

LEGISLATIVE UPDATE

February 24, 2017

Issue 8

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WEEK 8

The legislative pace seems to have picked up a bit. There are 495 House bills and 101 Senate bills. Many of these bills will not be taken up this year but it does indicate there is a lot of work to be done. As I mentioned last week crossover is March 17th, meaning House bills need to go to the Senate and Senate bills need to go to the House if they are going to be acted upon this year. However, there are always exemptions for this rule but time is ticking by.

I would also remind you that if you have a question or concern or would like to visit the statehouse please reach out to me. If you are interested in testifying on any issue I will also help schedule that.

Next week will be the last week before Town meeting break. I encourage you to take the time during the break to reach out to your elected officials and chat with them about any of your concerns.

TILE DRAINAGE REPORT HEARING

The House and Senate Agricultural committees **will hold a joint hearing on the tile drainage report Wednesday March 1 from 10:00 to 12:00 with Eric Young from Miner Institute.** The hearing will be in the Ethan Allen just off the cafeteria. If you are interested in this subject I encourage you to attend this hearing.

WATER QUALITY

The House Natural Resources Fish and Wildlife committee made some major changes to the clean water bill this week. The chart below shows the latest sources of funds and the amounts they would raise. As you see the fees for fertilizer, gas and diesel are gone. The committee did add a \$10 annual fee when you register your vehicle. The committee has also decided to split the bill. There will be a funding bill and then a policy bill.

Susanne Young, Secretary of Administration, testified in committee today on how the administration feels about the clean water funding sources. Ms. Young made it clear that the administration will be looking for monies through existing revenue rather than raising fees and taxes. She said the administration will be working over the summer and fall and will have a recommendation by January of 2018 for funding.

As I have said previously this bill will go to House Ways and Means, where the hard work will be done, to determine what if any of the options would be used to fund clean water. At the bottom of the chart there is a “Working Group” to develop a recommendation for assessing a statewide parcel fee to generate revenue to fund water quality restoration. The working group would report back to the General Assembly by January 15 of 2018 with draft legislation to establish a statewide method of assessing an impervious surface fee or per parcel fee or both. Remember these are still just suggestions.

	What the fee or tax is	Amount	Where it goes
Sec. 1	Repeals sunset of 0.2% Clean Water Surcharge on Property Transfer Tax	\$4.7 to \$5 million	Clean Water Fund
Sec. 5	Directs that fines collected by Agency of Agriculture for water quality violations be deposited in Clean Water Fund	\$175,000 to \$225,000	Clean Water Fund
Sec. 6	Directs that fines collected by ANR for water quality violations be deposited in Clean Water Fund	\$200,000	Clean Water Fund
Sec. 7	Directs that fines collected by Attorney General for water quality violations be deposited in Clean Water Fund	No estimate available	Clean Water Fund
Sec. 15	\$10.00 Annualized Clean Water Fee on Motor Vehicle Registration	\$6 million	Transportation for state and municipal storm-water for roads
Sec. 16	Clean Water Affinity Card	Minimal	Clean Water Fund

Sec. 18	1% increase in rooms tax to 10% 1% increase in meals tax to 10% 1% increase in alcohol tax to 11%	\$5.3m rooms \$11.7m meals \$1.9m alcohol \$18.9m total	95% of rooms, meals, alcohol tax deposited in General Fund 5% of rooms, meals, alcohol tax deposited in Clean Water Fund
Sec. 21	Application of sales tax to rental of marina slip spaces, limousine services,	\$610,000 limos \$210,000 marinas	0.75 percent of the revenue from sales and use taxes deposited in Clean Water Fund
Sec. 26	Working Group on Water Quality to recommend assessment of statewide impervious surface fee, or per parcel fee, or both	Estimate depends on recommended legislation	To be determined

AGENCY OF AGRICULTURE LISTENING TOUR

Under the direction of newly appointed Ag Secretary, Anson Tebbetts, and Deputy Secretary, Alyson Eastman, the Vermont Agency of Agriculture, Food, and Markets has announced plans to host a statewide listening tour throughout the month of February. The public meetings, which will be held in Lyndonville, St. Albans, Brattleboro, and Middlebury, are designed to open the lines of communication between the Agency, the farming community, and the public.

“I am inviting all farmers, and all Vermonters interested in agriculture, to attend these meetings, to share thoughts and ideas about the future of farming in our state,” said Tebbetts. “I want to learn about the issues that matter most to our farmers, and how the Agency can support them.”

Most meetings will be held from 10 a.m. – noon and one in the evening

- Monday, Feb. 27 – Middlebury Parks & Recreation Gym
- Thursday, March 2 – St. Albans City Hall Auditorium
- Wednesday, March 15 – Pavilion Auditorium, Montpelier, 6:00 p.m. – 8:00 p.m.
- For complete location details and directions, please visit <http://agriculture.vermont.gov/listeningtour2017>

FROM THE LAKE CHAMPLAIN REGIONAL CHAMBER OF COMMERCE

Independent Contractor Update

The House Commerce Committee is beginning to take testimony on possible legislation related to independent contractors. The Committee will get briefings on three bills, [H.119](#), [H.223](#), [H.323](#), which deal with the issue later today.

Vermont's laws related to unemployment insurance and workers' compensation have created uncertainty for businesses for some years now. Court cases expanded the meanings of the definitions of "employee" and the issue was exacerbated during the recession as well as by additional enforcement resources at the Department of Labor. Put simply, businesses who contract with a sole proprietor (other terms used include freelancer, independent contractor) and do not cover them on unemployment insurance and workers' compensation expose themselves to possible fines or worse. While some see these sole proprietors as true employees working at the mercy of a business, we feel there are many examples of legitimate sole proprietors who operate small businesses and should be able to take on projects, contracts or other work from other, larger businesses. In fact, we see example after example of individuals leaving employment and going into business for themselves as a way of creating new opportunities, increasing their earning potential or enhancing their quality of life. We believe that Vermont's laws should not only enable these entrepreneurs to strike out on their own but encourage it! We also believe that other Vermont businesses should be able to utilize the services, expertise or resources these sole

proprietors can offer their businesses. **Creating a meaningful change to Vermont's laws as they relate to this complex issue is one of our top advocacy priorities.**

ANR Listening Sessions

Secretary Of ANR, Julie Moore, invites business owners, planners, real estate agents and others with regular business before the Agency of Natural Resources to attend and share your experiences with the Agency. The Secretary wants to hear about opportunities to further improve the Agency's current permitting and regulatory systems to deliver better, more efficient business and organizational outcomes while protecting Vermont's natural resources. Below is a list of locations and dates where the listening sessions will occur.

Rutland: Wednesday, March 1 from 9:00am-10:00am
Rutland Economic Development Corp., 67 Merchants Row, 3rd Floor

Brattleboro: Thursday, March 2 from 11:00am-12:00pm
Marlboro Graduate Center, 28 Vernon Street (Hosted by Brattleboro Development Credit Corp.)

White River Junction: Thursday, March 2 from 2:00pm-3:00pm
Hotel Coolidge, 39 S. Main Street (Hosted by Two Rivers-Ottawaquechee Regional Commission)

BILLS

H- 337 An act relating to exempting methane digesters from air emissions fee

This bill proposes to exempt an air contaminant source from the air emission fees when the source of the emissions is the anaerobic digestion of agricultural products, agricultural by-products, agricultural waste, or food waste.

H-357 An act relating to exempting indoor commercial and residential advanced wood boilers from the sales and use tax

This bill proposes to exempt indoor commercial and residential advanced wood boilers from the sales and use tax.

H-374 An act relating to reducing the cost of workers' compensation in high-risk occupations and industries

This bill proposes to direct the Department of Financial Regulation to identify industries and occupations whose workers' compensation insurance pools are characterized by high risk, high premiums, and few policy holders, and to examine various approaches to reducing the cost of workers' compensation for these industries and occupations, including the use of risk pooling, self-insured trusts, voluntary safety practice certifications, and best practices from other states.

H-424 An act relating to the Commission on Act 250: the Next 50 Years

In light of the upcoming 50th anniversary of the State land use law, known as Act 250, this bill proposes to create a commission to review and make recommendations on improving the effectiveness and efficiency of the Act as currently implemented in achieving its goals. The commission's tasks would include

- review of the Act 250 criteria in light of current science and research and issues that have emerged during those 50 years, such as climate change;
- review of potential changes to Act 250 jurisdiction to encourage development in designated centers and protect natural resources outside those centers;
- review of the efficiency of the application and appeals process and ways to improve the process for all participants, including applicants and other parties, and to ensure that it continues to encourage citizen participation; and
- review of the current administrative structure of the Act, including the role of the Natural Resources Board.

Prior to making recommendations, the commission would solicit public input and proposals on the issues within its charge.

H-430 An act relating to establishing a regenerative agriculture program

This bill proposes to require the Secretary of Agriculture, Food and Markets to establish a regenerative agriculture program.

H-440 An act relating to certifying livestock and poultry as humanely raised, handled, and slaughtered

This bill proposes to require the Secretary of Agriculture, Food and Markets, at the request of a producer of livestock or poultry, to inspect the farm or facility where the livestock or poultry was raised or slaughtered in order to certify that the livestock or poultry was humanely raised, handled, and slaughtered. Qualified third-party organizations would be authorized to certify the livestock or poultry as humanely raised, handled, and slaughtered.

H-461 An act relating to workers' compensation

This bill proposes to require workers' compensation insurance carriers to offer short-term and seasonal policies, and to require the Commissioner of Financial Regulation to study measures to make workers' compensation more affordable for seasonal employers, as well as mechanisms to reduce the cost of providing workers' compensation through the assigned risk pool.

H-465 An act relating to invasive species management

This bill proposes to require the Secretary of Agriculture, Food and Markets annually to publish an assessment of the impact or effect of invasive species on the agricultural economy. The bill would also require the Secretary of Agriculture, Food and Markets to publish best practices that State and municipal agencies or government can implement to control the introduction or spread of invasive species in the State.

S-101 An act relating to the conduct of forestry operations

This bill proposes to provide that certain forestry operations would not be subject to liability as a public or private nuisance.

Below is the link to the Vermont Legislative website

Legislature.vermont.gov

EVENTS OF INTEREST

**20th Anniversary of the 2 + 2 Program
Dairy Reception
Thursday March 30th, 2017
4:00 to 6:00
Cedar Creek Room
At the Statehouse**

ejc Consulting

A Legislative Concierge Service

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- An annual "Day at the Statehouse"

Coming together is a beginning, keeping together is progress, staying together is success"

– Henry Ford

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