



Week 6 - February 11, 2022

# THE VERMONT **STATEHOUSE INSIDER**

Weekly politics & analysis  
of the issues in Montpelier



## **HEATING UP**

On Tuesday, the Vermont House passed Prop 5, the Reproductive Liberty Amendment. This completes the final legislative step in a four-year long process to enshrine an individual's right to reproductive liberty in the Vermont Constitution. Prop 5 includes protections of an individual's right to continue or end a pregnancy and access contraception. The constitutional amendment will now appear on the 2022 General Election Ballot, giving Vermont voters the final say on whether or not to amend the

state's constitution.

On Thursday, the Vermont House gave final approval to S.30, a gun violence prevention bill that would ban guns from hospitals and close a loophole that allows people to circumvent federal background checks. The bill now heads to Governor Phil Scott's desk. While he hasn't said outright that he plans to veto it, he has said that he doesn't see the need for additional gun regulations.

With the 2022 legislative session approaching the unofficial halfway mark on Town Meeting Day, disagreement between the legislature and administration is beginning to surface on certain issues. This was brought sharply into view on Thursday, when Governor Scott vetoed H.157, a bill that would require construction contractors who work on residential projects costing more than \$3,500 to register with the Secretary of State's office and comply with certain contractual and insurance requirements. Because building contractors are unregulated and because there have been notable cases where contractors have defrauded homeowners, the legislature feels strongly that H.157 is necessary. However, the governor believes the bill favors larger contractors and will cause smaller contractors, who are in short supply, to go out of business. In another instance of tension between the two branches of government, the Scott administration fired a shot across the bow at the legislature regarding S.234, which makes numerous changes to the state's land use permitting law, Act 250. On Wednesday morning Deputy Secretary of the Agency of Natural Resources Maggie Gendron told the Senate Natural Resources & Energy Committee the administration strongly opposes the "road rule" provision and implied that if that provision remains in the bill the governor would veto it.

On Thursday the Vermont House passed H.510, a bill that creates the Vermont Child Tax Credit which will result in \$50 million in tax relief by allocating \$1,200 per child in tax credits to most families with kids under the age of 6. The bill also expands the Social Security deduction for older

Vermonters. This state level tax credit was modeled after the now expired federal child tax credit which was created to help families during the pandemic. H.510 now heads to the Senate for consideration.

The Senate Rules Committee met on Thursday and discussed plans for the Senate to return to work in person. While both chambers began the 2022 legislative session working remotely due to high-levels of COVID-19 spread, the House has since returned to working in person (although members have the option of working remotely if they need to) while the Senate conducts their business entirely remotely. The Senate Rules Committee won't officially vote on the matter until the end of February, but they indicated on Thursday that the Senate will be returning to the statehouse on March 8. The House voted on Thursday to extend their current hybrid model until March 8.

H.679, the FY22 budget adjustment bill, passed the Senate this week. Here is a [summary](#) of the Senate-passed bill. The bill went back over to the House which postponed action on the bill until Tuesday, 2/15, in order to have more time to consider the Senate's amendments.

---

## **MOTOR VEHICLE FRANCHISE LAW**

This week the Senate Transportation Committee took testimony regarding draft bill [22-0589](#), An act relating to the Motor Vehicle Manufacturers, Distributors, and Dealers Franchising Practices Act and the creation of a new motor vehicle direct shipper's license. On Tuesday, the committee heard from Marilyn Miller of VADA and Rich Sox, an expert franchise attorney who has been working with VADA on the bill. Attorney Sox reviewed and explained the rationale for VADA's proposed franchise law amendments.

On Friday, the committee heard from John Zicconi, Executive Secretary of the Transportation Board, who gave compelling testimony that through his work on the lemon law in Vermont he has seen how Vermont consumers often get the run around when they try to deal directly with the manufacturers in attempting to get their new vehicles fixed. Mr. Zicconi observed that once the New Vehicle Arbitration Board is involved manufacturers are more responsive. Mr. Zicconi also said VADA's proposal to place the burden of proof on the manufacturer in franchise disputes before the board may make it easier for dealers to obtain information that the manufacturers claim is proprietary.

Chris Grimaldi (Regional Director, Public Affairs of General Motors), David Bright (Attorney, Alliance for Automotive Innovation) and Justin Johnson (Lobbyist, General Motors) testified on Friday. The manufacturers oppose VADA's bill. They specifically objected to the proposal to ban manufacturers from offering or selling software and hardware upgrades or changes to vehicle function and features as well as the proposed changes related to dealer warranty reimbursement, among others. They were asked by a committee member to summarize their objections in writing.

---

## GOVERNOR'S EV PROPOSALS

This week the House Transportation Committee continued to take testimony on a draft Transportation Bill. Patrick Murphy, the Sustainability and Innovations Project Manager at the Agency of Transportation, presented to the committee the [Governor's Climate Change Mitigation Package](#), which includes seven initiatives to advance vehicle

electrification and reduce greenhouse gas emissions in the transportation sector. Dave Roberts of Drive Electric Vermont also provided [this presentation](#) of Drive Electric Vermont's work in encouraging Vermonter's to purchase EVs, including its Dealer EV program.

---

## **DMV MISCELLANEOUS BILL**

The Senate passed [S.280](#), the DMV miscellaneous bill this week. The bill includes various amendments to DMV related laws including new motor vehicle arbitration, the total abstinence program, overweight or overlength truck permits, nonresident titles and technical changes to the purchase and use tax. The bill was referred to the House Transportation Committee.