

LEGISLATIVE UPDATE

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Issue 9

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WEEK 9

The Legislature will begin Town Meeting Day recess today. This is an opportunity for you to chat with your Senator and Representative and ask questions concerning legislation that has passed or will pass this session. Many legislators will be attending Town Meetings to give updates. If you have comments or concerns please take time and talk to your legislator.

The week before Town Meeting break not only focused on crossover but also firearms. The House and Senate spent time drafting and debating legislation that would change some firearms laws in Vermont. The Senate unanimously supported **S-221**, which allows law enforcement to temporarily confiscate weapons from those deemed an extreme risk to public safety. The other bill, the Senate will be debating today, raises the purchase age for firearms to 21 for everyone that is not a member of the military or law enforcement. Time has also been spent debating a more controversial proposal that would require universal background checks for the sale of firearms.

Please feel free to contact me anytime you would like to visit the statehouse. I can arrange a meeting or set-up an opportunity to testify on a certain bill.

The next newsletter will be March 16.

WATER QUALITY

S-260 An act relating to funding the cleanup of State waters

The Senate Agriculture and the Senate Natural Resources committees have spent many hours discussing and taking testimony on **S-260**. The end result is two rather different bills. **S-260**, moved to Senate Finance today so it has made the crossover deadline. I think the strategy will be see if the committees of jurisdiction, Agriculture and Natural Resources can agree on language and then move **S-260** to the Senate floor. If the committees cannot agree then there could be a lengthy debate on the Senate floor pitting Agriculture versus Natural Resources. Adding more controversy to the bill is the fact that Senate Judiciary decided to support the legal language in Section 7 of the bill, which was "Citizen Right of Action" that Senate Natural supported. The Judiciary committee

however was divided on the policy of “Citizen Right of Action” so this also will be decided by on the Senate floor if Senate Agriculture does not concur with Senate Natural.

S-276 An act relating to rural economic development

S-276 Senate Natural Resources took testimony on **S-276** this week and were planning on voting the bill out this afternoon.

The Senate Natural Resources committee bill contains the following language:

- creates the Rural Economic Development Initiative to be administered by the Vermont Housing and Conservation Board for the purpose of promoting and facilitating community economic development in the small towns and rural areas of the State.
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- removes sales tax on motor vehicles used for timber cutting, timber removal and processing of timber or other solid wood forest products intended to be sold ultimately at retail
- requires a report on “demand charges of electricity” and its impact on businesses in rural areas of the state
- establish the Outdoor Recreation Friendly Community
- industrial hemp cultivation and research
- Industrial Park Designation
 - On or before December 15, 2018, the Secretary of Commerce and Community Development, after consultation with the Secretary of Natural Resources, the Chair of the Natural Resources Board, Regional Development Corporations, Regional Planning Commissions, the Vermont Natural Resources Council, and the Commission on Act 250, shall submit to the Senate Committees on Agriculture and on Economic Development, Housing and General Affairs and to the House Committee on Commerce and Economic Development recommendations for establishing an economic development program under which defined parcels in rural areas of the State are designated as industrial parks for the purposes of providing regulatory and permitting incentives to businesses sited within the industrial park.

The Senate Natural Resources committee did not include the following language that came from the Senate Agriculture committee:

- *clarifying qualifications for use value appraisal*
- *requiring a report on the feasibility and impacts of requiring public buildings that use wood to produce heat or electricity to give preference to Vermont suppliers*

S-255 An act relating to miscellaneous agricultural subjects

The bill would amend miscellaneous agricultural subjects. It would amend requirements for how the Agency of Agriculture, Food and Markets responds to alleged agricultural water quality violations. The bill would clarify potential penalties for cultivation of hemp under the jurisdiction of the Agency of Agriculture, Food and Markets. The bill would delay the due date for rules establishing requirements for agricultural subsurface drainage. The bill would clarify the type of lands used for agricultural activities that are not wetlands for purposes of regulation. It also would exempt from permitting fees the temporary disturbance of a wetland for the purpose of installing pipelines to transport manure for use in farming.

The Senate Agriculture passed **S-255** Friday morning. The bill contains the following:

- a. Agricultural Water Quality Complaints
 - i. Complaints may be filed in writing, electronically, or in person (they can no longer be anonymous)
 - 1. Need to include violation, name and address of contact person
- b. Nutrient Management Planning
 - i. LFO's and MFO's and SFO's may submit plans electronically
 - 1. Plans will not be subject to Public Record's Act unless authorized by Secretary of Ag
- c. Schedule of Submission of NMP
 - 1. LFO's annually after February 15, 2019
 - 2. MFO's annually after April 30, 2019
 - 3. SFO's annually after January 31, 2021
- d. Tile Drainage Mapping
 - i. Sec. of Agriculture shall develop, publish, and annually update a digital statewide map of the presence or absence density of tile drainage in the state on the basis of catchment or watershed area
- e. ANR Resources Recommendations on Wetlands Program Enhancements
 - i. modifications to the jurisdiction of the program to ensure notice is provided to the public as to what is a wetlands and when a permit is required;
 - ii. modifications to the permitting process to ensure timeliness and predictability in the processing of wetlands permits; and
 - iii. measures that could be taken by the program to enhance and restore wetlands in the State.

REGENERATIVE AGRICULTURE

H-903 An act relating to regenerative farming

This bill proposes to establish the Vermont Environmental Stewardship Program to provide technical and financial assistance to Vermont farmers to adopt and implement regenerative farming practices and achieve certification as an outstanding environmental steward.

This is a voluntary program to certify those farms that have achieved excellence in water quality and stewardship on their land. The Agency of Agriculture will oversee this program and will provide technical and financial assistance to farmers that would like to work towards achieving this certification.

TOXICS BILL

S-197 An act relating to liability for toxic substance exposures or releases

This bill proposes to hold any person who releases a toxic substance strictly, jointly, and severally liable for any harm resulting from the release. The bill also proposes to establish a private right of action for medical monitoring damages incurred due to exposure to a toxic substance.

Senate Judiciary passed **S-197** out on Wednesday, on a vote of 4-1. The bill will now go to the Senate floor. There is an exemption for a pesticide regulated by the Agency of Agriculture. This bill is still problematic. The “medical monitoring damages” language is very broad.

FROM LAKE CHAMPLAIN REGIONAL CHAMBER OF COMMERCE

EDUCATION

The House Ways and Means Committee completed their work on **H-911** a bill that makes changes to education finance as well as income taxes. Shifting away from Committee Chair Janet Ancel's original plan to lower property taxes by half and institute a new income tax, the bill now creates an income tax surcharge that is estimated to raise \$59 million. Income-sensitivity, which was eliminated in the original proposal, would remain in the bill passed by the Committee. Non-resident property taxes would remain the same. **The income tax changes in the bill:** lower all income tax rates by 0.2% and collapses top two income tax brackets; create a standard deduction and a personal exemption; expand the earned income tax credit; creates a tax credit for charitable contributions; and exempts portions of taxable social security benefits from the Vermont income tax. The Scott Administration expressed concerns that the education surcharge does not do enough to address the cost of education and that the income tax changes could have negative consequences for Vermont's economy.

Below is the link to the Vermont Legislative website
Legislature.vermont.gov

EVENTS OF INTEREST

DAIRY RECEPTION

CELEBRATE

The 2 + 2 Program at VTC and UVM

Tuesday April 10, 2018

4:00 TO 6:00

CEDAR CREEK ROOM

STATEHOUSE



ejc Consulting

A Legislative Concierge Service

Providing Information, Education and Communication

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

- Henry Ford

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