

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:

Bancroft of Westford
Batchelor of Derby
Beck of St. Johnsbury
Beyor of Highgate
Branagan of Georgia *
Brennan of Colchester
Browning of Arlington
Burditt of West Rutland
Canfield of Fair Haven
Condon of Colchester
Corcoran of Bennington
Cupoli of Rutland City
Dame of Essex
Devereux of Mount Holly
Dickinson of St. Albans
Town
Donahue of Northfield
Eastman of Orwell
Feltus of Lyndon

Fiske of Enosburgh
Gage of Rutland City *
Gamache of Swanton
Graham of Williamstown
Greshin of Warren
Hebert of Vernon
Helm of Fair Haven
Higley of Lowell
Hubert of Milton
Huntley of Cavendish
Juskiewicz of Cambridge
Komline of Dorset
LaClair of Barre Town
Lawrence of Lyndon
Lefebvre of Newark
Lewis of Berlin
Marcotte of Coventry
Martel of Waterford
Murphy of Fairfax

Myers of Essex
Parent of St. Albans Town
Pearce of Richford
Purvis of Colchester
Quimby of Concord
Savage of Swanton
Scheuermann of Stowe
Shaw of Pittsford *
Sibilia of Dover
Smith of New Haven
Strong of Albany
Tate of Mendon
Terenzini of Rutland Town
Turner of Milton
Van Wyck of Ferrisburgh
Viens of Newport City
Wright of Burlington

Those who voted in the negative are:

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	Yantachka 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:

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:

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

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.]