



the

Volume 1, No. 4, June 5, 2019

# Chronicle of the Vermont State House

Tracking the **BIG BILLS** of the 2019 session:



"TRAVELS WITH CHARLIE" star Charlie Papillo gestures to Chef's Corner Chef Jozef Harrewyn as Rep. Dylan Giambatista (D-Essex Junction) looks on during second episode of new TNR video series. Photo credit True North Reports.

## "Travels with Charlie" video series takes on minimum wage, legal pot, 90% renewables

By Guy Page, True North staff

Vermont's newest online video series, "Travels with Charlie – Vermont Politics in Real Life," features friendly but frank discussions by Vermont opinion leaders on high-profile issues left hanging by the 2019 Legislature and likely to reappear next January: the \$15 minimum wage, paid family leave, taxation and regulation of marijuana, and government support for 90% total renewable energy by 2050.

"Travels with Charlie" is produced by True North Reports, a daily online news outlet. Papillo retired last year after many years as co-host of WVMT's "Charlie, Ernie and Lisa show," a morning drive-time talk

## 2020 transportation budget spends big on low-CO2 alternatives

By Guy Page

In January, the Democratic/Progressive supermajority in the Vermont Legislature promised to spend significantly more on alternative transportation as a means of

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show with a large and loyal following of listeners, callers and political-influential guests. Unlike many "talk" formats, the guests on "Travels with Charlie" meet in 'real life' settings, not studios. More important, Papillo sets a tone of both candor and respect, a refreshing combination for viewers weary and wary of radio/TV broadcasts of bickering talking heads.

For example, in the second episode, Papillo visits Chef's Corner Cafe and Bakery in Williston to discuss raising the minimum wage and paid family leave with Chef Jozef Harrewyn and State Rep. Dylan Giambatista (D-Essex Junction).

As the three sample the chef's creatively decorated cakes and macarons, they discuss whether businesses can afford the government policies, and how new business costs might get passed on to consumers in the form of higher prices. They also talk about how the policies might affect various "benefit cliffs" in Vermont.

In the first episode of "Travels with Charlie – Vermont Politics in Real Life," Papillo visits Rozzi's Lakeshore Tavern in Colchester to discuss marijuana legalization with supporter Lt. Gov. David Zuck-

erman and opponent former Vermont Superior Court Judge Ben Joseph. As the three Vermonters hang around the tavern shooting pool and darts — and take a stab at Pac-Man — they discuss important pot-related issues, from marijuana promotion and highway safety to a potential crackdown by the feds.

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"In the category of Bill with Most Roll Calls, the winner is....."

Judging by the bills they passed, Vermont lawmakers in 2019 seemed most focused on abortion, hazardous waste, criminal prosecution and sentencing, and climate action. They tried but failed to pass legislation on paid family leave, minimum wage, contractor registration, and commercial marijuana. See page 6 for a complete listing of all bills passed by the Legislature in 2019.

This year's Roley Award (an imaginary award created by the editor for the bill with the most roll calls) goes to H57, unrestricted abortion, with 16 roll calls. No other bill reached double figures.

"Over a dozen amendments offered to H57 on the floor of the House were overwhelmingly rejected," said Sharon Toborg, Policy Analyst for Vermont Right to Life, in a statement released May 31. "Even some pro-choice House members were shocked that supporters of H57 would not protect any unborn child

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Former Royalton-Tunbridge Rep. David Ainsworth, 64, died May 31 at Dartmouth-Hitchcock Medical Center after a lengthy illness. Story, page 8.

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# Letters To Editor

250 word maximum, email to: [pagecommunications4vt@gmail.com](mailto:pagecommunications4vt@gmail.com)

## 'Unfinished business' best left undone by this lopsided Legislature

The Legislature has gone home leaving unfinished business. For many of us, what they did not do would best never be done.

Vermont has a legislature tilted very heavily to the West Side of the state. West Siders do not grasp how the sales tax differential to New Hampshire drains the economic activity of the East Side. Recently I traveled into New Hampshire — my tank of gas cost \$4.25 less than in Vermont. Our lop-sided legislature never thinks how they are affecting the economics of the East Side.

The legislature is also lop-sided in life experience. Comprised of nearly two-thirds Democrats or Progressives, the individual legislators overwhelming have work experience in government, or in units of government such as schools, or Non-Government Organizations funded by government grants, or other Non-Profit organizations. They are often unaware of how State regulations, fees, taxes, or restrictions impact the private economy.

*Salutes breakup of  
Chittenden Senate district,  
but disheartened that no  
program was streamlined or  
discontinued*

The inordinate effort to exclude late term babies from the murder statute, to ban various plastic convenience items from commerce, to mandate a floor to wages, and to shrink choices regarding health care are not helpful to people who do not have cost of living escalators in their employment contracts. They did at long last vote to split the Chittenden County at-large Senate district, a move which

will benefit democracy greatly.

I was especially disheartened to learn that out of a more than \$1 Billion budget, no program was streamlined or discontinued.

**Bruce Shields, Eden**

## Failure to raise estate tax exemption prompts mass exodus of wealth

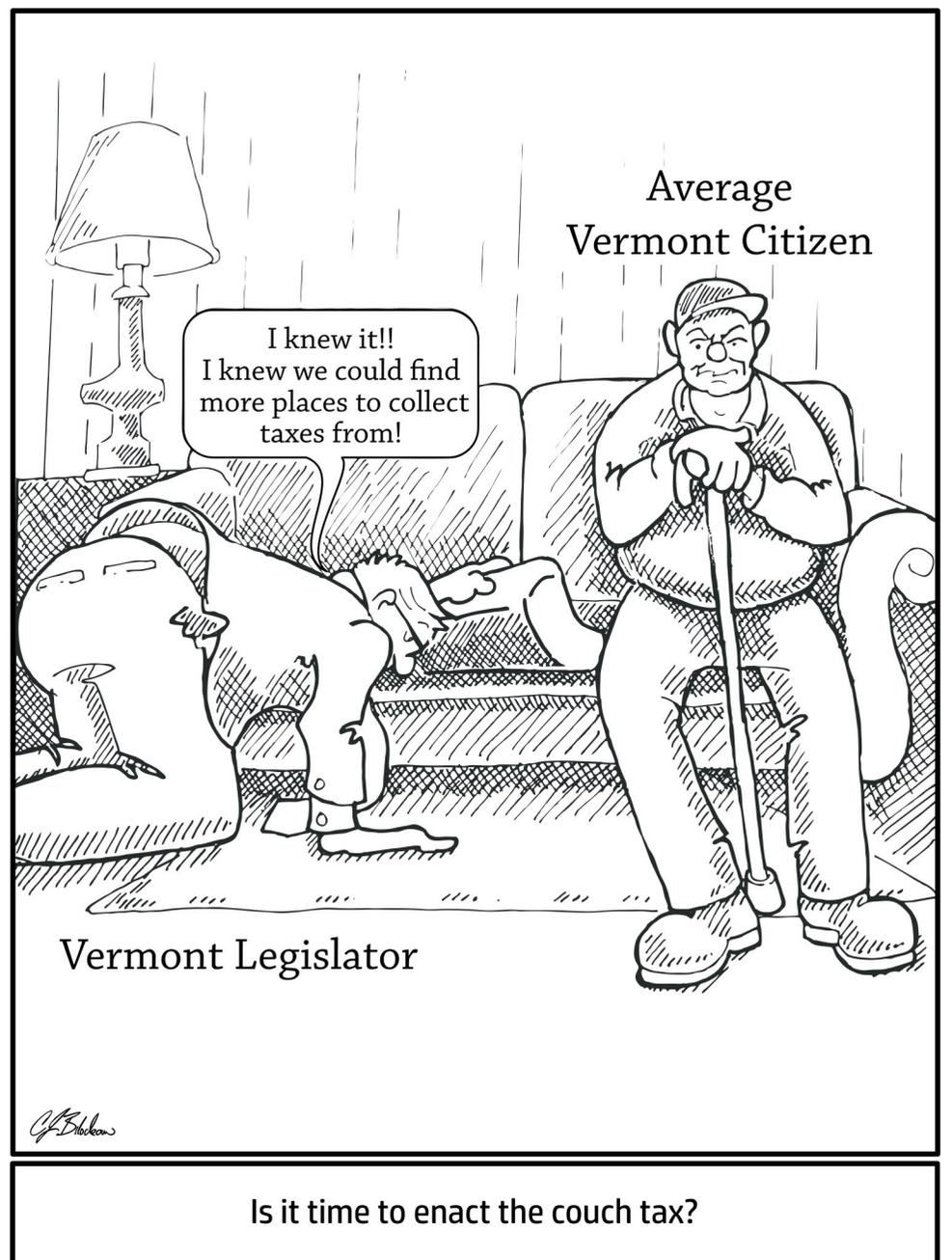
This spring I taught at an Estate Planning Seminar in Boston. Teaching with me were attorneys from each of the New England states. All of them criticized their respective state's position on estate taxes, realizing that their states had come to rely upon the estate tax to fund their many welfare programs. All were acutely aware of the mass exodus of wealth to Florida and wondered about the long-term implications.

*The makers will be gone, but  
the takers will remain.*

This year, our legislature had the opportunity to raise the Vermont estate tax exemption limit from \$2.75 million up to (eventually) over \$5 million. This simple move might have stemmed the flow of educated, wealthy, experienced individuals out of Vermont. Sadly the provision was stripped from the bill, and the exodus will continue.

As I have seen in my practice over the past several years, Vermonters with wealth will actively seek to leave our state behind them, and most do so with cursing and disdain on their lips. They carry that disdain for Vermont with them to Florida, where they will spend their money at Florida restaurants and health clubs, buying Florida goods, and engaging in Florida activities.

These are the risk takers. These are the money makers. These are the business owners. These are the



Is it time to enact the couch tax?

experienced retirees who could be serving in our Rotary Clubs, our churches, and our school boards. Instead, they turn their back on Vermont because our progressive tax system has punished them all their lives and they refuse to be punished at death.

Caring for the "least of these" is a proud and noble societal goal based upon traditional Judeo-Christian morality. But, perhaps, our leadership should consider the long-term implications of their largesse. They may be killing the goose that lays the golden egg. The makers will be gone, but the takers will remain.

**Adrian A. Otterman, Esq.  
Barre**

## Praise for lawmakers working together

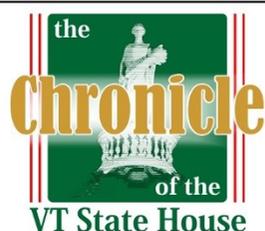
In my second term as a state legislator, I value the fact that State Representatives treat each other with respect. We are Vermonters working together, governing responsibly, balancing the budget, and making progress collaboratively on shared goals.

All but two House members voted for the FY2020 \$6.1 billion balanced budget, which represents a 2.6% increase over FY2019, and includes significant investments in economic growth, water clean up, workforce development, affordability of childcare and health care, and help for vulnerable Vermonters. Of critical importance, investments include full annual contributions toward state pensions and retiree health care and medical benefits as well as the continued commitment to shore up reserve funds so they are full, as required by statute.

House members voted overwhelming for bills to expand broadband service; to amend special education laws; to tax electronic cigarettes; to raise the age to 21 to use tobacco products; to repeal the statute of limitations for childhood sexual abuse; to properly bury veterans' remains; to make improvements in energy, fair and impartial policing, social and ethnic studies standards for public schools; and more.

There were areas where agreements crossed party lines but were not

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Guy Page, Editor / Publisher  
802-505-0448  
[pagecommunications4vt@gmail.com](mailto:pagecommunications4vt@gmail.com)

## Letters To Editor

(continued)

# ***GOP leader: 11th hour efforts to pass \$15 minimum wage, paid family leave bills not “good governance”***

**By Mike Bielawski  
True North Reports**

Republicans were a super-minority in both chambers of the Vermont General Assembly this year, meaning they had less than one-third representation in the House and the Senate.

The development took away important leverage for the party, because it takes at least one-third representation to uphold a veto by a sitting governor — in this case, Republican Gov. Phil Scott.

Democrats and Progressives, in contrast, began 2019 positioned to pass almost any bills they wanted, despite opposition from the governor.

The job of leading the minority caucuses fell to House Minority Leader Patricia McCoy, R-Poultney, and Senate Minority Leader Joe Benning, R-Caledonia. The two Republicans were as surprised as anyone that Democrats and Progressives failed to pass the ambitious agenda they outlined in January.

According to McCoy, the two priority measures that spectacularly failed to pass at the end of the session — a \$15 minimum wage and paid family leave — did so because Democrats and Progressives simply didn't do what was necessary to get the job done.

“Well, I didn't think that either bill was ready for prime-time,” she told True North. “I thought at the end of the session they were really trying to push something that wasn't fully vetted, and it was being handled behind closed doors and no one really knew what was going on. I don't feel it was good governance.”

She said her caucus simply lacked control over most of the legislative process.

“We can vote not to suspend rules; that's the only thing we had with only 43 [members],” she said. “[The majority] could have extended the session if they had come to some sort of a deal, but we were already one week past the deadline at a cost of \$50,000-

\$60,000 dollars a day to the taxpayers.”

Still, dozens of bills were passed by both the House and the Senate, and McCoy said she feels good about some of the progress made this session, such as expanding broadband to remote workers and funding child care.

“There were some pretty good things as far as child care funding — I agree with that. We continued to work on workforce development and economic development, and this state desperately needs to go in that direction,” she said.

On the hottest issue of the session, abortion, McCoy says she is pro-choice. However, she voted against both H.57's unrestricted right to abortion, and also the Proposal 5 constitutional amendment guaranteeing “an individual's right to personal reproductive autonomy.” Both pieces of legislation, many argued, would codify legalized abortion without restriction up to the moment of birth.

“[A constitutional amendment] is a long process, but still, it's big. I think we would probably be the first in the country to actually open up our constitution to do that,” she said.

McCoy said she expects paid leave, minimum wage and marijuana commercialization to be top priorities for Democrats and Progressives again next year.

Senate Minority Leader Joe Benning, R-Caledonia, also summarized how the session went, but from the Senate-side perspective.

“I think what you saw there [at the end] was a whole lot of posturing between the speaker of the House and the president pro-tem, and we Republicans were really not part of the conversation in any way, shape or form,” Benning said.

He added: “The situation was unfortunate — I think we could have ended the session a week prior on that Saturday and been done. ... I think the taxpayers were the people who lost at the end.”

On the issue of paid family leave, Benning said an opportunity was missed because the majority Democrats refused to give serious consideration to a two-state paid leave pro-

gram introduced by Scott and New Hampshire Gov. Chris Sununu at the start of the session.

“I thought we had an historic opportunity for two governors to come together,” he said. “... The opportunity was there to at least get a benefit to people who don't have it.”

The proposed joint-venture has since generated talk about bringing Connecticut into the plan. Benning said he hopes such an expanded vision for the program might invite a more serious consideration by Democrats and Progressives.

*“I think what you saw there [at the end] was a whole lot of posturing between the speaker of the House and the president pro-tem, and we Republicans were really not part of the conversation in any way, shape or form.”*

**- Sen. Joe Benning**

One legislative development the Senate minority leader praised was the break-up of the Senate Chittenden district, which currently sends a mix of six Democrats and Progressives to the upper chamber each year without fail.

“To me, as a resident in the Northeast Kingdom, that was one of the most significant things that could have happened,” Benning said. “It raises the possibility that there will be a more widely distributed voting pool next time around in those two separate districts. The high concentration of downtown Burlington is not gonna be as effective as whatever second district there is.”

He said in 2020, after the census, they will go through reapportionment, and a new district will be designed. The new law will state that there should not be more than three senators per district throughout the state.

*This article first appeared in the May 31 True North Reports, a free-subscription online news website that, like the Chronicle, is published by True North Media. Subscribe to TNR at [www.truenorthreports.com](http://www.truenorthreports.com).*

unanimously or overwhelmingly supported, including a bill to protect reproductive freedom, which codifies the protections that have existed for the past forty-seven years in Vermont. And there were unresolved policy questions around minimum wage increases and the enactment of paid family and medical leave insurance, to be worked on in January.

I am thankful for the collegial atmosphere in the Vermont State House.

**Rep. Carol Ode (D-Burlington)**

### ***Majority leadership keeps control of rank and file***

This newspaper does a great job publishing how legislators from both parties vote on roll call votes on multiple bills, but that doesn't reveal much about why the legislators vote the way they do. In particular, a list of votes by 150 state reps from both parties disguises how the votes of all the Democrats in the House are so often all the same. That's because their votes are controlled by their party's House leadership, which controls every committee and, thus, the fates of the bills any House Democrat caucus members wish to see passed.

GOP members often smile when they see a Democrat rep being led through the curtains behind the Speaker's podium by the Democrat majority leader or whip. It's called “being taken to the woodshed” for failure to obey, and the look on the chastised rep's face when (s)he emerges from said shed is cause for further amusement. Perhaps the GOP reps are, perversely, jealous because it is only when the Speaker and all committee chairs are controlled by your party that effective party discipline can be enforced.

So if your Democrat representatives didn't always vote the way you had hoped, be kind: maybe their choices were limited. If the legislature did not do what you wanted it to do, the number of people you can reasonably blame can be counted on the fingers of one hand.

**Bob Frenier, Chelsea**

**Member, VT House 2016-18**



*Rep. Patricia McCoy*

Since May 1, every roll call vote taken in the Senate has passed. (For previous Senate votes see *May 2 Chronicle* or Legislature website.) Only two bills below did not eventually pass the Legislature this year: H107, Paid Family Leave, and H351, minimum wage.

**H16—Boards & Commissions**

# SENATE ROLL CALLS

Requires state boards and commissions to be on registry/website and expire after five years (some exceptions) unless reauthorized. Development Cabinet eliminated.

**H26—Tobacco Paraphernalia**

restricts retail, internet sales of e-cigs, liquid nicotine, etc.

**H63—Weatherization funding**, all-fuels energy efficiency, carbon emissions reduction commission.

**H107—Paid Family Leave.** Would

create mandatory payroll tax to provide employee leave for family circumstances.

**H205 regulates neonicotinoid pesticides.**

**H529— Comprehensive Transportation bill** (see article, page one).

*(continued on next page)*

Senate Roll Calls since May 1		H.16 Boards, etc.	H.26 Tobacco Parapher.	H.63 Weatherization	H.107 Paid family leave	H.205 pesticides	H.529 transportation	H.533 workforce dev elopmnt	H.541 revenue	H.542 state budget	H.543 bonding, capital	H.57 abortion amend	H.57 abortion final	H.351 Minimum wage	H.513 broadband
	Ashe of Chittenden District	Y	Y	Y	Y	Y	Y	Y	NV	Y	Y	Y	Y	Y	Y
	Balint of Windham District	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
	Baruth of Chittenden District	Y	Y	Y	Y	Y	Y	Y	N	Y	Y	Y	Y	Y	Y
	Benning of Caledonia District	Y	Y	Y	N	Y	Y	Y	Y	N	Y	Y	N	N	Y
	Bray of Addison District	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
	Brock of Franklin District	Y	Y	Y	N	Y	Y	Y	Y	N	Y	Y	N	N	Y
	Campion of Bennington District	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
	Clarkson of Windsor District	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
	Collamore of Rutland District	N	Y	Y	N	Y	Y	Y	Y	N	Y	Y	N	N	Y
	Cummings of Washington District	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
	Hardy of Addison District	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
	Hooker of Rutland District	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
	Ingram of Chittenden District	Y	Y	Y	Y	Y	Y	Y	N	Y	Y	Y	Y	Y	Y
	Kitchel of Caledonia District	Y	Y	Y	N	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
	Lyons of Chittenden District	Y	Y	Y	Y	Y	Y	AB	N	AB	Y	Y	Y	Y	Y

(continued from previous page)

**H533—Workforce Development** raises training allocation by 10%

**H541 raises revenue** for 2020 state budget.

**H542** allocates \$6.1 billion for **2020 state budget**.

**H543—bonding, capital construction.** Bonding for and spending on construction, maintenance of state buildings, etc.

**H57—abortion** (voting on amendment to legislative intent as recommended by Health & Welfare Committee.)

**H57—abortion** (voting to give final approval.)

**H351 — minimum wage.** This bill began as an unemployment/workers’ compensation bill, but in the last few hectic days of the Legislature the Senate “stripped out” that language and added its own minimum wage

compromise language. Like paid family leave, there was no agreement with the House and the bill failed.

**H513 — broadband deployment.** Raising cellphone/cable TV fee by a half-cent to pay for local solutions to parts of state unserved or underserved by internet.

Senate Roll Calls since May 1		H.16 Boards, etc.	H.26 Tobacco Parapher.	H.63 Weather -ization	H.107 Pd family leave	H.205 pesticides	H.529 transportation	H.533 workforce development	H.541 revenue	H.542 state budget	H.543 bonding, capital	H.57 abortion amend	H.57 abortion final	H.351 Minimum wage	H.513 broadband
	MacDonald of Orange District	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
	Mazza of Grand Isle District	Y	Y	Y	N	Y	Y	Y	Y	Y	Y	Y	Y	N	Y
	McCormack of Windsor District	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
	McNeil of Rutland District	Y	Y	Y	N	Y	Y	AB	AB	AB	Y	N	N	N	AB
	Nitka of Windsor District	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
	Parent of Franklin District	N	Y	AB	N	Y	Y	AB	AB	AB	Y	Y	N	N	Y
	Pearson of Chittenden District	Y	Y	Y	Y	Y	Y	N	N	Y	Y	Y	Y	Y	Y
	Perchlik of Washington District	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
	Pollina of Washington District	Y	Y	Y	Y	Y	Y	N	N	Y	Y	Y	Y	Y	Y
	Rodgers of Essex-Orleans District	Y	Y	Y	N	Y	Y	N	Y	Y	Y	Y	Y	N	Y
	Sears of Bennington District	Y	Y	Y	N	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
	Sirotkin of Chittenden District	Y	Y	Y	Y	Y	Y	Y	N	Y	Y	Y	Y	Y	Y
	Starr of Essex-Orleans District	AB	Y	Y	AB	Y	Y	Y	Y	Y	Y	N	N	N	Y
	Westman of Lamoille District	Y	Y	Y	N	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
	White of Windham District	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y

# Tobacco, toxics, water, criminal reform lead bills passed by 2019 Legislature

The 2019 Legislature passed these 86 bills. The 21 bills so far enacted into law are in **bold**. To date no bills have been vetoed by Gov. Phil Scott..

## **Abortion**

H.57 unrestricted right to abortion

## **Agriculture**

H.525 miscellaneous farm subjects, including GMO seeds, unpasteurized milk

S.160 agricultural development

H.79 eligibility for farm-to-school grant assistance

H.275 Farm-to-Plate Investment Program

## **Alcohol, Drugs & Tobacco**

H.13 changes in alcoholic beverage and tobacco laws

S.58 State hemp program

H.47 taxation of electronic cigarettes

H.26 restricting retail and Internet sales of electronic cigarettes, liquid nicotine, and tobacco paraphernalia

S.86 increasing legal age for buying and using cigarettes, electronic cigarettes, and other tobacco products from 18 to 21 years of age

## **Banking & Insurance**

S.131 insurance and securities

S.154 miscellaneous banking provisions

**S.109** captive insurance companies and risk retention groups

## **Business & Industry**

H.104 professions and occupations regulated by the Office of Professional Regulation

S.18 consumer justice enforcement

H.533 10% funding increase for workforce training

**H.427** creating rules for Vermont licensing equivalence of work credentials earned outside United States

H.82 Tax exemption for select timber harvesting equipment

S.162 promoting economic development: \$5,000 for remote workers, etc.

## **Courts, Crime & Corrections**

H.287 Small probate estates

**H.330** Repealing statute of limitations for civil actions based on childhood sexual abuse

H.460 Sealing and expungement of criminal history records

S.133 Family Court jurisdiction of juveniles, up to age 25

**H.321** Aggravated murder for killing a firefighter or an emergency medical provider

**H.436** Accepting international wills in VT courts

H.527 Executive Branch and Judicial Branch fees

S.112 Earned good time: 5 days/month of sentence

**H.511** no statute of limitations for sexual exploitation of minor

H.512 Miscellaneous: alimony, medical marijuana, juveniles, campus sex crime task force

H.518 public education for fair and impartial policing

**H.19** sexual exploitation of a person in law enforcement officer custody

**H.7** Second degree aggravated domestic assault

H.278 Acknowledgment or denial of parentage

H.132 Protecting victims of domestic and sexual violence from housing discrimination

## **Education**

H.536 Education finance

**H.3** Ethnic and social equity studies standards for public schools

## **Energy**

H.133 Required reporting on hydro, efficiency, net-metering; pipeline excavation rules; district thermal heat funding; small hydro rates; regulation of energy storage

H.63 funding weatherization with Efficiency Vermont balances; all-fuels energy efficiency; creation of Carbon Emissions Reduction Committee to provide oversight when Legislature not in session

## **Environment**

H.205 the regulation of neonicotinoid pesticides

H.292 miscellaneous: temporary banners over highways, September Green-up Month for rivers; moose hunting permits; crossbows; wood heat regulations.

S.113 Ban on retail/restaurant use of plastic bags, straws, etc.

S.55 Regulation of toxic substances and hazardous materials

**H.218** Lead poisoning prevention

S.40 Testing and remediation of lead in the drinking water of schools and child care facilities

S.96 Comprehensive cleanup of state waters

S.49 Polyfluoroalkyl in drinking and surface waters

## **Firearms**

S.169 mandatory 24-hour waiting period for handgun purchase, etc.

## **Health Care**

S.73Licensure of ambulatory surgical centers

H.524 Health insurance and the individual mandate

S.7 Social service integration with Vermont's health care system

S.41Regulating tax-advantaged accounts for health-related expenses

S.43Limiting prior authorization requirements for medication-assisted treatment

H.528 Rural Health Services Task Force

**S.53** Proportion of health care spending allocated to primary care

**H.204** Navigators, Medicaid records, and the Department of Vermont Health Access

**S.89**Allowing reflective health benefit plans at all metal levels

**S.14** Extending moratorium on home health agency certificates of need

## **Local Government**

H.508 Amendments to the charter of the Town of Bennington

H.547 Amendment to the charter of the City of Montpelier

H.549 Dissolution of Rutland Fire District No. 10

H.544 Amendments to the charter of the City of Burlington

H.539 Amendments to charter of Town of Stowe and merger of Town and Stowe Fire District No. 3

H.526 Town clerk recording fees and town restoration and preservation reserve funds

H.59 Codification of charter of Rutland County Solid Waste District

H.58 Amendments to charter of Town of Barre

H.73 Amendments to charter of City of Barre

H.540 Amendments to charter of Town of Williston

## **Miscellaneous**

**H.358** miscellaneous technical corrections

## **Racial, ethnic, social**

**S.68** Indigenous Peoples' Day replaces Columbus Day

## **State Government Operation**

H.514 Miscellaneous tax provisions

S.134 Background investigations for State employees with access to federal tax information

H.16 Boards and commissions

**S.118** Time frame for adoption of administrative rules

**H.146** Increasing number of examiners on Board of Bar Examiners from nine to 11 members

**S.11** Limiting senatorial districts to a maximum of three members

H.543 Capital construction and State bonding

H.523 Miscellaneous changes to State's retirement systems

H.541 Changes that affect revenue of State

**H.532** Fiscal year 2019 budget adjustments

H.542 State budget

## **Technology**

H.135 Authority of Agency of Digital Services

H.513 Broadband deployment throughout Vermont

## **Transportation**

H.529 Transportation Program and miscellaneous changes

S.149 Miscellaneous changes to laws related to vehicles and Department of Motor Vehicles

## **Veterans**

S.111 U.S. Department of Veterans Affairs' Airborne Hazards and Open Burn Pit Registry

**H.394** Disposition of the remains of veterans

## Bills passed: Fetal death warning dropped; Carbon emissions committee created; Criminal records to be expunged

(continued from page 1)

at any stage of pregnancy, and rejected proposed amendments to involve the parents of a minor."

Receiving far less public attention was removal of labeling protections for children in the womb in little-noticed H525, the miscellaneous agriculture bill. [H525](#) covers many farm-related topics, including elimination of the current required, written warning that unpasteurized milk sold at farmstands can cause "miscarriage, fetal death, or death of a newborn." Written warning about potential bacterial harm to children, elders, and pregnant women is still required.

•Crime-related legislation will, unless vetoed, make Vermont tougher on sex abusers and killers of firefighters/EMTs, and easier on many drug and property criminals.

•Smoking and buying tobacco-related products will be more regulated and, for people under 21, illegal.

•The public will be educated about bias-free policing, including not cooperating with ICE interest in illegal immigrants. A 20-person working

group will investigate racial, ethnic, social, and identity bias in local Vermont schools.

•A House/Senate Carbon Emissions Reduction Committee will provide oversight when the Legislature is not in session.

•The sale of refrigerants approved a decade or so ago to save the ozone layer will be banned (over a five year period) because they emit greenhouse gases.

•Work will begin on cleaning up polluted state waters, and on removing lead from school drinking water.

•Single-use plastic bags and straws in stores/restaurants will be banned.

•Handgun sales will have a 24-hour waiting period.

A half-cent increase in the Universal Service fee on cellphone and cable TV bills will pay for expanding broadband to under or unserved Vermont communities.

There have been no vetoes, nor have any bills become law without the governor's signature. To date, 21 bills officially have become law: [www.legislature.vermont.gov](http://www.legislature.vermont.gov).

## Transportation budget spends big on CO2 reduction

(continued from page 1)

reducing carbon emissions. Not surprisingly, the 2020 Transportation budget features large alternative transportation spending increases and ambitious new projects paid with state, federal and AG lawsuit settlement funds.

[H529](#), approved May 23, would spend \$2.65 million next year to fund four **park and ride** construction projects—creating 277 new spaces across the State—and the design of five additional facilities—totaling 277 more spaces—scheduled for construction in fiscal year 2021.

Once completed, these 554 new park and ride spaces will increase the number of state-owned parking spaces by 34 percent. Park and rides allow commuters to drive short distances from their homes, park, and then ride to work via carpool or public transportation. "These facilities promote multimodal transportation, increase the energy efficiency of the road network, and reduce the number of vehicles present on State highways," the [2015 Statewide Park and Ride Facilities Plan](#) says. Specific additions and improvements include:

- Williston - construction of 142 spaces;
- Saint Johnsbury - construction of 44 spaces;
- Royalton - construction of 91 spaces;
- Cambridge - improvements to existing spaces;
- Thetford - design for 40 spaces;
- Berlin (Exit 6) - design for 62 spaces at Exit 6, and 75 spaces at Exit 7;
- Manchester - design for 50 spaces; and,
- Williamstown - design for 50 spaces.

H529 also funds \$18.8 million in 2020 spending for a comprehensive expansion of the **Bike and Pedestrian Facilities Program** and "transportation alternatives." It includes 77 bike and pedestrian construction, design, or right-of-way projects. The construction projects create, improve or rehab walkways, sidewalks, shared use paths, bike paths, and cycling lanes. Some projects also involve environmental mitigation.

Projects are funded in Albany, Arlington, Bennington, Brandon, Burlington, Castleton, Chester, Colchester, Dover, East Montpelier, Enosburg Falls, Essex, Essex Junction, Fair Haven, Fairfield, Franklin, Hardwick, Hartford, Hinesburg, Hyde Park, Jericho, Lake Champlain causeway, Manchester, Middlebury, Milton, Montpelier-Berlin, Moretown, Newfane, Norwich, Pittsford, Plainfield, Pownal, Pomfret, Putney, Richford, Royalton, Rutland City, Shelburne, St. Albans, South Burlington, Springfield, Stowe, Sheldon, Swanton, Thetford, Underhill, Waitsfield, Waterbury, West Rutland, Williston, Wilmington and Winooski.

H529 also authorizes a 17.2% increase in **public transportation spending**, to \$36.8 million. Allocations include \$1.88 million for two large **all-electric transit buses** for the Burlington area, and \$480,000 for two all-electric small shuttle buses for the Montpelier area.

Rail program spending will increase 11 percent over 2019, including **\$8 million for Amtrak** and **\$5.2 million for Rutland-Burlington passenger service line infrastructure**.

H529 also allocates \$1.2 million to complete the \$7.5 million **multi-modal transit center, bike path, and pedestrian facility in Montpelier**.

Also, the bill would help fund **transformation of the state vehicle fleet to 50% hybrid or plug-in electric**. At present 54 of the 734 vehicles owned and operated by the State of Vermont fit that description.

Also, \$2 million is allocated for **subsidizing purchases of plug-in electric vehicles** and for repairs of fuel-efficient cars.

The bill also orders state studies on "feebates" (**rebating DMV fees**) based on miles-per-gallon; **Weight-based vehicle registration fees** – the heavier the vehicle, the higher the fee; Strategies to **increase public transit ridership** in rural areas; and a regulatory framework for 'transportation electrification' – presumably an **equivalent for the gasoline tax**.

Finally, H529 authorizes Dept. of Transportation staff to work with the Agency of Natural Resources to negotiate a Transportation and Climate Initiative with other states. Most TCI plans call for a **multi-state carbon "pricing" tax**, under which fossil-fuel consumers in rural, wintry gasoline-intensive states – like Vermont – would pay more than other, "cleaner" states.

## "Travels with Charlie" takes on issues unfinished by 2019 Legislature

(continued from page one)

issues, from marijuana promotion and highway safety to a potential crack-down by the feds.

Another episode – filmed last week and now in pre-release production – features Rutland Mayor David Allaire and Green Mountain Power President Mary Powell discussing the policy and 'real life' pros and cons of Vermont's commitment to 90% renewable power by 2050.

The bakery episode attracted comments from readers of *True North Reports*, an online news platform.

"Rather than abstractly talking about the impacts of \$15/hr minimum wage, can you find someone to show you their actual current P&L and one simulates \$15/hr?," asks Dan F. "It would be interesting to see the impact of \$15/hr on the employer's labor efficiency ratio and profit."

Longtime *True North* commenter CHenry notes, "this sounded like a good start, getting small business owners stating their concerns and a Legislator willing to listen. What I have seen coming from Montpelier, is it's our way and our way only. How many of our legislators run a small business? Or really listen to the concerns? And whatever comes to fruition, some will abuse the system - free stuff!"

To see "Travels with Charlie" episodes, go to You Tube or [www.truenorthreports.com](http://www.truenorthreports.com).



## Draft Act 250 hinders local control

*This April 30 letter by Public Policy and Advocacy Director Karen Horn of the Vermont League of Cities and Towns was submitted as testimony to House Natural Resources Committee, which oversees Act 250 reform. The italics are ours— Editor.*

I am writing on behalf of the 246 cities and towns, all of whom are members of the Vermont League of Cities and Towns. As you move toward the end of the session and continue work on the Act 250 legislation, we want to make clear our position on issues in the draft bill that relate to local governments. I testified comprehensively on the draft legislation on February 13, and the sections of concern to us have not changed significantly since that time. I do not mean to repeat that testimony here but rather to highlight sections that cities and towns oppose because they are antithetical to the premise of locally based planning upon which Vermont's planning and zoning statutes are based.

Project developers contort their projects in order to avoid Act 250 jurisdiction if at all possible. The legislation under consideration would extend Act 250 jurisdiction to a host of new areas that are already subject to regulation by state agencies, departments and local governments. **The draft bill if enacted, would amplify the sense, which we can ill afford, that Vermont is inhospitable to development and growth.**

The draft bill would require regional plans to be approved by the Natural Resources Board or its successor, the new Environmental Review Board. We oppose that section of the bill. Today, regional plans are adopted by at least 60 percent of the regional commissioners representing municipalities. That law is appropriate as it maintains the relationship between local governments and regional commissions. **Implementing an additional state approval puts the lie to "locally based planning" and essentially changes regional commissions from locally based entities to agents of state government.**

Municipal plans would need to be consistent with the municipal planning goals (24 V.S.A. § 4302), compatible with the plans of adjoining municipalities in the region, with the regional plan, and, by extension, with the state capability and development maps and plan. As currently drafted (draft 9.2), regional commissions would be consulted in the state capability and development plan development process, but no provision is made to ensure that municipalities would be consulted.

Section 5 of the bill would establish a process for achieving enhanced designation. We oppose the proposal for enhanced designation. Municipalities which have taken the time, expense, and effort to apply for and obtain a designation for a downtown, village or growth center, new town center, or new neighborhood have already engaged in comprehensive and detailed planning as well as zoning to implement those plans. **Requiring an additional level of enhanced designation is an excessive requirement that disregards the considerable work already accomplished and designations already secured.** We believe few cities or towns would pursue that additional level of designation.

The draft bill also defines a subdivision as a development outside of an area that has received an enhanced designation under 24 V.S.A. Chapter 76A. It would bring back the 800-foot road rule, which contributed to the creation of spaghetti lots when it was in effect. It would extend jurisdiction to rural and working lands areas. **Each of these measures would vastly expand Act 250 jurisdiction.**

We urge the committee to re-visit the direction of the Act 250 legislation over the course of the summer and to evaluate how this legislation would interact with efforts elsewhere in the State House to encourage right sized growth in municipalities around the state and to build out infrastructure such as broadband capacity that makes it feasible to live and work in communities both large and small.



*A GOOD DAY TO BE OUTSIDE—the May 16 Corporate Cup walk/run drew thousands of participants and at least one legislative runner (Sen. Andrew Perchlik, Washington County), who finished the 3.1 mile race in just over 27 minutes. Vermont State College Chancellor Jeb Spaulding, who is often seen running on the Montpelier bike path, also competed. Proceeds benefited the Governor's Council on Physical Fitness and Sports.*

## David Ainsworth, much-admired dairy farmer and lawmaker, passes away

Former Rep. David Ainsworth of Royalton, 64, passed away at Dartmouth-Hitchcock Medical Center in Lebanon, New Hampshire Friday, May 31.

Ainsworth, a Republican and lifelong farmer, held the Royalton-Tunbridge (Windsor-Orange-1) seat in the Vermont House from 2007–2008, 2009–2010, and 2017–2018. Facing declining health in 2016, he lost a re-election bid to John O'Brien.

In his most recent term he served on the House Natural Resources, Fish & Wildlife Committee. He also served on the Agriculture Committee.

Listing his occupation in the 2017–2018 House biography as "Dairy farmer/vegetable grower and marketer," David Ainsworth and his wife Peggy operated Westland Farm, a 42-cow operation near the Royalton/Sharon town line.

He was educated at South Royalton High School and the University of Vermont, where he was a member of Alpha Gamma Rho, the agricultural fraternity.

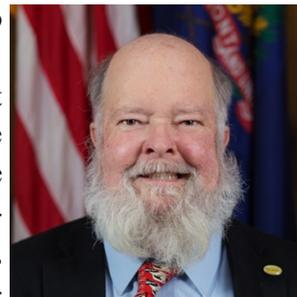
Ainsworth belonged to the long and honorable tradition of hard-working dairy farmers who also served their neighbors, town and state. His public

service included Justice of Peace since 1980; Royalton Town Moderator 1990–2016; Cabot/Agri-Mark Resolution Committee since 1993; Farm Bureau member 39+ years; and Windsor County President, VT Farm Bureau Executive Board since 2015.

Ainsworth was known in the Legislature as a representative with a cheerful, friendly manner who cared deeply about farming, farmers, and farm animals. He introduced H310, to require livestock animals confined in enclosed areas to be provided adequate exercise, and require a livestock animal on a leash, rope, or chain to be safe from entanglement and have access to shelter, adequate food, and adequate water.

A 2008 article in the *Herald of Randolph* said of Ainsworth, "Some of the bills his committee helped develop were an aid bill to help Vermont dairy farmers during the crisis year of 2006, a bill to help local farmers sell milk and meat directly to their customers, a bill to help create a mobile slaughtering facility for poultry, and a bill to allow Vermont farmers to grow industrial hemp when and if the federal government were to allow it."

Ainsworth told the *Herald*, "I enjoyed serving in the legislature. It was especially heartwarming to work with my fellow legislators in the Ag Committee. We were able to put aside whatever political labels we might have been elected under and work together for the good of the state."



*Rep. David Ainsworth*