

Journal of the House

Friday, February 26, 2016

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

Devotional Exercises

Devotional exercises were conducted by the Speaker.

Message from the Senate No. 21

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

Mr. Speaker:

I am directed to inform the House that:

The Senate has on its part passed Senate bills of the following titles:

S. 212. An act relating to court-approved absences from home detention and home confinement furlough.

S. 256. An act relating to extending the moratorium on home health agency certificates of need.

In the passage of which the concurrence of the House is requested.

House Bill Introduced

H. 856

Reps. Zagar of Barnard introduced a bill, entitled

An act relating to regional cooperation in government operations in case of catastrophic events

Which was read the first time and referred to the committee on Government Operations.

Senate Bills Referred

Senate bills of the following titles were severally taken up, read the first time and referred as follows:

S. 212

Senate bill, entitled

An act relating to court-approved absences from home detention and home confinement furlough;

To the committee on Judiciary.

S. 256

Senate bill, entitled

An act relating to extending the moratorium on home health agency certificates of need;

To the committee on Human Services.

House Concurrent Resolution Referred to Committee

H.C.R. 254

House concurrent resolution commending municipalities providing water fluoridation

Offered by: Representative Fagan of Rutland City

Whereas, for 70 years, fluoridation of a municipality's water source, using the naturally occurring mineral fluoride, has been a safe and cost-effective, community-based method of limiting cavities and other oral health diseases, and

Whereas, the American Dental Association and the U.S. Surgeon General, who in December 2015 issued a 70th anniversary commemorative statement on the occasion of fluoride's original introduction in Grand Rapids, Michigan, support the use of fluoride in local drinking water systems, and

Whereas, the U.S. Centers for Disease Control and Prevention (CDC) has recognized water fluoridation as one of 10 great public health achievements of the 20th century, and

Whereas, according to the CDC, children and adults living in communities that use fluoride in the local water system have approximately 25 percent less tooth decay than in communities that do not use fluoride, and

Whereas, the CDC also reports that every dollar spent on fluoridation saves about \$38.00 in dental treatment costs, and

Whereas, preventing oral health diseases helps to reduce rates of other costly and debilitating diseases, including diabetes and heart disease, and

Whereas, fluoride is a proven, low-cost way to improve public health and help reduce health care costs, now therefore be it

Resolved by the Senate and House of Representatives:

That the General Assembly commends municipalities providing water fluoridation, and be it further

Resolved: That the Secretary of State be directed to send a copy of this resolution to the City of Rutland and to the Vermont Dental Society.

Which was read and, in the Speaker's discretion, treated as a bill and referred to the committee on Human Services.

Third Reading; Bills Passed

House bills of the following titles were severally taken up, read the third time and passed:

H. 278

House bill, entitled

An act relating to selection of the Adjutant and Inspector General;

H. 749

House bill, entitled

An act relating to allowing a friend to file a request for relief from abuse order.

Action on Bill Postponed

H. 851

House bill, entitled

An act relating to the conduct of forestry operations

Was taken up and pending second reading of the bill, on motion of **Rep. Hebert of Vernon**, action on the bill was postponed until Wednesday, March 9, 2016.

Bill Amended; Third Reading Ordered

H. 458

Rep. LaClair of Barre Town, for the committee on Government Operations, to which had been referred House bill, entitled

An act relating to automatic voter registration through motor vehicle driver's license applications

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

Sec. 1. 17 V.S.A. § 2145a is amended to read:

§ 2145a. REGISTRATIONS AT THE DEPARTMENT OF MOTOR VEHICLES

(a) An application for, or renewal of, a motor vehicle driver's license or nondriver identification card shall serve as a simultaneous application to register to vote unless the applicant ~~declines to sign the voter registration portion of the application~~ checks the box on the application designating that he or she declines to use the application as a voter registration application.

(b)(1) ~~The voter registration portion of the~~ A motor vehicle driver's license or nondriver identification card application shall provide and request the following information ~~required to be provided under section 2145 of this chapter and shall be in the form approved by the Secretary of State.;~~

(A) The applicant's citizenship.

(B) The applicant's place and date of birth.

(C) The applicant's town of legal residence.

(D) The applicant's street address or a description of the physical location of the applicant's residence. The description must contain sufficient information so that the town clerk can determine whether the applicant is a resident of the town.

(E) The voter's oath.

(F) The applicant's e-mail address, which shall be optional to provide.

(2) A motor vehicle driver's license or nondriver identification card application shall provide the following statements:

(A) "By signing and submitting this application, you are authorizing the Department of Motor Vehicles to transmit this application to the Secretary of State for voter registration purposes. The office through which you submitted this application will remain confidential and will be used only for voter registration purposes."

(B) "YOU MAY DECLINE TO REGISTER. If you decline to register, your failure to register will remain confidential and will be used only for voter registration purposes."

(C) "In order to be registered to vote, you must: (1) be a U.S. citizen; (2) be a resident of Vermont; (3) have taken the voter's oath; and (4) be

18 years of age or older. Failure to decline to register is an attestation that you meet the requirements to vote.”

(3) A motor vehicle driver’s license or nondriver identification card application shall provide the penalties provided by law for submission of a false voter registration application and shall require the signature of the applicant, under penalty of perjury.

* * *

(d)(1) The Department of Motor Vehicles shall transmit ~~voter registration~~ motor vehicle driver’s license and nondriver identification card applications received under this section to the Secretary of State not later than five days after the date the application was accepted by the Department, or before the date of any primary or general election, whichever is sooner.

(2) The Department of Motor Vehicles shall not transmit motor vehicle driver’s license and nondriver identification card applications when the applicant has designated that he or she declines to be registered.

* * *

Sec. 2. 17 V.S.A. § 2145 is amended to read:

§ 2145. APPLICATION FORMS

(a) The voter registration application shall be in the form approved by the Federal Election Commission or by the Secretary of State. The application form approved by the Secretary shall include:

* * *

~~(2) The voter’s oath and a space for a person administering the voter’s oath to another to execute the written notification required by section 2124 of this title.~~

* * *

(4) The following statements:

~~(A) “If you were provided with this form when you applied for, or renewed, a motor vehicle driver’s license or were provided with this application form by a voter registration agency, you may decline to register. If you decline to register, your failure to register will remain confidential and will be used only for voter registration purposes.”~~

~~(B) “If you are submitting this application in connection with a motor vehicle driver’s license application, or renewal, or through a voter registration~~

agency, the office through which you submitted this application will remain confidential and will be used only for voter registration purposes.”

~~(5) The following statement on applications provided by the Department of Motor Vehicles: “Keep this receipt and take it to the polls when you go to vote. This is proof you submitted an application for registration.” [Repealed.]~~

Sec. 3. 17 V.S.A. § 2124 is amended to read:

§ 2124. VOTER’S OATH OR AFFIRMATION; HOW ADMINISTERED;
APPLICATION

* * *

~~(b) A person who administers the voter’s oath or affirmation to another shall forthwith sign the appropriate place on the application or sign some other written notification giving the person’s name and the date the oath or affirmation was administered. [Repealed.]~~

(c) At a minimum, the town clerk shall keep the completed applications for addition to the checklist, or an electronic copy thereof, through the end of the general election cycle that follows the one in which the application was received. ~~If the written notification that a person has taken the oath or affirmation is submitted separately from the application, it shall be filed along with the application.~~ The town clerk shall verify, upon request, that a voter has been given the oath or affirmation.

Sec. 4. 17 V.S.A. § 2144a is amended to read:

§ 2144a. REGISTRATION

A person who desires to register to vote may apply in any of the following ways:

(1) Simultaneously with his or her application for, or renewal of, a motor vehicle driver’s license or nondriver identification card as provided in section 2145a of this chapter.

* * *

Sec. 5. 23 V.S.A. § 603(a)(4) is added to read:

(4) Any new or renewal application form shall provide for and request the information required in 17 V.S.A. § 2145a.

Sec. 6. EFFECTIVE DATE

This act shall take effect on July 1, 2017.

The bill, having appeared on the Calendar one day for notice, was taken up, read the second time, report of the committee on Government Operations agreed to and third reading ordered.

Bill Amended; Third Reading Ordered

H. 507

Rep. Lefebvre of Newark, for the committee on Fish, Wildlife & Water Resources, to which had been referred House bill, entitled

An act relating to eligibility for economic development in impaired waters of the State

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

Sec. 1. SECRETARY OF ADMINISTRATION; WATER QUALITY STANDARDS CERTIFICATION FOR STATE-FUNDED GRANTS; REPORT

(a)(1) The Secretary of Administration shall amend the Standard State Provisions for Contracts and Grants, referred to as Attachment C to Administrative Bulletin 5, to require an applicant for a State-funded grant to certify, under pains and penalties of perjury, that the applicant is in good standing with the Agency of Natural Resources and the Agency of Agriculture, Food and Markets.

(2) The requirement under this subsection shall allow for an attachment or include space for an applicant who cannot certify under subdivision (1) of this subsection to explain the circumstances surrounding the applicant's inability to certify under subdivision (1).

(3) At any time prior to the award of a State-funded grant or during implementation of a State-funded grant, an applicant shall notify the State agency or department administering the State-funded grant if the applicant is no longer in good standing with the Agency of Natural Resources or the Agency of Agriculture, Food and Markets.

(4) As used in this section:

(A) "Applicant" shall include all entities, including businesses in which the applicant has a greater than 10 percent interest, or land owned or controlled by the applicant.

(B) "Good standing" means the applicant:

(i) is not a named party in any administrative order, consent decree, or judicial order relating to Vermont water quality standards issued by the State or any of its agencies or departments; and

(ii) is in compliance with all federal and State water quality laws and regulations.

(b) A State agency or department may consider an applicant's certification or explanation under subsection (a) of this section in determining whether or not to award a State-funded grant to the applicant.

(c)(1) If a State-funded grant applicant knowingly provides a false certification or explanation under subsection (a) of this section or fails to notify the State agency or department administering the State-funded grant if the applicant is no longer in good standing with the Agency of Natural Resources or the Agency of Agriculture, Food and Markets as required in subdivision (a)(3) of this section, the State or its agencies or departments may:

(A) seek to recover the grant award; and

(B) deny any future grant award to the applicant, based on the false certification or explanation or failure to notify, for up to five years.

(2) In recovering a grant award under this section, the State or its agencies or departments shall be entitled to costs and expenses, including attorney's fees.

(d) This section shall not apply to federally funded grants, contracts, or tax credits or federal or State loan programs.

(e) On or before January 15, 2021, the Secretary of Administration shall submit a report to the House Committees on Fish, Wildlife and Water Resources and on Commerce and Economic Development and the Senate Committees on Natural Resources and Energy and on Economic Development, Housing and General Affairs regarding methods to require all economic development assistance applications to include a certification that the applicant is not in violation of the requirements of programs enforced by the Agency of Natural Resources under 10 V.S.A. § 8003(a). The report shall also include information regarding any enforcement action taken by the State or its agencies or departments under subsection (c) of this section.

Sec. 2. EFFECTIVE DATE

This act shall take effect on July 1, 2016.

The bill, having appeared on the Calendar one day for notice, was taken up, read the second time, report of the committee on Fish, Wildlife & Water Resources agreed to and third reading ordered.

Favorable Report; Third Reading Ordered

H. 577

Rep. Sullivan of Burlington, for the committee on Natural Resources & Energy, to which had been referred House bill, entitled

An act relating to voter approval of electricity purchases by municipalities and electric cooperatives

Reported in favor of its passage. The bill, having appeared on the Calendar one day for notice, was taken up, read the second time and third reading ordered.

House Resolution Adopted

H.R. 13

House resolution, entitled

House resolution urging that the State of Vermont remove the stocks of companies with coal holdings and the stock of the Exxon Mobil Corporation from its pension investment portfolios

Offered by: Representatives Sullivan of Burlington, Donovan of Burlington, Bartholomew of Hartland, Briglin of Thetford, Burke of Brattleboro, Chesnut-Tangerman of Middletown Springs, Clarkson of Woodstock, Copeland-Hanzas of Bradford, Deen of Westminster, Emmons of Springfield, Forguites of Springfield, Gonzalez of Winooski, Haas of Rochester, Hooper of Montpelier, Jewett of Ripton, Klein of East Montpelier, Krebs of South Hero, Krowinski of Burlington, LaLonde of South Burlington, Macaig of Williston, Masland of Thetford, McCormack of Burlington, McCullough of Williston, Miller of Shaftsbury, Morris of Bennington, Mrowicki of Putney, O'Sullivan of Burlington, Partridge of Windham, Patt of Worcester, Pearson of Burlington, Poirier of Barre City, Ryerson of Randolph, Sharpe of Bristol, Sheldon of Middlebury, Stevens of Waterbury, Stuart of Brattleboro, Till of Jericho, Troiano of Stannard, Walz of Barre City, Webb of Shelburne, Woodward of Johnson, Yantachka of Charlotte, and Zagar of Barnard

Whereas, the Intergovernmental Panel on Climate Change (IPCC), consisting of leading scientists from across the world, agrees 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, fossil fuel energy companies are not disclosing sufficient information about key factors such as capital expenditures on high-cost oil and gas exploration projects, government efforts to limit carbon emissions, and the possibility of reduced global demand for oil as early as 2020 (collectively “carbon asset risks”), and

Whereas, the State Treasurer and the Vermont Pension Investment Committee (VPIC), representing the State of Vermont, have partnered with Ceres, an advocate for sustainability leadership, and other business and governmental entities as a signatory to the Carbon Asset Risk Initiative (CARI), acknowledging that carbon asset risks pose a threat to Vermont’s economy and pension funds, and

Whereas, in signing the CARI, the State Treasurer and the Vermont Pension Investment Committee are committed to establishing and encouraging policies that protect the long-term health of our environment and that adhere to the State’s obligation to invest pension assets prudently, and

Whereas, fossil fuel energy is a known stranded asset that, over time, may no longer be able to earn an economic return as a result of changes in the market and regulatory environment associated with the transition to a low-carbon economy, and

Whereas, fossil fuel companies are putting billions of investment dollars at risk each year by developing high-cost, high-carbon reserves (coal, oil, and gas) that may never be utilized, and

Whereas, a significant segment of the world’s high-carbon reserves cannot be removed from the ground if the cumulative impacts of climate change and global warming are to be reversed, and

Whereas, high-carbon reserves are currently recognized in the accounts of energy companies and contribute to their stock market valuations, and

Whereas, an alarming number of coal companies have filed for Chapter 11 bankruptcy, citing lack of profitability, including, on January 11, 2016, Arch Coal, one of the world's largest coal producers, and

Whereas, Exxon Mobil Corporation is the world's largest publicly traded international oil and gas company, and the California and New York Attorney Generals are investigating the company for deliberately misleading the public and investors about the risks of climate change, now therefore be it

Resolved by the House of Representatives:

That this legislative body joins with the State Treasurer and the VPIC in supporting the Carbon Asset Risk Initiative, and be it further

Resolved: That this legislative body urges the State Treasurer and the VPIC to develop a strategy, in accordance with State law and prudent investment practices, to remove from the State's pension investment portfolios all stocks of companies that have coal holdings, and be it further

Resolved: That this legislative body urges the State Treasurer and the VPIC to develop a strategy, in accordance with State law and prudent investment practices, to remove from the State's pension investment portfolios all Exxon Mobil Corporation stock, and be it further

Resolved: That this legislative body requests the State Treasurer and the VPIC to submit a periodic update detailing both the State's pension investment portfolios' exposure to carbon risks and of activities intended to mitigate those risks, and be it further

Resolved: That this legislative body requests the State Treasurer and the VPIC to continue to act proactively to support efforts detailed in this resolution and encourages them to pursue socially responsible and renewable energy investments and to work with investment managers to accomplish these aims, and be it further

Resolved: That the Clerk of the House be directed to send a copy of this resolution to the State Treasurer and to the VPIC.

Pending the question, Shall the resolution be adopted? **Rep. Tate of Mendon** moved to amend the resolution as follows:

By striking all clauses in their entirety and inserting in lieu thereof the following:

Whereas, the State Treasurer and the Vermont Pension Investment Committee (VPIC) are legally charged with the fiduciary responsibility to invest State employees' pension funds in a prudent manner, to maximize the

return on the investment, and to make every effort to not place any of the funds at undue risk, now therefore be it

Resolved by the House of Representatives:

That this legislative body supports the role of the State Treasurer and the Vermont Pension Investment Committee, as set forth in either the Constitution of the State of Vermont or the Vermont Statutes to manage the State's funds, including State employees' pension funds, and be it further

Resolved: That this legislative body encourages the State Treasurer and the Vermont Pension Investment Committee to listen to all concerned parties, weigh the plusses and minuses, perform all necessary due diligence, and invest the State's funds in a manner that results the best possible yield on the taxpayer's dollars, and be it further

Resolved: That the Clerk of the House be directed to send a copy of this resolution to the State Treasurer and VPIC.

Pending the question, Shall the Resolution be amended as offered by Tate of Mendon? **Rep. Turner 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 Resolution be amended as offered by Tate of Mendon? was decided in the negative. Yeas, 54. Nays, 79. Abstained, 1

Those who voted in the affirmative are:

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|---------------------------------|-------------------------|---------------------------|
| Bancroft of Westford | Fiske of Enosburgh | Myers of Essex |
| Batchelor of Derby | Gage of Rutland City * | Parent of St. Albans Town |
| Beck of St. Johnsbury | Gamache of Swanton | Pearce of Richford |
| Beyor of Highgate | Graham of Williamstown | Purvis of Colchester |
| Branagan of Georgia * | Greshin of Warren | Quimby of Concord |
| Brennan of Colchester | Hebert of Vernon | Savage of Swanton |
| Browning of Arlington | Helm of Fair Haven | Scheuermann of Stowe |
| Burditt of West Rutland | Higley of Lowell | Shaw of Pittsford * |
| Canfield of Fair Haven | Hubert of Milton | Sibilia of Dover |
| Condon of Colchester | Huntley of Cavendish | Smith of New Haven |
| Corcoran of Bennington | Juskiewicz of Cambridge | Strong of Albany |
| Cupoli of Rutland City | Komline of Dorset | Tate of Mendon |
| Dame of Essex | LaClair of Barre Town | Terenzini of Rutland Town |
| Devereux of Mount Holly | Lawrence of Lyndon | Turner of Milton |
| Dickinson of St. Albans Town | Lefebvre of Newark | Van Wyck of Ferrisburgh |
| Donahue of Northfield | Lewis of Berlin | Viens of Newport City |
| Eastman of Orwell | Marcotte of Coventry | Wright of Burlington |
| Feltus of Lyndon | Martel of Waterford | |
| | Murphy of Fairfax | |

Those who voted in the negative are:

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| Ancel of Calais | Haas of Rochester | Partridge of Windham |
| Bartholomew of Hartland | Head of South Burlington | Patt of Worcester |
| Berry of Manchester | Hooper of Montpelier | Pearson of Burlington |
| Bissonnette of Winooski | Jerman of Essex | Pugh of South Burlington |
| Briglin of Thetford | Jewett of Ripton | Rachelson of Burlington |
| Burke of Brattleboro | Johnson of South Hero | Ram of Burlington |
| Carr of Brandon | Kitzmiller of Montpelier | Ryerson of Randolph |
| Chesnut-Tangerman of Middletown Springs | Klein of East Montpelier | Sharpe of Bristol |
| Clarkson of Woodstock | Krebs of South Hero | Sheldon of Middlebury |
| Cole of Burlington | Krowinski of Burlington | Stevens of Waterbury |
| Connor of Fairfield | Lalonde of South Burlington | Sullivan of Burlington |
| Conquest of Newbury | Lanpher of Vergennes | Sweaney of Windsor |
| Copeland-Hanzas of Bradford | Lenes of Shelburne | Till of Jericho |
| Dakin of Chester | Lippert of Hinesburg | Toleno of Brattleboro |
| Dakin of Colchester | Long of Newfane | Toll of Danville |
| Davis of Washington | Lucke of Hartford | Townsend of South Burlington |
| Deen of Westminster | Macaig of Williston | Trieber of Rockingham |
| Donovan of Burlington | Manwaring of Wilmington | Troiano of Stannard |
| Emmons of Springfield | Martin of Wolcott | Walz of Barre City |
| Evans of Essex | Masland of Thetford | Webb of Shelburne |
| Fields of Bennington | McCormack of Burlington | Wood of Waterbury |
| Forguites of Springfield | McCullough of Williston | Woodward of Johnson |
| Frank of Underhill | Miller of Shaftsbury | Yantacka of Charlotte |
| French of Randolph | Morris of Bennington | Young of Glover |
| Gonzalez of Winooski | Mrowicki of Putney * | Zagar of Barnard |
| Grad of Moretown | Nuovo of Middlebury | |
| | O'Brien of Richmond | |
| | Olsen of Londonderry | |

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

| | | |
|---------------------------|--------------------------|---------------------------|
| Baser of Bristol | McCoy of Poultney | Russell of Rutland City |
| Botzow of Pownal | McFaun of Barre Town | Shaw of Derby |
| Buxton of Tunbridge | Morrissey of Bennington | Stuart of Brattleboro |
| Christie of Hartford | O'Sullivan of Burlington | Willhoit of St. Johnsbury |
| Fagan of Rutland City | Poirier of Barre City | |
| Keenan of St. Albans City | Potter of Clarendon | |

Those who abstained are:

Potter of Clarendon

Rep. Branagan of Georgia explained her vote as follows:

“Mr. Speaker:

Elected by the voters of this state, the constitutional office of the treasurer has a sanctity that cannot be ignored. Elected by the people of Vermont the treasurer should not be bullied by the legislature or anyone else.

I vote yes. And I oppose the underlying resolution.”

Rep. Gage of Rutland City explained his vote as follows:

“Mr. Speaker:

If this body spent the same time and effort in trying to solve the 1 billion dollar shortfall in our pension funds as we spend in trying to tell the treasurer on how to do her job we would better serve the voters of Vermont.”

Rep. Mrowicki of Putney explained his vote as follows:

“Mr. Speaker:

While our treasurer is elected by Vermont voters, so are we. In a republic, we are the voices of our voters back home, and my vote is bringing the voices of my constituents who say yes to divestment and no to this amendment.”

Rep. Shaw of Pittsford explained his vote as follows:

“Mr. Speaker:

My yes vote represents my respect of the knowledge of our State Treasurer and my confidence in her financial judgement in her management of our state pension funds.”

Pending the question, Shall the resolution be adopted? **Rep. Komline of Dorset** moved to amend the resolution as follows:

First: At the conclusion of the 12th Whereas clause by striking the words “now therefore be it” and inserting in lieu thereof the word “and”

Second: By adding a 13th Whereas clause to read:

Whereas, as the General Assembly is seeking to direct the investment decisions of the State Treasurer and VPIC, the General Assembly also expresses its concerns that the State of Vermont has invested State funds in publicly traded companies that have abused human rights in developing countries in a manner that would be unimaginable in the United States, now therefore be it

Third: By inserting a third Resolved clause to read as follows:

Resolved: That this legislative body requests that the State Treasurer prepare and submit to the General Assembly, on or before January 15, 2017, a

list of publicly traded companies that, based on credible media reports, have abused human rights in developing countries, and be it further

Fourth: That after adoption the title of the resolution be amended to read:

“House resolution urging that the State of Vermont remove the stocks of companies with coal holdings and the stock of Exxon Mobil corporation from its pension investment portfolio and requesting the State Treasurer to prepare a list of publicly traded companies in which the State has invested that, based on credible media reports have abused human rights in developing countries

Which was disagreed to.

Pending the question, shall the resolution be adopted? **Rep. Olsen of Londonderry** moved to amend the resolution as follows:

First: At the conclusion of the 12th Whereas clause by striking the words “now therefore be it” and by inserting in lieu thereof the word “and”

Second: After the 12th whereas clause, by adding three new Whereas clauses to be Whereas clauses 13, 14, and 15 to read as follows:

Whereas, vehicles that rely on an internal combustion engine are among the leading source of carbon emissions, and

Whereas, electrically powered vehicles emit far less carbon into the atmosphere than vehicles that are entirely dependent on an internal combustion engine, such as large sport utility vehicles, and the increase use of electrically powered vehicles in Vermont will result in a tangible contribution to the State’s battle against climate change, and

Whereas, leadership in the critical battle against climate change starts with concrete action on the part of the State’s elected officials, now therefore be it

Third: By inserting a third Resolved clause to read as follows:

Resolved: That this legislative body requests the State Treasurer and VPIC to submit, on or before January 15, 2017, a recommendation to the Governor and the General Assembly on the feasibility of restricting the parking space adjacent to the east side of the State House that is now reserved for the Governor to vehicles that are eligible for the federal plug-in electric drive vehicle tax credit in accordance with IRC § 30D, and be it further

Fourth: That after adoption the title of the resolution be amended to read as follows:

“House resolution urging that the State of Vermont remove the stocks of companies with coal holdings and the stock of Exxon Mobil corporation from

its pension investment portfolio and requesting additional State House parking for a plug-in electric vehicle”

Which was disagreed to.

Pending the question, Shall the resolution be adopted? **Rep. Hubert of Milton** moved that the bill be committed to the committee on Appropriations, which was disagreed to.

Pending the question, Shall the House adopt the Resolution? **Rep. Turner 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 House adopt the Resolution? was decided in the affirmative. Yeas, 76. Nays, 57. Abstained, 2.

Those who voted in the affirmative are:

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|--------------------------------------------|-----------------------------|---------------------------------|
| Ancel of Calais | Head of South Burlington | Partridge of Windham |
| Bartholomew of Hartland * | Hooper of Montpelier | Patt of Worcester |
| Berry of Manchester | Jerman of Essex | Pearson of Burlington |
| Bissonnette of Winooski | Jewett of Ripton | Pugh of South Burlington |
| Briglin of Thetford | Johnson of South Hero | Ram of Burlington |
| Burke of Brattleboro | Kitzmiller of Montpelier | Ryerson of Randolph |
| Carr of Brandon | Klein of East Montpelier | Sharpe of Bristol |
| Chesnut-Tangerman of Middletown Springs | Krebs of South Hero | Sheldon of Middlebury |
| Clarkson of Woodstock | Krowinski of Burlington | Stevens of Waterbury |
| Cole of Burlington * | Lalonde of South Burlington | Sullivan of Burlington |
| Connor of Fairfield | Lanpher of Vergennes | Sweaney of Windsor |
| Conquest of Newbury | Lefebvre of Newark | Till of Jericho |
| Copeland-Hanzas of Bradford | Lenes of Shelburne | Toleno of Brattleboro |
| Davis of Washington | Lippert of Hinesburg | Toll of Danville |
| Deen of Westminster | Long of Newfane | Townsend of South Burlington |
| Donovan of Burlington * | Lucke of Hartford | Trieber of Rockingham |
| Emmons of Springfield | Macaig of Williston | Troiano of Stannard |
| Evans of Essex | Manwaring of Wilmington | Walz of Barre City |
| Fields of Bennington | Martin of Wolcott | Webb of Shelburne |
| Forguites of Springfield | Masland of Thetford | Wood of Waterbury |
| Frank of Underhill | McCormack of Burlington | Woodward of Johnson |
| French of Randolph | McCullough of Williston | Yantachka of Charlotte |
| Gonzalez of Winooski | Miller of Shaftsbury | Young of Glover |
| Grad of Moretown | Morris of Bennington | Zagar of Barnard |
| Haas of Rochester | Mrowicki of Putney | |
| | Nuovo of Middlebury | |
| | Olsen of Londonderry | |

Those who voted in the negative are:

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| Bancroft of Westford | Beck of St. Johnsbury | Branagan of Georgia |
| Batchelor of Derby | Beyor of Highgate | Brennan of Colchester |

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|---------------------------------|--------------------------|---------------------------|
| Browning of Arlington | Graham of Williamstown * | Parent of St. Albans Town |
| Burditt of West Rutland | Greshin of Warren | Pearce of Richford |
| Canfield of Fair Haven | Hebert of Vernon | Purvis of Colchester * |
| Condon of Colchester | Helm of Fair Haven | Quimby of Concord |
| Corcoran of Bennington | Higley of Lowell | Rachelson of Burlington * |
| Cupoli of Rutland City | Hubert of Milton | Savage of Swanton |
| Dakin of Chester | Huntley of Cavendish | Scheuermann of Stowe |
| Dakin of Colchester | Juskiewicz of Cambridge | Shaw of Pittsford |
| Dame of Essex * | Komline of Dorset | Sibilia of Dover |
| Devereux of Mount Holly | LaClair of Barre Town | Smith of New Haven |
| Dickinson of St. Albans Town | Lawrence of Lyndon | Strong of Albany |
| Donahue of Northfield * | Lewis of Berlin | Tate of Mendon |
| Eastman of Orwell | Marcotte of Coventry | Turner of Milton |
| Feltus of Lyndon | Martel of Waterford | Van Wyck of Ferrisburgh |
| Fiske of Enosburgh | McFaun of Barre Town | Viens of Newport City * |
| Gage of Rutland City | Murphy of Fairfax | Wright of Burlington |
| Gamache of Swanton | Myers of Essex | |
| | O'Brien of Richmond | |

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

| | | |
|---------------------------|--------------------------|---------------------------|
| Baser of Bristol | McCoy of Poultney | Shaw of Derby |
| Botzow of Pownal | Morrissey of Bennington | Stuart of Brattleboro |
| Buxton of Tunbridge | O'Sullivan of Burlington | Terenzini of Rutland Town |
| Christie of Hartford | Poirier of Barre City | Willhoit of St. Johnsbury |
| Fagan of Rutland City | Potter of Clarendon | |
| Keenan of St. Albans City | Russell of Rutland City | |

Those members who abstained are:

Potter of Clarendon
Terenzini of Rutland Town

Rep. Bartholomew of Hartland explained his vote as follows:

“Mr. Speaker:

I cast my vote to come down on the right side of history.”

Rep. Cole of Burlington explained her vote as follows:

“Mr. Speaker:

A resolution is an appropriate way to put on record that the Vermont Legislature takes our investments in heavy fossil fuels that are seriously losing market value for real reasons seriously.

Global climate change is something we need to take responsibility for. We can change the overall rate of warming making our planet more livable for your grandchildren, neighbors and all Vermonters.

We are respectfully asking our Honorable Treasurer to diligently explore our Vermont investment options. She heard some knowledgeable people give testimony and was mutually thankful for the opportunity.”

Rep. Dame of Essex explained his vote as follows:

“Mr. Speaker:

As someone who is held to a fiduciary standard and under various state and federal regulations, I feel it is highly inappropriate to make an investment recommendation to the Treasurer, which if I had made to my clients on the same rationale I could possibly be sued, fined or lose my license. Let's leave this to the elected Treasurer the appropriate fiduciary for our state employee's pension fund.”

Rep. Donahue of Northfield explained her vote as follows:

“Mr. Speaker:

I believe that our public policies should support every reasonable effort to address climate change. However, this resolution risks imposing our public policy views on the rights of state employees regarding best strategies for investment of their pension funds.

Those best strategies may well include these divestments, but that decision is the province of the Treasurer, unfettered by pressure from this body.”

Rep. Donovan of Burlington explained her vote as follows:

“Mr. Speaker:

“KEEP IT IN THE GROUND! To avoid the worst impacts of climate change, we must keep fossil fuels in the ground.”

Rep. Graham of Williamstown explained his vote as follows:

“Mr. Speaker:

I voted no because it is a sad day for democracy when we tell another elected official how they must do their job.”

Rep. Purvis of Colchester explained his vote as follows:

“Mr. Speaker:

I voted no. This resolution is another political mandate by the Governor and his majority. This “buy high and sell low” advice will lose money for Vermonters who worked hard for their retirement.”

Rep. Rachelson of Burlington explained her vote as follows:

“Mr. Speaker:

Climate change is real and requires urgent action. State employee pensions are not a fair target for the many political statements we can continue to make for advising our very capable treasurer and Vermont Pension Investment Committee. The treasurer’s report said this would hurt these funds. I worry we are stepping outside our bounds with these gestures and that we have a duty of care. Let’s concentrate on the ways we as a state can make a difference within the authority we do have as a legislature, without hurting Vermonters’ pensions.”

Rep. Viens of Newport City explained his vote as follows:

“Mr. Speaker:

I voted no today on this resolution. This body’s responsibility is to work on legislation for the betterment of all Vermonters. This resolution today falls way sort of this goal.”

Message from the Senate No. 22

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

Mr. Speaker:

I am directed to inform the House that:

The Senate has on its part passed Senate bills of the following titles:

S. 241. An act relating to the regulation of marijuana.

S. 252. An act relating to the sale of lottery products.

In the passage of which the concurrence of the House is requested.

The Senate has considered a bill originating in the House of the following title:

H. 84. An act relating to internet dating services.

And has passed the same in concurrence with proposal of amendment in the adoption of which the concurrence of the House is requested.

The Senate has considered House proposal of amendment to Senate proposal of amendment to House bill of the following title:

H. 611. An act relating to fiscal year 2016 budget adjustments.

And has concurred therein.

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

S.C.R. 37. Senate concurrent resolution congratulating innkeepers Brian and Leslie Mulcahy on their outstanding record of accomplishment at the Rabbit Hill Inn in Lower Waterford.

S.C.R. 38. Senate concurrent resolution honoring Sharyn Brush for her outstanding public service in the town of Bennington.

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

H.C.R. 237. House concurrent resolution honoring Cambridge Town Clerk, Treasurer, and Collector of Delinquent Taxes Jane Porter for her outstanding municipal public service.

H.C.R. 248. House concurrent resolution honoring Wendell Coleman for his local and State public service on behalf of the citizens of Londonderry.

H.C.R. 249. House concurrent resolution honoring Ralph Coleman of Jamaica for his dedicated civic leadership in the town of Jamaica and for the Leland & Gray Union Middle and High School.

H.C.R. 250. House concurrent resolution honoring Chief George Lang on his outstanding 42 years of devoted service at the Champion 5 South Londonderry Fire Department.

H.C.R. 251. House concurrent resolution honoring Marvin Locke for his exemplary civic service in Lamoille County.

H.C.R. 252. House concurrent resolution honoring Elise McKenna for her outstanding work on the Blueprint for Health in the Lamoille County Health Service Area.

H.C.R. 253. House concurrent resolution in memory of Donald G. Milne of Washington, the respected former Clerk of the House.

H.C.R. 255. House concurrent resolution honoring AJ Piper for his conscientious leadership and community-centered service on the Weybridge Selectboard.

H.C.R. 256. House concurrent resolution honoring Steve Huestis for his outstanding civic service in the town of Bridport.

H.C.R. 257. House concurrent resolution honoring Warren Whitcomb, in recognition of his exemplary municipal civic leadership in the town of New Haven.

H.C.R. 258. House concurrent resolution honoring Earl Bessette for his community engagement and civic service in the town of New Haven.

H.C.R. 259. House concurrent resolution honoring Rockingham Selectboard Chair Thomas H. MacPhee on his exemplary civic leadership.

H.C.R. 260. House concurrent resolution congratulating John McClaughry on his half century of public service as Kirby Town Moderator.

H.C.R. 261. House concurrent resolution designating February as Career and Technical Education Month in Vermont.

Adjournment

At eleven o'clock and fifty-eight minutes in the forenoon, on motion of **Rep. Turner of Milton**, the House adjourned until Tuesday, March 8, 2016, at ten o'clock in the forenoon, pursuant to the provisions of J.R.S. 32.

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 Joint Rules of the Senate and House of Representatives, are hereby adopted in concurrence.

H.C.R. 237

House concurrent resolution honoring Cambridge Town Clerk, Treasurer, and Collector of Delinquent Taxes Jane Porter for her outstanding municipal public service;

H.C.R. 248

House concurrent resolution honoring Wendell Coleman for his local and State public service on behalf of the citizens of Londonderry;

H.C.R. 249

House concurrent resolution honoring Ralph Coleman of Jamaica for his dedicated civic leadership in the town of Jamaica and for the Leland & Gray Union Middle and High School;

H.C.R. 250

House concurrent resolution honoring Chief George Lang on his outstanding 42 years of devoted service at the Champion 5 South Londonderry Fire Department;

H.C.R. 251

House concurrent resolution honoring Marvin Locke for his exemplary civic service in Lamoille County;

H.C.R. 252

House concurrent resolution honoring Elise McKenna for her outstanding work on the Blueprint for Health in the Lamoille County Health Service Area;

H.C.R. 253

House concurrent resolution in memory of Donald G. Milne of Washington, the respected former Clerk of the House;

H.C.R. 255

House concurrent resolution honoring AJ Piper for his conscientious leadership and community-centered service on the Weybridge Selectboard;

H.C.R. 256

House concurrent resolution honoring Steve Huestis for his outstanding civic service in the town of Bridport;

H.C.R. 257

House concurrent resolution honoring Warren Whitcomb, in recognition of his exemplary municipal civic leadership in the town of New Haven;

H.C.R. 258

House concurrent resolution honoring Earl Bessette for his community engagement and civic service in the town of New Haven;

H.C.R. 259

House concurrent resolution honoring Rockingham Selectboard Chair Thomas H. MacPhee on his exemplary civic leadership;

H.C.R. 260

House concurrent resolution congratulating John McClaughry on his half century of public service as Kirby Town Moderator;

H.C.R. 261

House concurrent resolution designating February as Career and Technical Education Month in Vermont;

S.C.R. 37

Senate concurrent resolution congratulating innkeepers Brian and Leslie

Mulcahy on their outstanding record of accomplishment at the Rabbit Hill Inn in Lower Waterford;

S.C.R. 38

Senate concurrent resolution honoring Sharyn Brush for her outstanding public service in the town of Bennington;

[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 2016, seventy-third Biennial session.]