

Week 8 - March 1, 2019

THE VERMONT **STATEHOUSE INSIDER**

Weekly politics & analysis
of the issues in Montpelier



Note: Next week the Vermont General Assembly takes the week off for Town Meeting Day so there will not be a State House Insider sent on Friday, March 8.

PARTING GLANCES

Lawmakers approached the unofficial halfway point of the legislative session with a flurry of activity in the committee rooms and on the House and Senate floor. It was the final week before the Town Meeting Day break, when lawmakers will return home to meet with constituents and attend Town Meeting Day festivities. When lawmakers return on March 12 they will have four days until the crossover deadline for policy bills on March 15. The crossover deadline for money bills is March 22.

The Senate passed legislation that would authorize a regulated market for cannabis in Vermont on Friday. This wrapped up two days of lengthy debate on the issue. House and Senate policy committees scrambled to finalize their priority bills in advance of crossover, and the House money committees moved closer to finalizing their annual budget proposals.

The House Institutions Committee is working on plans to create more mental health bed capacity throughout the state. This could include creating additional bed capacity at Rutland Regional Medical Center, building more units at Central Vermont Medical Center and building a new state facility in central Vermont. Meanwhile, the House Commerce Committee passed a bill that would streamline consumer contracts and ensure notification of automatic renewal of contracts before they expire.

The House Healthcare Committee spent a good deal of the week reviewing the healthcare sections of the Governor's proposed budget while the Senate Health and Welfare Committee worked to finalize bills that would regulate ambulatory surgical centers and put prohibitions on certain types of baby crib bumpers.

The Senate Finance and House Energy and Technology Committees continued to look at various changes to telecom and broadband regulation while the House Transportation Committee refined the annual "T-Bill" and the Senate Transportation Committee continued to look at tariffs for electric vehicles.

The House Committee on Natural Resources, Fish and Wildlife continued to work on changes to Act 250 and the Senate Committee on Natural Resources focused on legislation to ban certain plastic products including bags and drinking straws.

By Friday afternoon (which was sunny and relatively warm) there was a definite sense that lawmakers and other statehouse regulars were ready to go. The break will be welcomed by all.

BILLS OF INTEREST TO VADA

[S.142](#) - This bill proposes to require motor vehicle liability policies to provide medical payments coverage and to establish claims payment practices with respect to such coverage.

[S.135](#) - This bill proposes to provide certain protections for a consumer buying or leasing a motor vehicle.

[H.502](#) - This bill proposes to create a means for an individual whose license to operate a motor vehicle or privilege to operate a motor vehicle has been suspended to apply to the Agency of Transportation to obtain a provisional license to operate or provisional privilege to operate a motor vehicle to drive to work or school.

[H.461](#) - This bill proposes to authorize Vermont to enter a transportation cap and invest program.

[H.462](#) - This bill proposes actions to help address climate change.

[H.471](#) - This bill proposes to express support for the January 9, 2019 recommendation from the Agency of Transportation, Agency of Natural Resources, and Department of Public Service related

to the establishment of a per-kWh fee for electric vehicle charging; exempt the first \$30,000.00 of purchase price of up to 1,500 electric or plug-in hybrid electric vehicles from the sales and use tax on motor vehicles in calendar year 2020; and establish a \$2,000.00 point-of-sale credit program for eligible purchasers of the first 1,000 electric and plug-in hybrid electric vehicles in calendar year 2020.

[H.472](#) - This bill proposes to increase the amount of time that an individual may use a license from another country to operate a motor vehicle in this State.

[H.475](#) - This bill proposes to create an electric vehicle incentive program

[H.499](#) - This bill proposes to require insurers to offer senior citizens a premium discount on automobile insurance upon the successful completion of an accident prevention course.

[H.420](#) - This bill proposes to authorize municipalities that have no State highways or class 1 town highways within their borders to use grants received under the Class 2 Town Highway Roadway Program for both class 2 and class 3 town highways.

TRANSPORTATION BILL

The House Transportation Committee continues to review a draft Transportation Bill. Here is a [link](#) to the latest draft.

While no decision has been made, some of the other bills or issues the committee discussed taking up and possibly adding to the bill are:

[H.400](#) - This bill proposes to create a point-of-sale electric vehicle incentive and to fund that incentive through the use of revenue derived from the increase in electric vehicle charging.

[H.471](#) - A bill that proposes to create electric and plug-in hybrid electric vehicle incentives
Requiring that the state of Vermont purchase electric vehicles as part of the state vehicle fleet.

MISCELLANEOUS DMV BILL

The Senate Transportation Committee voted to advance the DMV Miscellaneous bill on Friday. The committee added a provision that allows a motor vehicle dealer who sells a motor vehicle with a title that is held by a lienholder to have up to 30 days from the date they acquire the vehicle to send in the registration and title documents to DMV. (See Sections 20-22). This is modeled on a similar law in New Hampshire. The bill also includes autonomous vehicle testing language. The bill doesn't have a number yet but [here is a link](#) to the bill as it the committee advanced it.

CANNABIS

On Friday the Senate gave final approval to S.54, a bill establishing a regulated market for cannabis in Vermont. The Senate has passed some version of a tax-and-regulate bill for cannabis each year since 2015, though none have made it through the House. This year however, S.54's prospects look more favorable. Governor Phil Scott has not yet indicated he would sign a tax-and-regulate bill if it were to pass this year. Massachusetts and Maine have already implemented a regulated market for cannabis and it looks like New York and Rhode Island are not far behind, potentially making Vermont and New Hampshire the lone states in the Northeast without a regulated market.

MISCELLANEOUS TAX BILL

This week the House Ways and Means Committee voted unanimously to advance the miscellaneous tax bill, [H.514](#). The bill contains various amendments to Vermont's tax laws. The [fiscal note](#) to the bill estimates that the only revenue impact is a \$60,000 increase in revenue due to a change to 529 college plans to limit expenditures to post-secondary studies. The bill also contains a provision to clarify existing practice that parts incorporated into a dealer-owned motor vehicle that is being reconditioned for resale are not subject to the sales tax. A full summary of the bill can be found [here](#).

UNCONSCIONABLE CONTRACTS

By voice vote with a least one no vote the Senate passed S.18, the bill deeming certain types of contract provisions presumptively unconscionable. The bill will now go the House, where it is likely to be referred to the House Judiciary Committee.

TOBACCO REGULATION

On Thursday the House Human Services Committee advanced [H.26](#), a bill to ban internet sales of e-cigarettes to anyone who isn't a licensed wholesale dealer. On Friday the Senate passed [legislation](#) raising the minimum age for purchasing tobacco in any form to 21. The bill's sponsors note that the purpose of the bill is to decrease smoking across the entire population of Vermont, and cite that only five percent of smokers take up the habit after turning 21.

ACT 46

On Tuesday the Senate Education Committee began considering legislation passed by the House dealing with a delay to forced mergers. The House bill was a direct reaction to the State Board of Education forcing multiple districts to merge as a result of Act 46. The Chair of the Senate Education Committee, Senator Phil Baruth (D/P-Chittenden), has agreed to begin taking testimony from interested parties the week of March 11, after town meeting week has concluded and the legislature is back in session. Meanwhile, as this is being deliberated within the legislature, concerned parties on both sides of the issue are anxiously awaiting a decision by a judge on whether or not he'll issue an injunction against forced merger activity. Some lawmakers prefer waiting for this court decision before moving forward with any legislation, but proponents of the one-year delay are urging the legislature to address the issue now as confusion over forced mergers is only getting worse as the 2019 deadline approaches.
