

**From:** MacLean, Alex  
**Sent:** Thursday, April 19, 2012 3:24 PM  
**To:** Shems, Ron  
**CC:** Recchia, Chris  
**Subject:** RE: S.28 -- what it should look like

Thanks Ron.

I will let you know what Tony says.

Alexandra MacLean  
Secretary of Civil and Military Affairs  
1-802-272-0443

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From: Shems, Ron  
Sent: Thursday, April 19, 2012 3:21 PM  
To: MacLean, Alex  
Cc: Recchia, Chris  
Subject: S.28 -- what it should look like

Hi Alex,

Many thanks for your efforts.

As mentioned, Mike Hebert predicts that Tony is likely to speak out against the S.28 tomorrow morning and that that would kill the bill.

Tony also told me that he may move this to judiciary. The bill is judiciary in nature, but I see Tony's effort as running the clock. That said, you may also want to speak with Bill Lippert.

Changes we would like to see made in Tony's committee to tee this up for conference committee:

1. "modified OTR" where the district commission record is the starting point of any appeal to the e.ct. This would allow the Court to take evidence if there is "good cause." Good cause was the H.513 standard, coupled with de novo. Here, deference would be given to the district commission decision. I am presenting this to the committee this afternoon. I will forward a copy to you by separate email.
2. Eliminate the pilot project. Modified OTR should be statewide and without a sunset. The sunset can be put back in in conference as a compromise. The committee knows that we want this statewide. We did support the sunset.
3. The party status language informally informally agreed to at the Tuesday stakeholder meeting. (clf did not agree or disagree). I will also present this to the committee this afternoon.

Please let me know if you want to discuss.

Ron