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**Sent:** Friday, March 11, 2016 4:13 PM

**BCC:** Allen, Susan; Byrne, Emily; Clasen, Michael; Coriell, Scott; Dudley, Jahala; Gingras, Jessica; GPS; Gray, Laura; Green, Geoff; Johnson, Harriet; Johnson, Justin; Kunin, Lisa; London, Sarah; Miller, Lawrence; Mishaan, Jessica; Pepper, James; Springer, Darren; Trombley, Shana

**Subject:** Conf. Exec Priv: Daily Legislative Report for Friday: March 11, 2016

House will reconvene on Tuesday, March 15 at 10:00am

Senate will reconvene on Tuesday, March 15 at 9:30am

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**HOUSE FLOOR:**

**House Committee Bills Introduced:**

H. 859 An act relating to special education;

H. 860 An act relating to on-farm livestock slaughter;

H. 861 An act relating to regulation of treated article pesticides;

H. 862 An act relating to insurance laws.

**Senate Bill Referred:**

S. 154 An act relating to enhanced penalties for assaulting an employee of the Family Services Division of the Department for Children and Families and to criminal threatening.

Referred to the committee on Human Services

**Bill Referred to Committee:**

H. 859 An act relating to special education

Referred to the committee on Appropriations.

**Third Reading; Bills Passed:**

H. 857 An act relating to timber harvesting;

H. 858 An act relating to miscellaneous criminal procedure amendments;

**Bill Amended; Third Reading Ordered:**

H. 570 An act relating to hunting, fishing, and trapping

*Unanimous vote.*

H. 308 An act relating to limiting the liability of VAST arising from snowmobile operation outside the Statewide Snowmobile Trail System.

H. 529 An act relating to State aid for school construction repayment obligations.

H. 852 An act relating to State lands.

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#### SENATE FLOOR:

##### Bill Amended, Passed Second Reading:

S.75 An act relating to food and lodging establishments.  
*Passed exactly how Health Department wanted.*

##### Passed Third Reading:

S.116 An act relating to rights of offenders in the custody of the Department of Corrections

S.40 An act relating to the creation of a Vulnerable Adult Fatality Review Team.

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#### COMMITTEE INTEL:

**House Natural:** *H.602 - solid waste franchise fee.* Committee decided not to take any action. **Bill dead.**

**Senate Agriculture:** **Farm Franchise Tax passed 10-0.** Does not have a number yet.

**House Fish & Wildlife:** **H.552 - An act relating to threatened and endangered species:** Passed out of committee 7-2.

**House General:** **H.702 - An act relating to a workforce housing demonstration project:** passed out of committee 7-0-1. Policy all ok. Noelle will continue to push for DHCD to administer money as tied to designations vs VHCB. \$50,000 from General Funds for planning and \$1 M from bond premium in Capital. Clearly I've let them negotiate that.

**House Health Care:** **H.730 – Medicaid rates for home- and community-based services and home-delivered meals:** **The bill was voted out of Committee** as presented yesterday favorably on an 8-3 vote.

**House Health Care:** Prescription Drug Reporting committee bill: **Voted out of committee 7-2-2.**

**House Health Care:** **H.620 – Coverage for Contraceptives, also voted out with 9-0-2.** No cost-sharing if doctor determines medically necessary, even if not under plan's first dollar coverage. No need to put in religious exemption language b/c Hobby Lobby case does not apply to Vermont insurance.

**Senate Natural:** S.230 – Energy Siting Bill: Passed out of committee 5-0.

**Ways & Means: Fee Bill:** Mutual fund fee is in here. E-cigs will need to get endorsement for \$50. This is going into the liquor control enterprise fund. Manufacturers registration fee is \$1,000 annually on Oct. 1. Straw vote now. Final vote on Tuesday. Unanimous straw vote for support with all changes. To be reviewed on Tuesday.

**Senate Finance:** *S.215 – An act relating to the regulation of vision insurance plans:* **Yesterday** language was added on page 2 of [this draft](#) regarding not limiting choice. Committee wants to know what DFR thinks of this revision before voting. Medicaid still in this bill as an insurer. *Press Following: Erin Mansfield, VTDigger.*

**Senate Finance:** *S.176 – An act relating to an income tax credit for home modifications required by a disability or physical hardship:* Committee voted 7-0 on draft [2.1 of S.176](#). On introduction, it was referred to as “An act relating to an income tax credit for home modifications required by a disability or physical hardship.” But this version of the bill renames it to be, “An act relating to disclosure of compliance with accessibility standards in the sale of residential construction.” The amended version just asks that prior to the sale, a seller must provide a buyer if a home is in compliance with the standards under 20 V.S.A. § 2907.

**Senate Judiciary:** *S.91 – An act relating to qualifications of judicial officers and judicial selection and retention.* Passed unanimously with the following amendments: All elect must have significant courtroom experience; The candidate must have adequate knowledge of courtroom proceedings; The candidate must possess financial propriety; There is a catch all that is included that the board can ultimately assess the attributes of the candidate.

**House Ways & Means:** Passed bill back for the HCA this morning. It was not on the schedule. The state contributes 31% which is slightly less than the original budget. There was a prior proposal where the state was contributing only 20%, but W&M’s did NOT like that. [Numbers.](#) [Language.](#)

**House Judiciary:** *H.523 -An act relating to the evidentiary rules governing proceedings concerning a child or person with a psychiatric, intellectual, or developmental disability who is a victim of an offense involving bodily injury or serious bodily injury:* Ken Schatz gave testimony. Supportive of the bill. Defender General expressed pessimism.

**Ways & Means: Electronic Cigarette Fees:** **Yesterday**, Jim Harrison testified on Fee Bill but mostly on e-cig fee. VRGA opposes adding another fee of \$110 because they see it as “punitive.” Harrison urged committee to just ban them if they don’t like them – not pass large fees. Rep. Masland desires to tax instead of charging retailers a fee. Harrison also expressed opposition to the Fee Bill in general, due to increases in small fees but especially the scanner licensing fees. A [compromise](#) by Rep. Komline now appears on the committee page – would have businesses with a tobacco license to get an “e-cig endorsement” for an additional \$25.

**Ways & Means: Local Option Tax:** **Yesterday**, Committee heard from Sara Teachout on a Local Option Tax (LOT) [proposal](#) that was discussed during last year’s H.489 conference committee. This language would allow all towns the option to vote to have a local option tax. In other words, it eliminates the need for a town who is not authorized under the [Act 60 parameters](#) to vote to have a LOT without a charter change. Rep. Ancel’s argument to eliminating the charter change requirement is that they never deny someone’s charter change so this would streamline the legislative process for towns. It also takes away a potential issue for towns that don’t have charters from ever being able to have a LOT.

The committee seemed supportive of this idea. However, under the proposal as written, the 70/30 split in revenue would remain. For towns that have LOT now, the 30% would continue to go to the PILOT fund. For towns that vote for a LOT after this law's effective date, the 30% would go to the Ed Fund. Rep. Greshin clearly did not like it going to the Ed Fund. Others expressed similar sentiments. Other possible locations for the 30%: Tourism/Marketing, Housing programs, etc. Did not land anywhere except it did sound like the committee wants this in the Miscellaneous Tax Bill. [LOT revenue by town through FY2015](#).