

# Journal of the House

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Friday, February 10, 2023

At nine o'clock and thirty minutes in the forenoon, the Speaker called the House to order.

## Devotional Exercises

Devotional exercises were conducted by Rev. Matt Miller, Community Bible Chapel, Brattleboro.

## Memorial Service

The Speaker placed before the House the following name of a member of past sessions of the Vermont General Assembly who had passed away recently:

Rep. Robert Walker of Brownington	Member of the House, Sessions 1995-1998
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Thereupon, the members of the House held a moment of silence in memory of the deceased member.

## Pages Honored

In appreciation of their many services to the members of the General Assembly, the Speaker recognized the following named Pages who completed their service today and presented them with commemorative pins:

**Chase Cassel of Barre Town**  
**William Cunningham of Burlington**  
**Sara DiGuglielmo of Shelburne**  
**Grace Donahue of Roxbury**  
**Nadia Frazier of Montpelier**  
**Elliot Palm of Essex Junction**  
**Hannah Young of Tunbridge**

## House Bills Introduced

House bills of the following titles were severally introduced, read the first time, and referred to committee as follows:

### H. 222

By Reps. Whitman of Bennington, Andrews of Westford, Austin of Colchester, Berbeco of Winooski, Black of Essex, Bongartz of Manchester, Brown of Richmond, Brumsted of Shelburne, Burrows of West Windsor, Buss of Woodstock, Campbell of St. Johnsbury, Carroll of Bennington, Christie of

Hartford, Cole of Hartford, Dodge of Essex, Dolan of Essex Junction, Donahue of Northfield, Farlice-Rubio of Barnet, Garofano of Essex, Goldman of Rockingham, Graham of Williamstown, Headrick of Burlington, Houghton of Essex Junction, Hyman of South Burlington, James of Manchester, Kornheiser of Brattleboro, Krasnow of South Burlington, Logan of Burlington, Long of Newfane, Maguire of Rutland City, McGill of Bridport, Morris of Springfield, Mulvaney-Stanak of Burlington, Nicoll of Ludlow, Notte of Rutland City, Noyes of Wolcott, Pajala of Londonderry, Pouech of Hinesburg, Rachelson of Burlington, Rice of Dorset, Small of Winooski, Surprenant of Barnard, Torre of Moretown, Troiano of Stannard, Williams of Barre City, and Wood of Waterbury,

House bill, entitled

An act relating to reducing overdoses

To the Committee on Human Services.

#### **H. 223**

By Rep. Stebbins of Burlington,

House bill, entitled

An act relating to creating a felony penalty for recklessly endangering another person

To the Committee on Judiciary.

#### **H. 224**

By Reps. Garofano of Essex, Berbeco of Winooski, Black of Essex, Dolan of Essex Junction, Goldman of Rockingham, Hyman of South Burlington, McGill of Bridport, Pajala of Londonderry, Small of Winooski, and Whitman of Bennington,

House bill, entitled

An act relating to child input in child custody cases

To the Committee on Judiciary.

#### **H. 225**

By Reps. Troiano of Stannard, Arrison of Weathersfield, Campbell of St. Johnsbury, Carroll of Bennington, Cina of Burlington, Farlice-Rubio of Barnet, Goldman of Rockingham, Headrick of Burlington, LaBounty of Lyndon, Leavitt of Grand Isle, Logan of Burlington, Masland of Thetford, McCann of Montpelier, Morris of Springfield, Mrowicki of Putney, Mulvaney-Stanak of Burlington, and Patt of Worcester,

House bill, entitled

An act relating to eliminating the tipped minimum wage

To the Committee on General and Housing.

**H. 226**

By Rep. Bluemle of Burlington,

House bill, entitled

An act relating to candidate information to be provided to the Secretary of State

To the Committee on Government Operations and Military Affairs.

**H. 227**

By Reps. LaLonde of South Burlington, Marcotte of Coventry, and Andriano of Orwell,

House bill, entitled

An act relating to the Vermont Uniform Power of Attorney Act

To the Committee on Judiciary.

**H. 228**

By Reps. Jerome of Brandon, Marcotte of Coventry, Austin of Colchester, Bongartz of Manchester, Carroll of Bennington, Chase of Chester, Clifford of Rutland City, Dolan of Waitsfield, Graning of Jericho, Howard of Rutland City, Lipsky of Stowe, Mrowicki of Putney, Nicoll of Ludlow, Priestley of Bradford, Rice of Dorset, Sammis of Castleton, Sibia of Dover, Sims of Craftsbury, Surprenant of Barnard, and White of Bethel,

House bill, entitled

An act relating to financial literacy in Vermont's public schools

To the Committee on Education.

**H. 229**

By Rep. Marcotte of Coventry,

House bill, entitled

An act relating to the Petroleum Cleanup Fund

To the Committee on Environment and Energy.

**H. 230**

By Reps. Black of Essex, Andrews of Westford, Berbeco of Winooski, Bluemle of Burlington, Brady of Williston, Brown of Richmond, Brumsted of Shelburne, Cina of Burlington, Cordes of Lincoln, Dodge of Essex, Dolan of Essex Junction, Garofano of Essex, Goldman of Rockingham, Houghton of Essex Junction, James of Manchester, Kornheiser of Brattleboro, LaLonde of South Burlington, McCann of Montpelier, Mulvaney-Stanak of Burlington, Notte of Rutland City, Priestley of Bradford, Small of Winooski, Stebbins of Burlington, and Stone of Burlington,

House bill, entitled

An act relating to implementing mechanisms to reduce suicide

To the Committee on Health Care.

**Ceremonial Reading****H.C.R. 15**

House concurrent resolution in memory of former Representative and District 4 Act 250 Environmental Commissioner James McNamara of Burlington

Offered by: Representatives Hooper of Burlington, Ode of Burlington, Bluemle of Burlington, Cina of Burlington, Headrick of Burlington, Krowinski of Burlington, Logan of Burlington, Mulvaney-Stanak of Burlington, Rachelson of Burlington, Stebbins of Burlington, and Stone of Burlington

Offered by: Senators Baruth, Chittenden, Gulick, Lyons, Ram Hinsdale, and Vyhovsky

Whereas, Jim McNamara was a loving husband, father, and grandfather, a dedicated public servant, and an enthusiastic golfer, skier, and singer of sacred and secular music, and

Whereas, after serving in the U.S. Navy during World War II and graduating from the College of the Holy Cross and Cornell Law School, he worked as an assistant Burlington City Attorney, as a private practitioner with his father, and then with the law firm of McNamara, Fitzpatrick, and McCormick, and

Whereas, for more than 30 years he served as a Burlington Justice of the Peace, and in advance of the 1994 session, Governor Howard Dean appointed Jim McNamara to a vacant seat in the House of Representatives, where he served honorably until 2000 as a member of the Committee on Transportation, and

Whereas, in the 1970s, Governor Thomas Salmon nominated Jim McNamara to the District 4 Act 250 Environmental Commission, and, following Jim’s legislative service, Governors Dean, Douglas, Shumlin, and Scott returned Jim McNamara to the Commission as an alternate, where his active participation as commissioner reflected his intelligence, reasonableness, thorough preparation, and engaging wit, and

Whereas, Jim McNamara died on November 27, 2022, leaving his children and grandchildren, his wife of 44 years, Ellie, having predeceased him in 2004, now therefore be it

Resolved by the Senate and House of Representatives:

That the General Assembly extends its sincere sympathies to the family of former Representative and District 4 Act 250 Environmental Commissioner James McNamara, and be it further

Resolved: That the Secretary of State be directed to send a copy of this resolution to the family of Jim McNamara and to the District 4 Act 250 Environmental Commission.

Having been adopted in concurrence on January 27, 2023 in accord with Joint Rule 16b, was read.

**Third Reading; Bill Passed**

**H. 89**

House bill, entitled

An act relating to civil and criminal procedures concerning legally protected health care activity

Was taken up and read the third time.

Pending the question, Shall the bill pass?, **Rep. Small of Winooski** 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?, was decided in the affirmative. Yeas, 130. Nays, 13.

Those who voted in the affirmative are:

Andrews of Westford	Dolan of Essex Junction	Morrissey of Bennington
Andriano of Orwell	Dolan of Waitsfield	Mrowicki of Putney
Anthony of Barre City	Durfee of Shaftsbury	Mulvaney-Stanak of Burlington *
Arrison of Weathersfield	Elder of Starksboro	Nicoll of Ludlow
Arsenault of Williston	Emmons of Springfield	Notte of Rutland City
Austin of Colchester	Farlice-Rubio of Barnet	Noyes of Wolcott
Bartholomew of Hartland	Galfetti of Barre Town	O'Brien of Tunbridge
Bartley of Fairfax	Garofano of Essex	Ode of Burlington
Beck of St. Johnsbury	Goldman of Rockingham	

Berbeco of Winooski	Goslant of Northfield	Pajala of Londonderry
Birong of Vergennes	Graning of Jericho	Patt of Worcester
Black of Essex	Harrison of Chittenden	Pearl of Danville
Bluemle of Burlington	Headrick of Burlington	Pouech of Hinesburg
Bongartz of Manchester	Holcombe of Norwich	Priestley of Bradford
Bos-Lun of Westminster	Hooper of Randolph	Rachelson of Burlington
Boyden of Cambridge	Hooper of Burlington	Rice of Dorset
Brady of Williston	Houghton of Essex Junction	Roberts of Halifax
Brennan of Colchester	Howard of Rutland City	Sammis of Castleton
Brown of Richmond	James of Manchester	Satcowitz of Randolph
Brownell of Pownal	Jerome of Brandon	Scheu of Middlebury
Brumsted of Shelburne	Kornheiser of Brattleboro	Shaw of Pittsford
Burditt of West Rutland	Krasnow of South Burlington	Sheldon of Middlebury
Burke of Brattleboro	Lalley of Shelburne	Sibilia of Dover
Burrows of West Windsor	LaLonde of South Burlington	Sims of Craftsbury
Buss of Woodstock	LaMont of Morristown	Small of Winooski
Campbell of St. Johnsbury	Lanpher of Vergennes	Squirrell of Underhill
Canfield of Fair Haven	Laroche of Franklin	Stebbins of Burlington
Carroll of Bennington	Leavitt of Grand Isle	Stevens of Waterbury
Casey of Montpelier	Lipsky of Stowe	Stone of Burlington
Chapin of East Montpelier	Logan of Burlington	Surprenant of Barnard
Chase of Colchester	Long of Newfane	Taylor of Milton
Chesnut-Tangerman of Middletown Springs	Maguire of Rutland City	Taylor of Colchester
Christie of Hartford	Marcotte of Coventry	Templeman of Brownington
Cina of Burlington	Masland of Thetford	Toleno of Brattleboro
Clifford of Rutland City	Mattos of Milton	Toof of St. Albans Town
Coffey of Guilford	McCann of Montpelier	Torre of Moretown
Cole of Hartford	McCarthy of St. Albans City	Troiano of Stannard
Conlon of Cornwall	McCoy of Poultney	Walker of Swanton
Corcoran of Bennington	McFaun of Barre Town	Waters Evans of Charlotte
Cordes of Lincoln	McGill of Bridport	White of Bethel
Demar of Enosburgh	Mihaly of Calais	Whitman of Bennington
Demrow of Corinth	Minier of South Burlington	Williams of Barre City
Dodge of Essex	Morgan of Milton	Williams of Granby
	Morris of Springfield	Wood of Waterbury

Those who voted in the negative are:

Branagan of Georgia	Hango of Berkshire *	Page of Newport City
Dickinson of St. Albans Town	Higley of Lowell	Parsons of Newbury
Donahue of Northfield *	Labor of Morgan	Peterson of Clarendon
Graham of Williamstown	LaBounty of Lyndon	Smith of Derby
	Oliver of Sheldon	

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

Chase of Chester	Hyman of South Burlington	Wilson of Lyndon
Gregoire of Fairfield	Nugent of South Burlington	

**Rep. Donahue of Northfield** explained her vote as follows:

“Madam Speaker,

I cannot support a bill to protect those who choose to provide legally protected services when we – as one of only two states in the country – refuse to equally protect those who choose not to provide services for reasons of conscience. This bill makes some sense to protect providers against any chilling effect of laws in other states that are contrary to our laws and public policy, and I do not disagree with that concept. However, it lacks balance when it fails to protect providers against the chilling effect of the lack of legal protection in our state for their decisions to not participate in some services for ethical reasons, so I vote no.”

**Rep. Hango of Berkshire** explained her vote as follows:

“Madam Speaker:

My vote reflects my objection to this bill that provides protections to Vermont practitioners who perform legal procedures but omits providing any protections for those practitioners who conscientiously decline to take part in those procedures.”

**Rep. Mulvaney-Stanak of Burlington** explained her vote as follows:

“Madam Speaker:

I am proud to vote yes to protect the legal right to affirming and life-saving health care, specifically reproductive services, abortion, and gender affirming care. This is an important day and bill for the people of Vermont and Vermont health care providers.”

### **Message from the Senate No. 15**

A message was received from the Senate by Ms. Kucserik, its Assistant Secretary, as follows:

Madam Speaker:

I am directed to inform the House that:

The Senate has on its part adopted concurrent resolutions originating in the House of the following titles:

**H.C.R. 24.** House concurrent resolution honoring teenage Rockingham volunteer firefighter Alex Leonard for his heroism and decisive action.

**H.C.R. 25.** House concurrent resolution recognizing the critical importance of 3SquaresVT for thousands of Vermonters.

**H.C.R. 26.** House concurrent resolution honoring Putney Selectboard Vice Chair Joshua Laughlin for his outstanding municipal public service.

**H.C.R. 27.** House concurrent resolution honoring Edwin G. Camp of Derby for his outstanding 58-year career in the Vermont insurance industry.

**H.C.R. 28.** House concurrent resolution honoring the Vermont Creative Network for its effective initiatives to develop a thriving creative sector in Vermont.

**H.C.R. 29.** House concurrent resolution congratulating the Vermont Housing and Conservation Board on its 35th anniversary.

**H.C.R. 30.** House concurrent resolution congratulating World Learning Inc on its 90th anniversary.

### **Adjournment**

At ten o'clock and twenty-seven minutes in the forenoon, on motion of **Rep. McCoy of Poultney**, the House adjourned until Tuesday, February 14, 2023, at ten o'clock in the forenoon, pursuant to the provisions of J.R.S. 13.

### **Concurrent Resolutions Adopted**

The following concurrent resolutions, having been placed on the Consent Calendar on the preceding legislative day, and no member having requested floor consideration as provided by Rule 16b of the Joint Rules of the Senate and House of Representatives, are hereby adopted on the part of the House:

#### **H.C.R. 24**

House concurrent resolution honoring teenage Rockingham volunteer firefighter Alex Leonard for his heroism and decisive action

#### **H.C.R. 25**

House concurrent resolution recognizing the critical importance of 3SquaresVT for thousands of Vermonters

#### **H.C.R. 26**

House concurrent resolution honoring Putney Selectboard Vice Chair Joshua Laughlin for his outstanding municipal public service

#### **H.C.R. 27**

House concurrent resolution honoring Edwin G. Camp of Derby for his outstanding 58-year career in the Vermont insurance industry

**H.C.R. 28**

House concurrent resolution honoring the Vermont Creative Network for its effective initiatives to develop a thriving creative sector in Vermont

**H.C.R. 29**

House concurrent resolution congratulating the Vermont Housing and Conservation Board on its 35th anniversary

**H.C.R. 30**

House concurrent resolution congratulating World Learning Inc on its 90th anniversary

[The full text of the concurrent resolutions appeared in the House Calendar Addendum on the preceding legislative day and will appear in the Public Acts and Resolves of the 2023 Biennial Session.]