

Journal of the House

Thursday, February 20, 2020

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

Devotional Exercises

Devotional exercises were conducted by Rev. Carl VanOsdall, First Presbyterian Church, Barre.

Communication from Matthew A. Trieber

“February 19, 2020

William MaGill
Clerk of the House
115 State Street
Montpelier, VT 05633

Dear Mr. MaGill,

I am writing to inform you of my decision to resign my seat in the Vermont House of Representatives, effective at the end of the day on February 19, 2020. Serving the residents of Windham District-3 has been one of the greatest honors of my life. I am looking forward to continuing to serve my community through my work in VocRehab.

Sincerely,

/s/Matthew A. Trieber
Seat 120”

Message from the Senate No. 18

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

Madam Speaker:

I am directed to inform the House that:

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

S. 153. An act relating to creating the Vermont 250th Commission.

S. 332. An act relating to regulating student loan servicers.

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

House Bill Introduced**H. 927**

By Rep. McFaun of Barre Town,

House bill, entitled

An act relating to requiring air quality impact evaluations for the emission of hazardous air contaminants;

Which was read the first time and referred to the committee on Natural Resources, Fish, and Wildlife.

Senate Bill Referred**S. 153**

Senate bill, entitled

An act relating to creating the Vermont 250th Commission

Was read and referred to the committee on Government Operations.

Senate Bill Referred**S. 332**

Senate bill, entitled

An act relating to regulating student loan servicers

Was read and referred to the committee on Commerce and Economic Development.

House Resolution Referred to Committee**H.R. 14**

House resolution, entitled

House resolution relating to House ethics

Offered by: Representatives Gannon of Wilmington, Cupoli of Rutland City, Haas of Rochester, Jessup of Middlesex, and Sibia of Dover

Resolved by the House of Representatives:

That Rule 90(b) of the Rules and Orders of the House of Representatives be amended to read:

(b) Ethics

(1) Standards of ethical conduct. The House of Representatives, without qualification, is opposed to and prohibits violations of the Vermont Constitution and House Rules standards of ethical ~~behavior~~ conduct. This

policy covers the conduct of Representatives and persons that either the Speaker's or the Office of the Clerk of the House employs.

(A) A member shall respect and comply with the law, these Rules, and any other standard of conduct applicable to the member in the performance of the member's duties in a manner that promotes public confidence in the integrity of the House.

(B) A member shall comply with 17 V.S.A. § 2414 (legislative candidate disclosure form).

(C) On or before the 10th day of the beginning of the biennium, each member shall submit to the Clerk a disclosure form prepared by the Clerk. The form shall be signed by the member, be publicly available on the official website of the Office of the Clerk of the House and the General Assembly, and may be updated. The form shall set forth, to the best of the member's ability, the following information applicable as of the date of submission:

(i) any boards, commissions, or similar entities that are regulated by law or that receive funding from the State on which the member serves; the member's position on the board, commission, or similar entity; and, except in the case of legislative appointments, whether the member receives any form of remuneration for that position; and

(ii) the member's employer.

(2) House Ethics Panel. The House Rules Committee shall, at the beginning of the biennium, appoint an Ethics Panel composed of five members of the House who shall serve until successors are appointed.

~~(3)~~(A) The Panel shall elect its a chair, adopt procedures to implement this policy, and conduct its business to implement the provisions of this ethics rule, and provide copies of the policy set forth in this rule and the adopted procedures to all members of the House and employees of the Speaker's and the Office of the Clerk of the House.

~~(4)~~(B) The Panel shall advise individual members and provide training to all members on House member standards of ethical conduct, including compliance with House Rule 75.

~~(5)~~(C) The Panel shall receive and investigate complaints of alleged ethical violations of House member standards of ethical conduct made against members of the House, and may investigate such alleged violations on its own initiative.

(i) The Panel, by a vote of two-thirds of its members, may subpoena the attendance and testimony of witnesses and the production of documents and other items as it deems necessary to conduct an investigation.

(ii) In the case of a Panel member's recusal or other absence during the Panel's review of a complaint, the House Rules Committee may appoint an ad hoc member to the Panel for that matter, upon request of the Chair of the Panel.

~~(6)(D)~~ The Panel may recommend to the House any disciplinary action against a member for an ethical violation.

(E) Annually, on or before December 31, the Panel shall report to the House the number of complaints filed, the disposition of those complaints, and the number of member requests for ethical advice.

~~(7)(3) Retaliation prohibited.~~ These Rules prohibit retaliation against a person who complains, reports, or cooperates in an investigation of an ethics violation.

~~(8) Annually, on or before December 31, the Ethics Panel shall report to the House the number of complaints filed, the disposition of those complaints, and the number of member requests for ethical advice.~~

, and be it further

Resolved: That House Rule 14a (member disclosure form) be repealed.

Which was read and referred to the committee on Rules pursuant to Rule 52.

**Committee Relieved of Consideration
and Bill Committed to Other Committee**

H. 738

Rep. Marcotte of Coventry moved that the committee on Commerce and Economic Development be relieved of House bill, entitled

An act relating to imposing an occupancy fee to fund tourism marketing and affordable housing

And that the bill be committed to the committee on General, Housing, and Military Affairs, which was agreed to.

**Committee Relieved of Consideration
and Bill Committed to Other Committee**

H. 807

Rep. Partridge of Windham moved that the committee on Agriculture and Forestry be relieved of House bill, entitled

An act relating to an electric company's Emerald Ash Borer assessment

And that the bill be committed to the committee on Energy and Technology, which was agreed to.

Third Reading; Bill Passed

H. 674

House bill, entitled

An act relating to clarifying the definition of development used for use value appraisals

Was taken up, read the third time and passed.

Second Reading; Bill Amended; Third Reading Ordered

H. 568

Rep. Notte of Rutland City, for the committee on Judiciary, to which had been referred House bill entitled,

An act relating to human trafficking and prostitution

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

Sec. 1. FINDINGS AND INTENT

(a) The majority of Vermont's laws on prostitution were adopted more than 100 years ago and have remained largely unchanged since that time.

(b) Under current Vermont law:

(1) The term "prostitution" includes "the offering or receiving of the body for sexual intercourse for hire and shall also be construed to include the offering or receiving of the body for indiscriminate sexual intercourse without hire."

(2) "Slave traffic," a section of law codified in 1910 pursuant to "An act to prevent what is commonly known as the 'white slave' traffic," prohibits transportation of persons into and out of the State not only for the purpose of prostitution but also for "any immoral purpose." Historically, these types of laws were used to prosecute men of color for having relationships with white women.

(3) A person who has a sexually transmitted infection is eligible for probation or parole "only on such terms and conditions as shall ensure medical treatment therefor and prevent the spread of such disease."

(c) In 2011, Vermont adopted comprehensive laws to address the issue of human trafficking. These laws prohibit coerced commercial sex and commercial sex involving minors and penalties range from a maximum of five

years imprisonment (facilitation of human trafficking) to a mandatory 20 years to life imprisonment (aggravated trafficking). Vermont's prostitution laws were never updated to reflect the adoption of the human trafficking laws.

(d) A working group, composed of the Attorney General's Office, the Vermont Center for Crime Victim Services, and the Vermont Network Against Domestic and Sexual Violence, was created by 2019 Acts and Resolves No. 32 for the purpose of examining a number of issues related to prostitution and human trafficking. This working group recommended that no changes be made at this time to the laws on human trafficking, but that "the legislature create a study committee to examine laws related to sex work and prostitution" that includes a wide array of stakeholders. Based on this recommendation, it is the intent of the General Assembly to create a study committee to review the existing prostitution laws for the purpose of developing a modern approach to State involvement in sexual activity for hire by consenting adults while maintaining criminal penalties for trafficking, coercion, and exploitation of minors and strong protections for victims of those crimes.

Sec. 2. 13 V.S.A. § 2638 is added to read:

§ 2638. IMMUNITY FROM LIABILITY

(a) As used in this section:

(1) "Human trafficking" has the same meaning as in section 2651 of this title.

(2) "Prostitution" has the same meaning as in section 2631 of this title.

(b) A person who, in good faith and in a timely manner, reports to law enforcement that the person is a victim of or a witness to a crime that arose from the person's involvement in prostitution or human trafficking shall not be cited, arrested, or prosecuted for a violation of the following offenses:

(1) section 2632 of this title (prostitution);

(2) section 2601a of this title (prohibited conduct);

(3) 18 VSA § 4230(a)(1)-(3) (marijuana possession);

(4) 18 VSA § 4231(a)(1) and (2) (cocaine possession);

(5) 18 VSA § 4232(a)(1) and (2) (LSD possession);

(6) 18 VSA § 4233(a)(1) and (2) (heroin possession);

(7) 18 VSA § 4234(a)(1) and (2) (depressant, stimulant, and narcotic drugs possession);

(8) 18 VSA § 4234a(a)(1) and (a) (methamphetamine possession);

(9) 18 VSA § 4235(b)(1) (hallucinogenic drugs possession); and

(10) 18 VSA § 4235a(a)(1) (Ecstasy possession).

(c) The immunity provisions of this section apply only to the use and derivative use of evidence gained as a proximate result of the person reporting to law enforcement that the person is a victim of or a witness to a crime that arose from the person's involvement in prostitution or human trafficking and do not preclude prosecution of the person on the basis of evidence obtained from an independent source.

(d) A person who qualifies for immunity pursuant to subsection (b) or (c) of this section shall not be subject to the provisions of 18 V.S.A. chapter 84, subchapter 2 concerning property subject to forfeiture, except that prima facie contraband shall be subject to forfeiture.

(e) Except in cases of reckless or intentional misconduct, law enforcement shall be immune from liability for citing or arresting a person who is later determined to qualify for immunity under this section.

Sec. 3. SEX WORK STUDY COMMITTEE

(a) Creation. There is created the Sex Work Study Committee to make recommendations to the General Assembly regarding modernization of Vermont's prostitution laws.

(b) Membership. The Committee shall be composed of the following members:

(1) a current member of the House of Representatives appointed by the Speaker of the House;

(2) a current member of the Senate appointed by the Committee on Committees;

(3) the Attorney General or designee;

(4) the Executive Director of the Department of State's Attorneys and Sheriffs or designee;

(5) the Defender General or designee;

(6) the Executive Director of the Center for Crime Victim Services or designee;

(7) the Executive Director of the Vermont Chapter of the American Civil Liberties Union or designee;

(8) the Executive Director of the Network Against Domestic and Sexual Violence or designee and an at-large member with knowledge of Vermont's

sex work industry appointed by the Executive Director of the Network Against Domestic and Sexual Violence; and

(9) the Executive Director of the Vermont Pride Center or designee and an at-large member with knowledge of Vermont's sex work industry appointed by the Executive Director of the Vermont Pride Center.

(c) Powers and duties. The Committee shall review 13 V.S.A. chapter 59, subchapter 2 for the purpose of developing a modern approach to State involvement in sexual activity for hire by consenting adults while maintaining criminal penalties for trafficking, coercion, and exploitation of minors and strong protections for victims of those crimes. The Committee shall examine the advantages and disadvantages of criminalization, partial decriminalization, full decriminalization, and legalization and regulation.

(d) Assistance. For purposes of scheduling meetings and preparing recommended legislation, the Committee shall have the assistance of the Office of Legislative Council.

(e) Report. On or before December 15, 2020, the Committee shall submit proposed legislation to the General Assembly based upon its recommendations.

(f) Meetings.

(1) The member of the House of Representatives and the member of the Senate shall be co-chairs of the Committee and call the Committee to order.

(2) A majority of the membership shall constitute a quorum.

(3) The Committee shall cease to exist on December 31, 2020.

(g) Compensation and reimbursement.

(1) For attendance at meetings during adjournment of the General Assembly, a legislative member of the Committee serving in his or her capacity as a legislator shall be entitled to per diem compensation and reimbursement of expenses pursuant to 2 V.S.A. § 406 for not more than four meetings. These payments shall be made from monies appropriated to the General Assembly.

(2) The at-large members of the Committee shall be entitled to per diem compensation and reimbursement of expenses as permitted under 32 V.S.A. § 1010 for not more than four meetings. These payments shall be made from monies appropriated to the General Assembly.

Sec. 4. EFFECTIVE DATE

This act shall take effect on July 1, 2020.

Rep. Conquest of Newbury, for the committee on Appropriations, recommended the bill ought to pass when amended by the committee on Judiciary.

The bill, having appeared on the Calendar one day for notice, was taken up and read second time.

Thereupon, **Rep. Harrison of Chittenden** asked that the question be divided and that Secs 1, 2 and 4 be taken first and that Sec. 3 be taken second.

Thereupon, the report of the committee on Judiciary in Secs 1,2 and 4 were agreed to.

Pending the question, Shall the bill be amended as recommended by the committee on Judiciary in Section 3 only? **Rep. Harrison of Chittenden** demanded the Yeas and Nays, which demand was sustained by the Constitutional number. The Clerk proceeded to call the roll and the question, Shall the bill be amended as recommended by the committee on Judiciary in Section 3 only? was decided in the affirmative. Yeas, 126. Nays, 19.

Those who voted in the affirmative are:

Ancel of Calais	Gardner of Richmond	Nicoll of Ludlow
Anthony of Barre City	Giambatista of Essex	Norris of Shoreham
Austin of Colchester	Gonzalez of Winooski	Notte of Rutland City
Bancroft of Westford	Goslant of Northfield	Noyes of Wolcott
Bartholomew of Hartland	Grad of Moretown	O'Brien of Tunbridge
Batchelor of Derby	Gregoire of Fairfield	Ode of Burlington
Bates of Bennington	Haas of Rochester	O'Sullivan of Burlington
Birong of Vergennes	Hashim of Dummerston	Page of Newport City
Bock of Chester	Helm of Fair Haven	Pajala of Londonderry
Briglin of Thetford	Hill of Wolcott	Partridge of Windham
Brownell of Pownal	Hooper of Montpelier	Patt of Worcester
Browning of Arlington	Hooper of Randolph	Potter of Clarendon
Brumsted of Shelburne	Hooper of Burlington	Pugh of South Burlington
Burditt of West Rutland	Houghton of Essex	Ralph of Hartland
Burke of Brattleboro	Howard of Rutland City	Redmond of Essex
Campbell of St. Johnsbury	James of Manchester	Reed of Braintree
Canfield of Fair Haven	Jerome of Brandon	Rogers of Waterville
Carroll of Bennington	Jessup of Middlesex	Savage of Swanton
Chase of Colchester	Killacky of South Burlington	Scheu of Middlebury
Chesnut-Tangerman of Middletown Springs	Kimbell of Woodstock	Seymour of Sutton
Christensen of Weathersfield	Kitzmiller of Montpelier	Shaw of Pittsford
Christie of Hartford	Kornheiser of Brattleboro	Sheldon of Middlebury
Cina of Burlington	Krowinski of Burlington	Sibilia of Dover
Coffey of Guilford	LaClair of Barre Town	Smith of New Haven
Colburn of Burlington	LaLonde of South Burlington	Squirrell of Underhill
Colston of Winooski	Lanpher of Vergennes	Stevens of Waterbury
Conlon of Cornwall	Lefebvre of Newark	Strong of Albany
		Sullivan of Dorset

Conquest of Newbury	Leffler of Enosburgh	Sullivan of Burlington
Copeland Hanzas of Bradford	Lippert of Hinesburg	Szott of Barnard
Corcoran of Bennington	Long of Newfane	Taylor of Colchester
Cordes of Lincoln	Macaig of Williston	Till of Jericho *
Demrow of Corinth	Marcotte of Coventry	Toleno of Brattleboro
Dolan of Waitsfield	Masland of Thetford	Toll of Danville
Donahue of Northfield	McCarthy of St. Albans City	Townsend of South Burlington
Donovan of Burlington	McCormack of Burlington	Troiano of Stannard
Durfee of Shaftsbury	McCullough of Williston	Webb of Shelburne
Elder of Starksboro	McFaun of Barre Town	White of Hartford
Emmons of Springfield	Morgan of Milton	Yacovone of Morristown
Fagan of Rutland City	Morris of Springfield	Yantachka of Charlotte
Fegard of Berkshire	Morrissey of Bennington	Young of Greensboro
Feltus of Lyndon	Mrowicki of Putney	
Gannon of Wilmington	Murphy of Fairfax	
	Myers of Essex	

Those who voted in the negative are:

Beck of St. Johnsbury	Hango of Berkshire	Quimby of Concord
Brennan of Colchester	Harrison of Chittenden	Rosenquist of Georgia
Cupoli of Rutland City	Higley of Lowell	Scheuermann of Stowe *
Dickinson of St. Albans Town	Martel of Waterford	Smith of Derby
Gamache of Swanton	Mattos of Milton	Terenzini of Rutland Town
Graham of Williamstown	McCoy of Poultney	Toof of St. Albans Town
	Palasik of Milton	

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

Rachelson of Burlington	Walz of Barre City	Wood of Waterbury
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Rep. Scheuermann of Stowe explained her vote as follows:

“Madam Speaker:

Setting up a separate study committee, with, at most 4 meetings, at an additional cost to Vermont taxpayers, to examine the issue of legalizing prostitution is a waste. Your committee should be able to handle this within their scope of work during a legislative session.”

Rep. Till of Jericho explained his vote as follows:

“Madam Speaker:

I vote yes. The women of Vermont need those of us in the legislature to understand the most effective ways to protect them and help them escape the horrors of human trafficking.”

Thereupon, third reading was ordered.

Action on Bill Postponed**H. 760**

House bill, entitled

An act relating to fiscal year 2020 budget adjustments

Was taken up and pending consideration of the Senate proposal of amendment to the House proposal of amendment to the Senate proposal of amendment, on motion of **Rep. Toll of Danville**, action on the bill was postponed until February 21, 2020.

Second Reading; Consideration Interrupted by Recess**H. 688**

Rep. Briglin of Thetford, for the committee on Energy and Technology, to which had been referred House bill, entitled

An act relating to addressing climate change

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

* * * Title and Findings * * *

Sec. 1. SHORT TITLE

This act may be cited as the Vermont Global Warming Solutions Act of 2020.

Sec. 2. LEGISLATIVE FINDINGS

The General Assembly finds that:

(1) According to the Intergovernmental Panel on Climate Change (IPCC), the climate crisis is both caused and exacerbated by greenhouse gas emissions that result from human activity. The IPCC has determined that industrialized countries must cut their emissions to net zero by 2050, which is necessary to achieve the Paris Agreement's goal of keeping the increase in global average temperature to below 2°C. A climate emergency threatens our communities, State, and region and poses a significant threat to human health and safety, infrastructure, biodiversity, our common environment, and our economy.

(2) The State of Vermont is part of the U.S. Climate Alliance, a bipartisan coalition of 25 states that have committed to reducing greenhouse gas emissions consistent with the goals of the Paris Agreement. Working in parallel with other members of the U.S. Climate Alliance, the State of Vermont will help accelerate solutions that address the climate crisis in the absence of

federal action. By implementing climate mitigation, adaptation, and resilience strategies, Vermont will also position its economy to benefit and thrive from the global transition to carbon neutrality and national and international efforts to address the crisis.

(3) According to the IPCC and the World Bank, a failure to substantially reduce emissions over the next ten years will require even more substantial reductions later and will increase the costs of decarbonization. Delaying necessary policy action to address the climate crisis risks significant economic damage to Vermont.

(4) According to the IPCC and the State of Vermont, adaptation and resilience measures are necessary to address climate risks.

(5) According to the IPCC, the climate crisis disproportionately impacts rural and marginalized, disenfranchised, and disinvested communities, which already bear significant public health, environmental, socioeconomic, and other burdens. Mitigation, adaptation, and resilience strategies must prioritize the allocation of investment of public resources to these communities and minimize, to the greatest extent practicable, potential regressive impacts.

(6) According to the Vermont Agency of Natural Resources, the adverse impacts of climate change in Vermont include an increase in the severity and frequency of extreme weather events, a rise in vector-borne diseases including Lyme disease, more frequent cyanobacteria blooms, adverse impacts to forest and agricultural soils, forest and crop damage, shorter and irregular sugaring seasons, a reduction in seasonal snow cover, and variable and rising average temperatures that result in uncertain and less snowfall.

(7) According to the Vermont Agency of Natural Resources, the conservation and restoration of Vermont forests, floodplains, and wetlands and the promotion of forest management and farming practices that sequester and store carbon are critical to achieving climate mitigation, adaptation, and resilience and support a host of co-benefits, such as improving air and water quality, economic vitality, ecosystem functions, local food systems, and creating more climate resilient communities and landscapes.

(8) The credit rating industry is now analyzing the adaptation and resilience strategies of issuers of state and municipal bonds and may apply a negative credit factor for issuers with insufficient strategies. Establishing robust adaptation and resilience strategies for Vermont will help protect the State from a climate crisis-related credit downgrade.

* * * Greenhouse Gas Reduction Requirements * * *

Sec. 3. 10 V.S.A. § 578 is amended to read:

§ 578. GREENHOUSE GAS REDUCTION GOALS REQUIREMENTS

(a) ~~General goal of greenhouse~~ Greenhouse gas reduction requirements. ~~It is the goal of the State to Vermont shall~~ reduce emissions of greenhouse gases from within the geographical boundaries of the State and those emissions outside the boundaries of the State that are caused by the use of energy in Vermont ~~in order to make an appropriate contribution to achieving the regional goals of reducing emissions of greenhouse gases from the 1990 baseline, as measured and inventoried pursuant to section 582 of this title,~~ by:

(1) ~~25 not less than 26 percent from 2005 greenhouse gas emissions by January 1, 2012~~ 2025 pursuant to the State's membership in the United States Climate Alliance and commitment to implement policies to achieve the objectives of the 2016 Paris Agreement;

(2) ~~50 not less than 40 percent from 1990 greenhouse gas emissions by January 1, 2028~~ 2030 pursuant to the State's 2016 Comprehensive Energy Plan; and

(3) ~~if practicable using reasonable efforts, 75~~ not less than 80 percent from 1990 greenhouse gas emissions by January 1, 2050 pursuant to the State's 2016 Comprehensive Energy Plan.

* * *

(c) Implementation of State programs to reduce greenhouse gas emissions. In order to facilitate the State's compliance with the goals established in this section, all State agencies shall consider, ~~whenever practicable,~~ any increase or decrease in greenhouse gas emissions in their decision-making procedures with respect to the purchase and use of equipment and goods; the siting, construction, and maintenance of buildings; the assignment of personnel; and the planning, design, and operation of programs, services, and infrastructure.

* * *

* * * Vermont Climate Council and Vermont Climate Action Plan * * *

Sec. 4. 10 V.S.A. chapter 24 is added to read:

CHAPTER 24. VERMONT CLIMATE COUNCIL AND CLIMATE ACTION PLAN

§ 590. DEFINITIONS

As used in this chapter:

(1) “Adaptation” means reducing vulnerability and advancing resilience through planned and implemented enhancements to, or avoiding degradation of, natural and built systems and structures.

(2) “Greenhouse gas” has the same meaning as in section 552 of this title.

(3) “Mitigation” means reduction of anthropogenic greenhouse gas emissions, and preservation and enhancement of natural systems to sequester and store carbon, in order to stabilize and reduce greenhouse gases in the atmosphere.

(5) “Resilience” means the capacity of individuals, communities, and natural and built systems to withstand and recover from climatic events, trends, and disruptions.

§ 591. VERMONT CLIMATE COUNCIL

(a) There is created the Vermont Climate Council (Council). The Council shall be composed of the following members:

(1) the Secretary of Administration, who shall serve as the Chair of the Council;

(2) the Secretary of Natural Resources or designee;

(3) the Secretary of Agriculture, Food and Markets or designee;

(4) the Secretary of Commerce and Community Development or designee;

(5) the Secretary of Human Services or designee;

(6) the Secretary of Transportation or designee;

(7) the Commissioner of Public Safety or designee;

(8) the Commissioner of Public Service or designee;

(9) the following members who shall be appointed by the Speaker of the House:

(A) one member with expertise and professional experience in the design and implementation of programs to reduce greenhouse gas emissions;

(B) one member to represent rural communities;

(C) one member to represent the municipal governments;

(D) one member to represent distribution utilities;

(E) one member to represent a statewide environmental organization;

(F) one member to represent the fuel sector; and

(G) one member with expertise in climate change science;

(10) the following members who shall be appointed by the Committee on Committees:

(A) one member with expertise in the design and implementation of programs to increase resilience to and respond to natural disasters resulting from climate change;

(B) one member to represent the clean energy sector;

(C) one member to represent the small business community;

(D) one member to represent the Vermont Community Action Partnership;

(E) one member to represent the farm and forest sector;

(F) one youth member; and

(G) one member of a Vermont-based organization with expertise in energy and data analysis.

(b) The Council shall:

(1) Identify, analyze, and evaluate strategies and programs to reduce greenhouse gas emissions; achieve the State's reduction requirements pursuant to section 578 of this title; and build resilience to prepare the State's communities, infrastructure, and economy to adapt to the current and anticipated effects of climate change, including:

(A) creating an inventory of all existing programs that impact greenhouse gas emissions and their efficacy;

(B) evaluating and analyzing the technical feasibility and cost-effectiveness of existing strategies and programs and identifying, evaluating, and analyzing new strategies and programs that are based upon emerging scientific and technical information;

(C) analyzing each source or category of sources of greenhouse gas emissions and identifying which strategies and programs will result in the largest greenhouse gas emissions reductions in the most cost-effective manner;

(D) identifying, analyzing, and evaluating public and private financing strategies to support the transition to a reduced greenhouse gas emissions economy and a more resilient State; and

(E) evaluating and analyzing existing strategies and programs that build resilience, and identifying, evaluating, and analyzing new strategies and

programs to prepare the State's communities, infrastructure, and economy to adapt to the current and anticipated effects of climate change.

(2) On or before December 1, 2021, adopt the Vermont Climate Action Plan (Plan) and update the Plan on or before July 1 every four years thereafter. The Plan shall set forth the specific initiatives, programs, and strategies that the State shall pursue to reduce greenhouse gas emissions; achieve the State's reduction requirements pursuant to section 578 of this title; and build resilience to prepare the State's communities, infrastructure, and economy to adapt to the current and anticipated effects of climate change.

(3) Identify the means to accurately measure:

(A) the State's greenhouse gas emissions and progress towards meeting the reduction requirements pursuant to section 578 of this title, including publishing emissions data in a timely manner;

(B) the effectiveness of the specific initiatives, programs, and strategies set forth in the Plan and updates to the Plan in reducing greenhouse gas emissions;

(C) the effect of climate change on the State's climate, wildlife, and natural resources; and

(D) the existing resilience of the State's communities, infrastructure, and economy and progress towards improving resilience to adapt to the current and anticipated effects of climate change.

(4) Provide guidance to the Secretary of Natural Resources concerning the form, content, and subject matter of rules to be adopted pursuant to section 593 of this chapter.

(c) Subcommittees. The Council shall create the subcommittees listed in this subsection and may also create other subcommittees to advise the Council, assist in preparing the Plan, and carry out other duties. The Council may appoint members of the Council to serve as members of subcommittees and may also appoint individuals who are not members of the Council to serve as members of subcommittees.

(1) Rural Resilience and Adaptation Subcommittee. The Rural Resilience and Adaptation Subcommittee shall focus on the pressures that climate change adaptation will impose on rural transportation, electricity, housing, emergency services, and communications infrastructure, and the difficulty of rural communities in meeting the needs of its citizens. The Subcommittee shall:

(A) develop a municipal vulnerability index to include factors measuring a municipality's population, average age, employment, and grand

list trends; active public and civic organizations; and distance from emergency services and shelter;

(B) develop best practice recommendations specific to rural communities for reducing municipal, school district, and residential fossil fuel consumption; fortifying critical transportation, electricity, and community infrastructure; and creating a distributed, redundant, storage-supported local electrical system;

(C) recommend a means of securely sharing self-identified vulnerable residents' information with State and local emergency responders and utilities;

(D) recommend tools for municipalities to assess their climate emergency preparedness, evaluate their financial capacity to address infrastructure resilience, and prioritize investment in that infrastructure; and

(E) utilize Vermont Emergency Management biennial reports to recommend program, policy, and legislative changes that will enhance municipal resilience to increased hazards presented by climate change.

(2) Cross-Sector Mitigation Subcommittee. This subcommittee shall focus on identifying the most scientifically and technologically feasible strategies and programs that will result in the largest possible greenhouse gas emissions reductions in the most cost-effective manner.

(3) Just Transitions Subcommittee. This subcommittee shall focus on ensuring that strategies to reduce greenhouse gas emissions and to build resilience to adapt to the effects of climate change benefit and support all residents of the State fairly and equitably. This subcommittee shall ensure that strategies consider the disproportionate impact of climate change on rural, low income, and marginalized communities and that programs and incentives for building resilience are designed to be accessible to all Vermonters and do not unfairly burden any groups, communities, geographic locations, or economic sectors. This subcommittee may adopt a measurement tool to assess the equitability of programs and strategies considered by the Council.

(4) Agriculture and Ecosystems Subcommittee. This subcommittee shall focus on the role Vermont's natural and working lands play in carbon sequestration and storage, climate adaptation, and ecosystem and community resilience. This subcommittee will seek to understand current initiatives in the agricultural and forestry sectors and the businesses that depend on them and to develop actions and policies that restore wetlands; increase carbon stored on agricultural and forest land and in forest products; and support healthy agricultural soils and local food systems.

(d) The Council shall recommend necessary legislation to the General Assembly concerning:

(1) adopting market-based or alternative compliance mechanisms as part of the State's greenhouse gas emissions reduction strategies;

(2) changes to land use and development, including to chapter 151 of this title and 30 V.S.A. § 248, to reduce greenhouse gas emissions and promote resilience in response to climate change;

(3) statutory authority necessary to implement the Plan; and

(4) any other matter the Council deems appropriate.

(e) The Council shall have the administrative, technical, and legal assistance of the Agency of Natural Resources and the Department of Public Service and may request the assistance of any Executive Branch Agency and Department.

(f) A majority of the sitting members of the Council shall constitute a quorum, and action taken by the Council may be authorized by a majority of the members present and voting at any meeting at which a quorum is present. The Council may permit any or all members to participate in a meeting by, or conduct the meeting through the use of, any means of communication, including electronic, telecommunications, and video- or audio-conferencing technology, by which all members participating may simultaneously or sequentially communicate with each other during the meeting. A member participating in a meeting by this means is deemed to be present in person at the meeting. The Council may elect officers and adopt any other procedural rules as it shall determine necessary and appropriate to perform its work.

(g) Members of the Council who are not State employees shall be entitled to per diem compensation and reimbursement of expenses for each day spent in the performance of their duties, as permitted under 32 V.S.A. § 1010. These payments shall be made from monies appropriated to the Agency of Natural Resources.

(h) The members of the Council appointed pursuant to subdivision (a)(8) of this section shall be appointed to initial terms of two years, and members appointed pursuant to subdivision (a)(9) of this section shall be appointed to initial terms of three years. Thereafter, each appointed member shall serve a term of three years or until his or her earlier resignation or removal. A vacancy shall be filled by the appointing authority for the remainder of the unexpired term. An appointed member shall not serve more than three full consecutive three-year terms.

(i) On or before January 15, 2021 and every January 15 thereafter, the Council shall submit a written report to the General Assembly concerning the Council's activities and the State's progress towards meeting the greenhouse gas reduction requirements pursuant to section 578 of this title. On or before November 1, 2021 and every second November 1 thereafter, the Director of Vermont Emergency Management shall file a report with the Council concerning Vermont's overall municipal resilience to increased hazards presented by climate change that shall include hazard mitigation plans, local emergency management plans, and survey results as deemed appropriate by the Director. Subsequent reports shall include updates to document progress in local resilience. The report shall inform Council recommendations on policies to address gaps in local resilience.

§ 592. THE VERMONT CLIMATE ACTION PLAN

(a) On or before December 1, 2021, the Vermont Climate Council (Council) shall adopt the Vermont Climate Action Plan (Plan) and update the Plan on or before July 1 every four years thereafter.

(b) The Plan shall set forth the specific initiatives, programs, and strategies, including regulatory and legislative changes, necessary to achieve the State's greenhouse gas emissions reduction requirements pursuant to section 578 of this title and build resilience to prepare the State's communities, infrastructure, and economy to adapt to the current and anticipated effects of climate change. The Plan shall include specific initiatives, programs, and strategies that will:

(1) reduce greenhouse gas emissions from the transportation, building, regulated utility, industrial, commercial, and agricultural sectors;

(2) encourage smart growth and related strategies;

(3) achieve long-term sequestration and storage of carbon and promote best management practices to achieve climate mitigation, adaption, and resilience on natural working lands;

(4) achieve net zero emissions by 2050 across all sectors;

(5) reduce energy burdens for rural and marginalized communities;

(6) limit the use of chemicals, substances, or products that contribute to climate change; and

(7) build and encourage climate adaptation and resilience of Vermont communities and natural systems.

(c) The analysis, development, and selection of the specific initiatives, programs, and strategies contained in the Plan and updates to the Plan shall be based upon:

(1) the Council's analysis and evaluation of strategies and programs pursuant to subdivision 591(b)(1) of this chapter;

(2) reports, plans, and information pertaining to greenhouse gas emissions reduction and climate resilience strategies from the Agency of Natural Resources, the Department of Public Service, other State agencies and departments, and, where appropriate, the State Comprehensive Energy Plan prepared pursuant to 30 V.S.A. § 202b and the 2018 Vermont Climate Action Commission Report to the Governor; and

(3) other reports, plans, and information.

(d) The specific initiatives, programs, and strategies contained in the Plan and updates to the Plan shall further the following objectives:

(1) to prioritize the most cost-effective, technologically feasible, and equitable greenhouse gas emissions reduction pathways and adaptation and preparedness strategies informed by scientific and technical expertise;

(2) to provide for greenhouse gas emissions reductions that reflect the relative contribution of each source or category of source of emissions;

(3) to minimize negative impacts on marginalized and rural communities and upon individuals with low and moderate income;

(4) to ensure that all regions of the State benefit from greenhouse gas emissions reductions, including sharing in the resulting economic, quality-of-life, and public health benefits;

(5) to support economic sectors and regions of the State that face the greatest barriers to emissions reductions, especially rural and economically distressed regions and industries;

(6) to support industries, technology, and training that will allow workers and businesses in the State to benefit from greenhouse gas emissions reduction solutions;

(7) to support the use of natural solutions to reduce greenhouse gas emissions and increase resilience, including the use of working lands to sequester and store carbon and protect against severe weather events; and

(8) to maximize the State's involvement in interstate and regional initiatives and programs designed to reduce regional greenhouse gas emissions and build upon state, national, and international partnerships and programs designed to mitigate climate change and its impacts.

(e) The Plan shall form the basis for the rules adopted by the Secretary of Natural Resources pursuant to section 593 of this chapter. If the Council fails to adopt the Plan or update the Plan as required by this chapter, the Secretary

shall proceed with adopting and implementing rules pursuant to subsection 593(j) of this chapter to achieve the greenhouse gas emissions reductions requirements pursuant to section 578 of this title.

§ 593. RULES

(a) The Secretary of Natural Resources shall adopt rules pursuant to 3 V.S.A. chapter 25 consistent with the Vermont Climate Action Plan (Plan). In adopting rules pursuant to this section the Secretary shall:

(1) Ensure that the rules are consistent with the specific initiatives, programs, and strategies set forth in the Plan and updates to the Plan; follow the Vermont Climate Council's guidance provided pursuant to subdivision 591(b)(4) of this chapter; and further the objectives pursuant to subsection 592(d) of this chapter.

(2) Develop a detailed record containing facts; data; and legal, scientific, and technical information sufficient to establish a reasonable basis to believe that the rules shall achieve the State's greenhouse gas emissions reductions requirements pursuant to section 578 of this title. This detailed record shall be included with the rule and filed with the Secretary of State pursuant to 3 V.S.A. § 838.

(b) On or before December 1, 2022, the Secretary shall adopt and implement rules consistent with the specific initiatives, programs, and strategies set forth in the Plan and achieve the 2025 greenhouse gas emissions reduction requirement pursuant to section 578 of this title.

(c) The Secretary shall conduct public hearings across the State concerning the proposed rules. The Secretary shall conduct a portion of these hearings in areas and communities that have the most significant exposure to the impacts of climate change, including disadvantaged, low-income, and rural communities and areas.

(d) The Secretary shall, on or before July 1, 2024, review and, if necessary, update the rules required by subsection (b) of this section in order to ensure that the 2025 greenhouse gas emissions reduction requirement pursuant to section 578 of this title is achieved. In performing this review and update, the Secretary shall observe the requirements of subsection (c) of this section.

(e) On or before July 1, 2026, the Secretary shall adopt and implement rules consistent with the specific initiatives, programs, and strategies set forth in the Plan and updates to the Plan and achieve the 2030 greenhouse gas emissions reduction requirement pursuant to section 578 of this title. The Secretary shall observe the requirements of subsection (c) of this section.

(f) The Secretary shall, at his or her discretion, but not less frequently than once every two years between 2026 and 2030, review and, if necessary, update the rules required by subsection (e) of this section in order to ensure that the 2030 greenhouse gas emissions reduction requirement pursuant to section 578 of this title is achieved. In performing this review and update, the Secretary shall observe the requirements of subsection (c) of this section.

(g) On or before July 1, 2040, the Secretary shall adopt and implement rules consistent with the specific initiatives, programs, and strategies set forth in the Plan and updates to the Plan and achieve the 2050 greenhouse gas emissions reduction requirement pursuant to section 578 of this title.

(h) The Secretary shall, at his or her discretion, but not less frequently than once every two years between 2040 and 2050, review and, if necessary, update the rules required by subsection (g) of this section in order to ensure that the 2050 greenhouse gas emissions reduction requirement pursuant to section 578 of this title is achieved. In performing this review and update, the Secretary shall observe the requirements of subsection (c) of this section.

(i) The Secretary may establish alternative reduction mechanisms to be used by sources of greenhouse gas emissions, if necessary, to achieve net zero emissions after 2050.

(1) The use of alternative reduction mechanisms shall account for not more than 20 percent of statewide greenhouse gas emissions estimated as a percentage of 1990 emissions. The use of a mechanism must offset a quantity of greenhouse gas emissions equal to or greater than the amount of greenhouse gasses emitted.

(2) The Secretary shall verify that any greenhouse gas emissions offset projects authorized as alternative reduction mechanisms represent equivalent emissions reductions or carbon sequestration that are real, additional, verifiable, enforceable, and permanent.

(j) If the Council fails to adopt the Plan or update the Plan as required by section 592 of this chapter, the Secretary shall adopt and implement rules pursuant to 3 V.S.A. chapter 25 to achieve the greenhouse gas emissions reductions requirements pursuant to section 578 of this title.

(k) Nothing in this section shall be construed to limit the existing authority of a State agency, department, or entity to regulate greenhouse gas emissions or establish strategies or promulgate rules to mitigate climate risk and build resilience to climate change.

(l) The General Assembly may repeal, revise, or modify any rule or amendment to any rule, and its action shall not be abridged, enlarged, or modified by subsequent rule.

§ 594. CAUSE OF ACTION

(a) Any person may commence an action based upon the failure of the Secretary of Natural Resources to adopt or update rules pursuant to the deadlines in section 593 of this chapter.

(1) The action shall be brought pursuant to Rule 75 of the Vermont Rules of Civil Procedure in the Civil Division of the Superior Court of Washington County.

(2) The complaint shall be filed within one year after expiration of the time in which the Secretary of Natural Resources was required to adopt or update rules pursuant to section 593 of this chapter. However, a person shall not commence an action under this subsection until at least 60 days after providing notice of the alleged violation to the Secretary.

(3) If the court finds that the Secretary has failed to adopt or update rules pursuant to the deadlines in section 593 of this chapter, the court shall enter an order directing the Secretary to adopt or update rules. If the court finds that the Secretary is taking prompt and effective action to adopt or update rules, the court may grant the Secretary a reasonable period of time to do so.

(b) Any person may commence an action alleging that rules adopted by the Secretary pursuant to section 593 of this chapter have failed to achieve the greenhouse gas emissions reductions requirements pursuant to section 578 of this title.

(1) The action shall be brought in the Civil Division of the Superior Court of Washington County.

(2) The complaint shall be filed within one year after the Vermont Greenhouse Gas Emission Inventory and Forecast published pursuant to section 582 of this title indicates that the rules adopted by the Secretary have failed to achieve the greenhouse gas emissions reductions requirements pursuant to section 578 of this title. However, a person shall not commence an action under this subsection until at least 60 days after providing notice of the alleged violation to the Secretary.

(3) If the court finds that the rules adopted by the Secretary pursuant to section 593 of this chapter are a substantial cause of failure to achieve the greenhouse gas emissions reductions requirements pursuant to section 578 of this title, the court shall enter an order remanding the matter to the Secretary to adopt or update rules that achieve the greenhouse gas emissions reductions requirements consistent with this chapter. If the court finds that the Secretary is taking prompt and effective action to comply, the court may grant the Secretary a reasonable period of time to do so.

(c) In an action brought pursuant to this section, a prevailing party or substantially prevailing party:

(1) that is a plaintiff shall be awarded reasonable costs and attorney's fees unless doing so would not serve the interests of justice; or

(2) that is a defendant may be awarded reasonable costs if the action was frivolous or lacked a reasonable basis in law or fact.

(d) Nothing in this section shall be construed to limit the rights, procedures, and remedies available under any law, including the Vermont Administrative Procedure Act pursuant to 3 V.S.A. chapter 25.

* * * Rulemaking and Appointment of Council Members * * *

Sec. 5. RULES REQUIRED PURSUANT TO 10 V.S.A. § 593

Any proposed rules and access to the detailed record required pursuant to section 10 V.S.A. § 593 shall be:

(1) provided to the Vermont Climate Council not less than 45 days prior to submitting the proposed rule or rules to the Interagency Committee on Administrative Rules (ICAR);

(2) provided to the members of the House Committees on Energy and Technology, on Natural Resources, Fish, and Wildlife, and on Transportation, to the Senate Committees on Finance, on Natural Resources and Energy, and on Transportation, and to the Joint Carbon Emissions Reduction Committee not less than 30 days prior to submitting the proposed rule or rules to ICAR; and

(3) filed with ICAR on or before July 1, 2022.

Sec. 6. VERMONT CLIMATE COUNCIL; APPOINTMENT OF MEMBERS AND FIRST MEETING

All members of the Vermont Climate Council established pursuant to section 10 V.S.A. § 591 shall be appointed within 60 days of the effective date of this act, and the Chair shall call the first meeting of the Council within 30 days after all members have been appointed.

* * * State Energy Policy and the Comprehensive Energy Plan * * *

Sec. 7. 30 V.S.A. § 202a is amended to read:

§ 202a. STATE ENERGY POLICY

It is the general policy of the State of Vermont:

(1) To ~~assure~~, ensure to the greatest extent practicable, that Vermont can meet its energy service needs in a manner that is adequate, reliable, secure, and

sustainable; that assures ensures affordability and encourages the State's economic vitality, the efficient use of energy resources, and cost-effective demand-side management; and that is environmentally sound.

(2) To identify and evaluate, on an ongoing basis, resources that will meet Vermont's energy service needs in accordance with the principles of reducing greenhouse gas emissions and least-cost integrated planning; including efficiency, conservation, and load management alternatives; wise use of renewable resources; and environmentally sound energy supply.

(3) To meet Vermont's energy service needs in a manner that will achieve the greenhouse gas emissions reductions requirements pursuant to 10 V.S.A. § 578 and is consistent with the Vermont Climate Action Plan adopted and updated pursuant to 10 V.S.A. § 592.

Sec. 8. 30 V.S.A. § 202b is amended to read:

§ 202b. STATE COMPREHENSIVE ENERGY PLAN

(a) The Department of Public Service, in conjunction with other State agencies designated by the Governor, shall prepare a State Comprehensive Energy Plan covering at least a 20-year period. The Plan shall seek to implement the State energy policy set forth in section 202a of this title, including meeting the State's greenhouse gas emissions reductions requirements pursuant to 10 V.S.A. § 578, and shall be consistent with the relevant goals of 24 V.S.A. § 4302 and with the Vermont Climate Action Plan adopted and updated pursuant to 10 V.S.A. § 592. The State Comprehensive Energy Plan shall include:

* * *

* * * Appropriation and Positions * * *

Sec. 9. APPROPRIATION

The sum of \$972,000.00 is appropriated from the General Fund to the Agency of Natural Resources in fiscal year 2021 for the purpose of implementing this Act, including for personal services for the positions created pursuant to Sec. 10; costs associated with providing administrative, technical, and legal support to the Vermont Climate Council; compensation and reimbursement of per diems and expenses for members of the Council; hiring consultants and experts; and for other necessary costs and expenses. The appropriation shall carry forward into fiscal year 2022 as necessary. Estimated amounts are \$586,000 in fiscal year 2021 and \$386,000 in fiscal year 2022.

Sec. 10. AGENCY OF NATURAL RESOURCES; POSITIONS

Three full-time, limited service positions are created in the Agency of

Natural Resources for the purpose of implementing this Act.

* * * Effective Date * * *

Sec. 11. EFFECTIVE DATE

This act shall take effect on passage.

Rep. Townsend of South Burlington, for the committee on Appropriations reported in favor of its passage when amended by the committee on Energy and Technology.

Having appeared on the Calendar one day for notice, was taken up and read the second time.

Pending the question, Shall the bill be amended as recommended by the committee on Energy and Technology? **Rep. Bancroft of Westford** moved to amend the bill as follows:

First: In Sec. 4, in 10 V.S.A. § 594(a), by striking out “section 593” and inserting in lieu thereof “subsections (e)–(h) of section 593”

Second: In Sec. 4, in 10 V.S.A. § 594(b), by striking out “section 593” and inserting in lieu thereof “subsections (e)–(h) of section 593”

Third: In Sec. 5, before the word “Any,” by inserting the subsection designation (a) and by inserting a subsection (b) to read as follows:

(b) Upon the adoption of the Action Plan (Plan) pursuant to 10 V.S.A. § 592, the Joint Fiscal Office of the General Assembly (JFO) shall prepare, or hire a consultant to prepare, an analysis of the economic, budgetary, and fiscal costs and benefits of the Plan. JFO shall submit the analysis to the House Committees on Appropriations, on Energy and Technology, on Natural Resources, Fish, and Wildlife, and on Transportation, to the Senate Committees on Appropriations, on Finance, on Natural Resources and Energy, and on Transportation, and to the Joint Carbon Emissions Reduction Committee.

Thereupon, **Rep. Bancroft of Westford** asked that the question be divided and that Secs. 1 and 2 be taken first and that Sec. 3 be taken second.

Recess

At three o'clock and four minutes in the afternoon, the Speaker declared a recess until three o'clock and twenty-five minutes in the afternoon.

At three o'clock and thirty-seven minutes in the afternoon, the Speaker called the House to order.

Consideration Resumed; Bill Amended; Third Reading Ordered**H. 688**

Consideration resumed on House bill, entitled
An act relating to addressing climate change

Thereupon, the question Shall the report of the committee on Energy and Technology be amended as offered by **Rep. Bancroft of Westford** in Secs. 1 and 2 only was disagreed to.

Thereupon, the report of the committee on Energy and Technology was amended as offered by **Rep. Bancroft of Westford** in Sec. 3 only.

Pending the question, Shall the bill be amended as recommended by the committee on Energy and Technology, as amended? **Rep. Feltus of Lyndon** demanded the Yeas and Nays, which demand was sustained by the Constitutional number.

Pending the call of the roll? **Rep. Donahue of Northfield** moved to amend the report of the committee on Energy and technology, as amended, as follows:

First: In Sec. 4, in 10 V.S.A. § 592(a), by striking out “December 1, 2021” and inserting in lieu thereof the following: “January 1, 2022”

Second: In Sec. 4, in 10 V.S.A. § 593(b), by striking out “December 1, 2022” and inserting in lieu thereof the following: “June 1, 2023”

Third: In Sec. 5, in subsection (3), by striking out the word “July” and inserting in lieu thereof the word “December”

Fourth: In Sec. 4, in 10 V.S.A. § 593(a), by striking out the word “The” and inserting in lieu thereof the following: “Pursuant to subsection 592(f) of this chapter, the”

Fifth: In Sec. 4, in 10 V.S.A. § 592(e), by striking out the sentence “If the Council fails to adopt the Plan or update the Plan as required by this chapter, the Secretary shall proceed with adopting and implementing rules pursuant to subsection 593(j) of this chapter to achieve the greenhouse gas emissions reductions requirements pursuant to section 578 of this title.”

Six: In Sec. 4, in 10 V.S.A. § 592, by adding a subsection (f) to read as follows:

“(f) The Plan shall be submitted to the General Assembly for review. The General Assembly shall approve the Plan in order for any action pursuant to section to 593 of this chapter to occur.”

Pending the question, Shall the report of the committee on Energy and Technology, as amended, be amended as offered by Rep. Donahue of

Northfield? **Rep. Savage of Swanton** 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 report of the committee on Energy and Technology, as amended, be amended as offered by Rep. Donahue of Northfield? was decided in the negative. Yeas, 44. Nays, 99.

Those who voted in the affirmative are:

Bancroft of Westford	Gamache of Swanton	Morrissey of Bennington
Batchelor of Derby	Goslant of Northfield	Myers of Essex
Beck of St. Johnsbury	Graham of Williamstown	Norris of Shoreham
Brennan of Colchester	Gregoire of Fairfield	Page of Newport City
Browning of Arlington	Hango of Berkshire	Palasik of Milton
Burditt of West Rutland	Harrison of Chittenden	Quimby of Concord
Canfield of Fair Haven	Helm of Fair Haven	Rosenquist of Georgia
Corcoran of Bennington	Higley of Lowell	Savage of Swanton
Cupoli of Rutland City	LaClair of Barre Town	Scheuermann of Stowe
Dickinson of St. Albans Town	Lefebvre of Newark	Seymour of Sutton
Donahue of Northfield	Leffler of Enosburgh	Shaw of Pittsford
Fagan of Rutland City	Marcotte of Coventry	Smith of Derby
Fegard of Berkshire	Mattos of Milton	Strong of Albany
Feltus of Lyndon	McCoy of Poultney	Sullivan of Dorset
	McFaun of Barre Town	Terenzini of Rutland Town

Those who voted in the negative are:

Ancel of Calais	Giambatista of Essex	O'Brien of Tunbridge
Anthony of Barre City	Gonzalez of Winooski	Ode of Burlington
Austin of Colchester	Grad of Moretown	O'Sullivan of Burlington
Bartholomew of Hartland	Haas of Rochester	Pajala of Londonderry
Bates of Bennington	Hashim of Dummerston	Partridge of Windham
Birong of Vergennes	Hill of Wolcott	Patt of Worcester
Bock of Chester	Hooper of Montpelier	Potter of Clarendon
Briglin of Thetford	Hooper of Randolph	Pugh of South Burlington
Brownell of Pownal	Hooper of Burlington	Rachelson of Burlington
Brumsted of Shelburne	Houghton of Essex	Ralph of Hartland
Burke of Brattleboro	Howard of Rutland City	Redmond of Essex
Campbell of St. Johnsbury	James of Manchester	Reed of Braintree
Carroll of Bennington	Jerome of Brandon	Rogers of Waterville
Chase of Colchester	Jessup of Middlesex	Scheu of Middlebury
Chesnut-Tangerman of Middletown Springs	Killackey of South Burlington	Sheldon of Middlebury
Christensen of Weathersfield	Kimbell of Woodstock	Sibilia of Dover
Christie of Hartford	Kitzmiller of Montpelier	Squirrell of Underhill
Cina of Burlington	Kornheiser of Brattleboro	Stevens of Waterbury
Coffey of Guilford	Krowinski of Burlington	Sullivan of Burlington
Colburn of Burlington	LaLonde of South Burlington	Szott of Barnard
Colston of Winooski	Lanpher of Vergennes	Taylor of Colchester
Conlon of Cornwall	Lippert of Hinesburg	Till of Jericho
Conquest of Newbury	Long of Newfane	Toleno of Brattleboro
Copeland Hanzas of	Macaig of Williston	Toll of Danville
		Townsend of South

Bradford	Masland of Thetford	Burlington
Cordes of Lincoln	McCarthy of St. Albans City	Troiano of Stannard
Demrow of Corinth	McCormack of Burlington	Walz of Barre City
Dolan of Waitsfield	McCullough of Williston	Webb of Shelburne
Donovan of Burlington	Morris of Springfield	White of Hartford
Durfee of Shaftsbury	Mrowicki of Putney	Yacovone of Morristown
Elder of Starksboro	Murphy of Fairfax	Yantachka of Charlotte
Emmons of Springfield	Nicoll of Ludlow	Young of Greensboro
Gannon of Wilmington	Notte of Rutland City	
Gardner of Richmond	Noyes of Wolcott	

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

Martel of Waterford	Smith of New Haven	Wood of Waterbury
Morgan of Milton	Toof of St. Albans Town	

Thereupon, the Clerk proceeded to call the roll and the question, Shall the bill be amended as recommended by the committee on Energy and Technology, as amended? was decided in the affirmative. Yeas, 105. Nays, 37.

Those who voted in the affirmative are:

Ancel of Calais	Gannon of Wilmington	Noyes of Wolcott
Anthony of Barre City	Gardner of Richmond	O'Brien of Tunbridge
Austin of Colchester	Giambatista of Essex	Ode of Burlington
Bartholomew of Hartland *	Gonzalez of Winooski	O'Sullivan of Burlington
Bates of Bennington	Grad of Moretown	Pajala of Londonderry
Birong of Vergennes	Haas of Rochester	Partridge of Windham
Bock of Chester	Harrison of Chittenden	Patt of Worcester
Briglin of Thetford	Hashim of Dummerston	Potter of Clarendon
Brownell of Pownal	Hill of Wolcott	Pugh of South Burlington
Browning of Arlington	Hooper of Montpelier	Rachelson of Burlington
Brumsted of Shelburne	Hooper of Randolph	Ralph of Hartland
Burke of Brattleboro	Hooper of Burlington	Redmond of Essex
Campbell of St. Johnsbury	Houghton of Essex	Reed of Braintree
Carroll of Bennington	Howard of Rutland City	Rogers of Waterville
Chase of Colchester	James of Manchester	Scheu of Middlebury
Chesnut-Tangerman of Middletown Springs	Jerome of Brandon	Sheldon of Middlebury
Christensen of Weathersfield	Jessup of Middlesex	Sibilia of Dover
Christie of Hartford	Killackey of South Burlington	Squirrell of Underhill
Cina of Burlington	Kimbell of Woodstock	Stevens of Waterbury
Coffey of Guilford	Kitzmiller of Montpelier	Sullivan of Dorset
Colburn of Burlington	Kornheiser of Brattleboro	Sullivan of Burlington
Colston of Winooski	Krowinski of Burlington *	Szott of Barnard
Conlon of Cornwall	LaLonde of South Burlington	Taylor of Colchester
Conquest of Newbury	Lanpher of Vergennes	Till of Jericho
Copeland Hanzas of Bradford	Lefebvre of Newark	Toleno of Brattleboro
Corcoran of Bennington	Lippert of Hinesburg	Toll of Danville
Cordes of Lincoln *	Long of Newfane	Townsend of South Burlington
	Macaig of Williston	Troiano of Stannard

Demrow of Corinth	Masland of Thetford	Walz of Barre City
Dolan of Waitsfield	McCarthy of St. Albans City	Webb of Shelburne
Donahue of Northfield *	McCormack of Burlington	White of Hartford
Donovan of Burlington	McCullough of Williston	Yacovone of Morristown
Durfee of Shaftsbury	Morris of Springfield	Yantachka of Charlotte
Elder of Starksboro	Mrowicki of Putney	Young of Greensboro
Emmons of Springfield	Murphy of Fairfax	
Fegard of Berkshire	Nicoll of Ludlow	

Those who voted in the negative are:

Bancroft of Westford	Graham of Williamstown	Notte of Rutland City
Batchelor of Derby	Hango of Berkshire	Page of Newport City
Beck of St. Johnsbury	Helm of Fair Haven	Palasik of Milton
Brennan of Colchester	Higley of Lowell	Quimby of Concord
Burditt of West Rutland	LaClair of Barre Town	Rosenquist of Georgia
Canfield of Fair Haven	Leffler of Enosburgh	Savage of Swanton
Cupoli of Rutland City	Marcotte of Coventry	Scheuermann of Stowe
Dickinson of St. Albans Town	Mattos of Milton	Seymour of Sutton
Fagan of Rutland City	McCoy of Poultney	Shaw of Pittsford
Feltus of Lyndon	McFaun of Barre Town	Smith of Derby
Gamache of Swanton	Morrissey of Bennington	Strong of Albany
Goslant of Northfield	Myers of Essex	Terenzini of Rutland Town
	Norris of Shoreham	

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

Gregoire of Fairfield	Morgan of Milton	Toof of St. Albans Town
Martel of Waterford	Smith of New Haven	Wood of Waterbury

Thereupon third reading was ordered.

Rep. Bartholomew of Hartland explained his vote as follows:

“Madam Speaker:

I learned about the effects of carbon dioxide in our atmosphere when I was in junior high school. If we had followed the lead of our President in the late 1970s, I believe the required changes in our technology, economy, and behavior would have been modest in order to avoid the problems associated with climate change. That opportunity has passed, and we now are out of time. The solution to the climate crisis we are facing no longer is simple. It’s going to require acknowledgment of the problem, significant action, changes in behavior, innovative research, and money. It will affect every person, town, city, business, corporation, and government. Huge numbers of citizens are raising the alarm and calling for action. We’ve seen their passion in our own House chamber. Their methods may have been bothersome, but their message was clear.

I was particularly moved when a large group of young Vermonters came for a demonstration on climate change outside the State House and proceeded to file through the building. I took an opportunity to hold the door open for them. It took a full 20 minutes for all of them to pass! Again, their message was clear. It's time to act. This bill is only a first step to address climate change, but one that I wholeheartedly support."

Rep. Colburn of Burlington explained her vote as follows:

"Madam Speaker:

Today we take an important step to make good on our promises to Vermonters for meaningful climate action. I'm so grateful for the hard and thoughtful work by everyone who brought this forward and made it possible for me to vote in support of a policy that's so important to my constituents, my daughters, and the very world we live in. We have much more work to do, but today is a good day, and a hopeful one."

Rep. Cordes of Lincoln explained her vote as follows:

"Madam Speaker:

In Lars von Triers slow moving film *Melancholia*, wedding party goes display opulent illusions of celebration amongst angst, betrayal and denial as the planet *Melancholia* hurtles toward an earth destined to be imminently destroyed.

We are facing our own *Melancholia*, despite decades of scientific consensus, despite polls showing that a majority of Americans support climate action. We are thwarted by a deafening lack of moral and existential urgency by many elected leaders.

I am grateful that this body moved forward with this good foundation. 'One of the penalties of an ecological education is that one lives alone in a world of wounds.' (Aldo Leopold) We don't have to live alone in a world of wounds if we choose collective action over collective paralysis, denial, and dissociation."

Rep. Donahue of Northfield explained her vote as follows:

"Madam Speaker:

I am concerned about appropriating \$972,000 without yet seeing our budget and even more concerned about abdication of our role in charting this course, so I do not support this bill with its current structures. But this effort is too important to fail to move it to its next stages. I vote yes, now, with the hope that it will return to this body with the changes it needs so that I can support it in its final iteration."

Rep. Harrison of Chittenden explained his vote as follows:

“Madam Speaker:

I agree that we are contributing to climate change and that we all need to do our part in reducing carbon emissions. This bill is far from perfect in my view. I worry about the delegation of our responsibilities. I am truly on the proverbial fence post. And while I am supporting this amendment, I am hopeful that the bill is improved going forward in the process.”

Rep. Krowinski of Burlington explained her vote as follows:

“Madam Speaker:

I voted yes for the Global Warming Solutions Act because it creates a strong and effective path to cut pollution and will increase climate resilience in all of our communities.”

Rep. Leffler of Enosburgh explained her vote as follows:

“Madam Speaker:

At this time, I cannot vote for this bill, and I want to be clear that it is not because of any disagreement with the premise.

Climate change needs our attention. Our agricultural and tourism industries need action and Vermonters want to know what we are doing for the environment outside of clean water.

However, I cannot condone the placement of authority that belongs in this body to a council of persons that have no accountability to the public. I cannot agree that we shift the balance of power and delegate our authority. I cannot stand and represent my constituency and at the same time vote to remove their voices from this crucial conversation.”

Rep. Mrowicki of Putney explained his vote as follows:

“Madam Speaker:

Time for talk is over. It’s time to match words with actions.”

Rep. Scheuermann of Stowe explained her vote as follows:

“Madam Speaker:

Madam Speaker. As my committee well knows, I agree with much of what is in this bill and hope to be able to support it when it returns from the Senate. I simply cannot cede this kind of legislative authority and responsibility to the Executive Branch. My community has experienced too often and too recently what this kind of relinquishing of our legislative duties does.”

Rep. Smith of Derby explained his vote as follows:

“Madam Speaker:

I voted no because I will have no part of cheating my northeast kingdom constituents out of their hard earned paychecks.”

Adjournment

At five o'clock and forty-five minutes in the evening, on motion of **Rep. McCoy of Poultney**, the House adjourned until tomorrow at nine o'clock and thirty minutes in the forenoon.