

Journal of the House

Wednesday, February 25, 2015

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

Devotional Exercises

Devotional exercises were conducted by Bishop Christopher Coyne of Burlington, Vt.

Rules Suspended; House Bills Introduced

Pending first reading of the bills, on motion of **Rep. Savage of Swanton**, the rules were suspended and the bills were read the first time by number and referred or placed on the Calendar as follows:

H. 303

By Reps. Marcotte of Coventry, Batchelor of Derby, Higley of Lowell, Shaw of Derby, Strong of Albany, Viens of Newport City and Young of Glover,

House bill, entitled

An act relating to the dedication of the Newport State Airport;

To the committee on Corrections & Institutions.

H. 304

By Rep. Sweaney of Windsor,

House bill, entitled

An act relating to making miscellaneous amendments to Vermont's retirement laws;

To the committee on Government Operations.

H. 305

By Reps. Emmons of Springfield, Dakin of Chester and Forguites of Springfield,

House bill, entitled

An act relating to permitting alcoholic beverages to be served at community events;

To the committee on General, Housing & Military Affairs.

H. 306

By Reps. Botzow of Pownal, Marcotte of Coventry and Kitzmiller of Montpelier,

House bill, entitled

An act relating to unemployment compensation;

To the committee on Commerce & Economic Development.

H. 307

By Reps. Jewett of Ripton, Botzow of Pownal, Donovan of Burlington, O'Sullivan of Burlington and Stevens of Waterbury,

House bill, entitled

An act relating to access to personnel records;

To the committee on General, Housing & Military Affairs.

H. 308

By Rep. Conquest of Newbury,

House bill, entitled

An act relating to limiting the liability of VAST arising from snowmobile operation outside the Statewide Snowmobile Trail System;

To the committee on Transportation.

H. 309

By Reps. Botzow of Pownal, Marcotte of Coventry and Kitzmiller of Montpelier,

House bill, entitled

An act relating to updating Article 4A of the Uniform Commercial Code;

To the committee on Commerce & Economic Development.

H. 310

By Reps. Botzow of Pownal and Marcotte of Coventry,

House bill, entitled

An act relating to limited liability companies;

To the committee on Commerce & Economic Development.

H. 311

By Reps. Botzow of Pownal, Marcotte of Coventry and Kitzmiller of

Montpelier,

House bill, entitled

An act relating to adopting revisions to Article 7 of the Uniform Commercial Code;

To the committee on Commerce & Economic Development.

H. 312

By Reps. Young of Glover and Patt of Worcester,

House bill, entitled

An act relating to facilitating business rapid response to a declared State disaster;

To the committee on Commerce & Economic Development.

H. 313

By Reps. Burke of Brattleboro and Russell of Rutland City,

House bill, entitled

An act relating to parking for persons with disabilities;

To the committee on Transportation.

H. 314

By Reps. Conquest of Newbury and Marcotte of Coventry,

House bill, entitled

An act relating to Act 250 jurisdiction in towns that do and do not have both permanent zoning subdivisions and subdivision bylaws;

To the committee on Natural Resources & Energy.

H. 315

By Rep. Ellis of Waterbury,

House bill, entitled

An act relating to miscellaneous amendments to Act 250;

To the committee on Natural Resources & Energy.

H. 316

By Reps. Young of Glover, Clarkson of Woodstock and Troiano of Stannard,

House bill, entitled

An act relating to allowing a voter's spouse to pick up an early voter absentee ballot;

To the committee on Government Operations.

S. 23

Senate bill, entitled

An act relating to required disclosures for workers' compensation settlements;

To the committee on Commerce & Economic Development.

S. 92

Senate bill, entitled

An act relating to mediation in medical malpractice actions;

To the committee on Judiciary.

Joint Resolution Referred to Committee

J.R.H. 6

Joint resolution urging the Vermont Pension Investment Committee to divest the State's three public employee retirement funds of all fossil fuel assets by January 1, 2020

Offered by: Representatives Jewett of Ripton, Hooper of Montpelier, Pearson of Burlington, Ancel of Calais, Bartholomew of Hartland, Berry of Manchester, Burke of Brattleboro, Carr of Brandon, Clarkson of Woodstock, Cole of Burlington, Dakin of Colchester, Deen of Westminster, Donovan of Burlington, Ellis of Waterbury, French of Randolph, Gonzalez of Winooski, Haas of Rochester, Head of South Burlington, LaLonde of South Burlington, Lanpher of Vergennes, Masland of Thetford, McCormack of Burlington, McCullough of Williston, Mrowicki of Putney, O'Sullivan of Burlington, Partridge of Windham, Patt of Worcester, Ryerson of Randolph, Sheldon of Middlebury, Stevens of Waterbury, Stuart of Brattleboro, Sullivan of Burlington, Toleno of Brattleboro, Townsend of South Burlington, Yantachka of Charlotte, and Zagar of Barnard

Whereas, the Intergovernmental Panel on Climate Change (IPCC), consisting of leading scientists from across the world, agree that "Warming of the climate system is unequivocal, and since the 1950s, many of the observed changes are unprecedented over decades to millennia. The atmosphere and ocean have warmed, the amounts of snow and ice have diminished, and the sea level has risen," and

Whereas, the IPCC has also stated that “Continued emission of greenhouse gases will cause further warming and long-lasting changes in all components of the climate system, increasing the likelihood of severe, pervasive and irreversible impacts for people and ecosystems,” and

Whereas, the overwhelming consensus among published climate scientists is that climate change is a reality, and that human activity, including the burning of fossil fuel, contributes to climate change, and

Whereas, environmental writer Andrew Revkin’s January 23, 2015, op-ed article in the *New York Times* reported scientists at both the National Aeronautics and Space Administration and the National Oceanic and Atmospheric Administration “firmly concluded” the year 2014 earned “the title of warmest since methodical record-keeping began in 1880,” and

Whereas, in a January 16, 2015, news article on the same topic, the paper reported the significance of this record occurring in a year when there was not “a strong El Niño, a large-scale weather pattern in which the Pacific Ocean pumps an enormous amount of heat into the atmosphere,” and

Whereas, the increasingly unstable weather pattern has caused havoc for public infrastructure such as roads and bridges, and

Whereas, the existence of two bedrocks of Vermont’s culture and economy, skiing and maple sugaring, are threatened as a result of climate change, and

Whereas, 3 V.S.A. § 523 delegates to the Vermont Pension Investment Committee (VPIC), the responsibility of investing the funds belonging to the State employees’, municipal employees’, and teachers’ retirement systems, and

Whereas, according to the State Treasurer, as of November 25, 2014, VPIC’s financial portfolio includes \$126,059,363.00 of energy industry related assets, equaling 7.9 percent of the total amount the committee manages, and

Whereas, in a February 2013 memo, NEPC, VPIC’s independent financial advisor, stated that during various periods energy investments have experienced great volatility, and

Whereas, over two dozen American municipalities including Seattle, Washington; San Francisco, California; Portland, Oregon; Eugene, Oregon; Ashland, Oregon; Berkeley, California; Oakland, California; Richmond, California; Brisbane, California; Santa Monica, California; Boulder, Colorado; Santa Fe, New Mexico; Madison, Wisconsin; Bayfield, Wisconsin; State College, Pennsylvania; Ithaca, New York; Truro, Massachusetts; Provincetown, Massachusetts; Cambridge, Massachusetts; Northampton, Massachusetts; Amherst, Massachusetts; Sudbury, Massachusetts; Concord, Massachusetts; Framingham, Massachusetts; and Providence, Rhode Island; as

well as communities in Australia, New Zealand, and the United Kingdom, as well as a number of colleges and universities, religious organizations, foundations, and other institutions, have committed to pursuing a fossil fuel divestment process, and

Whereas, no less a world figure than Pope Francis has called climate change “a serious ethical and moral responsibility,” and that “there is a clear, definitive and urgent ethical imperative to act,” and

Whereas, the Vermont retirement systems’ fossil fuel investments contribute to the deterioration of the planet’s long-term climatic stability, and

Whereas, if the Vermont Pension Investment Committee were to divest its portfolio of the fossil fuel component, it would represent a small portion of the State’s retirement funds’ assets and set an important example for other public pension funds, now therefore be it

Resolved by the Senate and House of Representatives:

That the General Assembly urges the Vermont Pension Investment Committee to divest the State’s three public employee retirement funds of all fossil fuel assets by January 1, 2020, and be it further

Resolved: That the Secretary of State be directed to send a copy of this resolution to the Vermont Pension Investment Committee.

Which was read and, in the Speaker’s discretion, treated as a bill and referred to the committee on Government Operations.

Joint Resolution Referred to Committee

J.R.H. 7

Joint resolution relating to sustainability

Offered by: Representatives McCormack of Burlington, Masland of Thetford, Ryerson of Randolph, and Stuart of Brattleboro

Whereas, the word sustainable is widely used to argue in favor of specific policies and is broadly seen as a guiding concept in discussions of multiple aspects of modern life, but users of this term rarely define it thoroughly, and

Whereas, “sustainable,” as defined comprehensively, means that persons living in a politically or geographically defined area: (1) do not live beyond the limits of the local renewable resources for either input (energy and matter) or output (food, material goods, and absorption of pollution); (2) purchase or trade from environmentally conscious sources for those necessities that cannot be locally satisfied; and (3) live both in numbers and in a manner that allows present and future generations of all life in that area to exist in a healthy habitat, and

Whereas, Vermont and the world are facing enormous and potentially catastrophic environmental challenges including: extreme weather events resulting from global warming's greenhouse gas emissions; the loss of a variety of wildlife species; the depletion of natural resources; unmitigated sprawl and elimination of arable land; food scarcity and rising food prices owing to droughts at major food origination sources; and forest fragmentation and decline in the forest cover, and

Whereas, the United Nations projects that, by the year 2050, four billion persons will be residing in nations it defines as water-stressed, a massive increase from the mere one-half billion persons living in these countries as recently as 1995, and

Whereas, according to the respected *Scientific American*, since 1961, in a global context, the per capita acreage of crop land has declined more than fifty percent, and more than 900 million persons now have an inadequate food supply, and

Whereas, conducting all human activity in a sustainable manner is critical for the maintenance of the earth's habitability and the achievement of a sustainable world population, now therefore be it

Resolved by the Senate and House of Representatives:

That the General Assembly urges all government agencies, enterprises, institutions of higher learning, and nongovernmental organizations in Vermont that have sustainability as part of their mission or programs to adopt this resolution's definition of "sustainable" and to implement policies and actions to achieve true sustainability, and be it further

Resolved: That the General Assembly urges the U.S. Agency for International Development and other federal international development programs to adopt the goal of developing nations achieving sustainable population sizes, such as programs that enfranchise women, and be it further

Resolved: That the Secretary of State be directed to send a copy of this resolution to U.S. Agency for International Development Administrator Rajiv Shah, and to the Vermont Congressional Delegation.

Which was read and, in the Speaker's discretion, treated as a bill and referred to the committee on Natural Resources & Energy.

Third Reading; Bill Passed

H. 256

House bill, entitled

An act relating to disposal of property following an eviction, and fair housing and public accommodations

Was taken up, read the third time and passed.

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

S. 6

Senate bill, entitled

An act relating to technical corrections to civil and criminal procedure statutes

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

Adjournment

At one o'clock and twenty-five minutes in the afternoon, on motion of **Rep. Savage of Swanton**, the House adjourned until tomorrow at one o'clock in the afternoon.