	Mrowicki of Putney	Walz of Barre City
Corcoran of Bennington	Mulvaney-Stanak of Burlington	Webb of Shelburne
Cordes of Lincoln	Nicoll of Ludlow	White of Bethel
Dolan of Essex	Nigro of Bennington	White of Hartford
Dolan of Waitsfield	Norris of Shoreham	Whitman of Bennington
Durfee of Shaftsbury	Notte of Rutland City	Wood of Waterbury
Elder of Starksboro	Noyes of Wolcott	Yacovone of Morristown
Emmons of Springfield	O'Brien of Tunbridge	Yantachka of Charlotte
Gannon of Wilmington	Ode of Burlington	
Garofano of Essex	Pajala of Londonderry	
Goldman of Rockingham		

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

Birong of Vergennes	Donnally of Hyde Park	Parsons of Newbury
Brennan of Colchester	Labor of Morgan	Smith of New Haven
Burditt of West Rutland	Martel of Waterford	
Cina of Burlington	Palasik of Milton	

Thereupon, third reading was ordered.

Action on Bill Postponed**S. 247**

Senate bill, entitled

An act relating to prohibiting discrimination based on genetic information

Was taken up, and pending the reading of the report of the Committee on Health Care, on motion of **Rep. Lippert of Hinesburg**, action on the bill was postponed until April 21, 2022.

Adjournment

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