Montpelier Notes,  An occasional email for Pownal and Woodford residents. If you would prefer not to receive these notes please reply to [botzow@sover.net](mailto:botzow@sover.net) and I'll remove you from the list. If you would like to be added please let me know. I do not give your email address to others. --Bill Botzow

March 15, 2010

Hello All,

The first week back after the Town Meeting break was exceptionally busy as we worked to complete bills in committee to meet deadlines for bills to crossover to the Senate. We were also on the floor passing bills from the previous weeks’ work. Here are some brief notes on bills that passed the House since I last wrote. There next step will be the Senate and in many cases conference committees before being sent to the Governor. If you would like more information on any of this legislation, please let me know.

**Legislation in the House:**

**H.R. 30 House resolution amending the Rules of the House of Representatives relating to a bill materially affecting the revenue of one or more municipalities**

This resolution says that when a bill could affect the local property tax it should go to one of the committees that handle revenue or spending where it will be reviewed to determine the impact on towns. There was a roll call vote and it passed unanimously 137 to 0.

**H. 766 An act relating to preventing duplication in certain public health records**

This bill makes it possible to share information on infectious diseases with other states infectious disease surveillance programs for duplicative data with protections for individual’s identity.

**H. 761 An act relating to authorization of High-Speed Intercity Passenger Rail**

Vermont successfully received federal stimulus funding for upgrades to its passenger rail service. This bill made sure the right policy was in place for the state to receive the money.

**H. 765 An act relating to establishing the Vermont agricultural innovation authority;**

This bill would establish a Vermont agricultural innovation authority to promote the production and marketing of value-added agricultural products in the state. Value-added agriculture is a growing part of our agricultural economy. This group builds on the agriculture development board with clear direction on its purpose and better tools for achieving its goals.

**H. 764 An act relating to the state teachers’ retirement system of Vermont**

This bill solves problems with keeping the teachers’ retirement system solvent. The measures in the bill were brought to the Committee on Government Operations from an agreement between the Treasurer’s office, representatives of the education community, the administration and others. Teachers who have already retired do not see any loss in their retirement. Adjustments were made to those not yet retired with give and take on all sides. In a vote on the bill it passed 139 to 2.

**H. 66 An act relating to including secondary students with disabilities in senior year activities and ceremonies**

This bill makes sure that students with disabilities can participate in senior year ceremonies and events with their class even if they need more time to complete their individual educational plan. They would not receive a diploma at the time but a certificate of recognition. They would receive a diploma only upon finishing their educational plan and could only participate in one graduation.

**H. 725 An act relating to farmers’ markets**

The bill establishes recognition and support for farmers’ markets through the Vermont Farmers’ Market Association. The association will develop standards and best practices for markets and review membership of markets in the association. It will also report annually on its activities.

**H. 658 An act relating to certificates of need for home health agencies**

The findings for the bill clearly state its goal which is to control costs while ensuring that the home health system continues its necessary work.

The general assembly finds that:

(1) The existing home health system is currently providing high levels of service to the Medicare, Medicaid, private insurance, and private pay populations in need of home health services at one of the lowest average costs per visit in the nation. It provides a comprehensive array of services reaching every town in the state, which are generally well coordinated with other community health care providers and social service agencies. It appears that the existing system has the commitment and present capacity to provide universal access to medically necessary home health services for all Vermonters regardless of ability to pay or location of residence.

(2) Vermont is a very rural state, with a population thinly distributed throughout the state, posing special challenges in the delivery of home health services.

(3) Vermont, as the rest of the nation, is facing extraordinarily difficult and fiscally challenging times; significant cuts in Medicare and Medicaid rates for home care have already taken place and even greater cuts are looming, all requiring even greater reliance on community resources and ingenuity to do more with less.

(4) Vermont’s certificate of need law as it applies to new home health services may benefit from the following: (A) an objective definition of need and the likelihood that such need will financially support additional home health agencies; (B) more objective criteria by which to measure the impact of any project on existing service providers and the populations they serve; and (C) objective criteria to measure unnecessary duplication of services

that would increase the costs to the system.

(5) A temporary suspension of the granting of any certificate of need for a new home health agency is warranted for the following reasons: (A) to measure the impact of the statewide certificate of need granted to a for-profit home health agency; and (B) to allow time for the state to consider changes to the certificate of need law and engage in long-term planning in this complex and increasingly important area of health care services.

**S. 77 An act relating to the disposal of electronic waste**

The general assembly finds:

(1) According to the U.S. Environmental Protection Agency, discarded computers, computer monitors, televisions, and other consumer electronics—collectively referred to as e-waste—are the fastest growing portion of the waste stream, growing by approximately eight percent from 2004 to 2005.

(2) Televisions, computers, computer monitors, and printers are prevalent in modern society and contribute significantly to the waste generated in Vermont.

(3) Televisions, computers, computer monitors, and printers contain lead, mercury, and other hazardous substances that pose a threat to human health and the environment if improperly disposed of at the end of the useful life of these products.

(4) The state of Vermont has committed to providing its citizens with a safe and healthy environment and has actively undertaken efforts such as mercury reduction programs to reduce the potential for contamination.

(5) The appropriate recycling of televisions, computers, computer monitors, and printers protects public health and the environment by reducing the potential for the release of heavy metals and mercury from landfills into the environment, consistent with other state initiatives, and also conserving valuable landfill space.

(6) The establishment of a system to provide for the collection and recycling of televisions, computers, computer monitors, and printers in Vermont is consistent with the state’s duty to protect the health, safety, and welfare of its citizens; maintain and enhance the quality of the environment; conserve natural resources; prevent pollution of air, water, and land; and stimulate economic growth.

People would be able to bring their used electronic equipment to centers distributed around the state for no charge. Several states already have this system and currently Vermonters are paying for the service in other states in the purchase price of their electronics without receiving the benefit of a practical way to dispose of worn out items.

**H. 331 An act relating to technical changes to the records management authority of the Vermont State Archives and Records Administration**

This bill came back from the Senate with a proposal to make it possible for donors to the state colleges, Vermont’s student assistance corporation and UVM to make anonymous donations. In the House the Government Operations Committee added several requirements to make sure that anonymous donations would not influence research or business transactions and that controls would have to be developed by the governing boards of the institutions. When the bill returned to the Senate it was not voted on and ordered to lie because of further concerns raised by the press and some legislators. The bill brings up issues about how to best balance personal privacy and the public’s right to know especially considering the need to appropriately fund higher education.

**H. 488 An act relating to prohibiting the manufacture and sale of felt-soled boots and waders**

Felt-soled boots and waders are a good way to spread didymo and other aquatic nuisances which can devastate Vermont’s fisheries. This bill would ban their sale and manufacture in Vermont. It includes an education component for anglers on this real problem.

**J.R.H. 35 Joint resolution urging Congress not to diminish any aspect of the existing state regulatory authority over the insurance industry or consumer protection policy with respect to national banks**

The Commerce Committee brought this resolution to the full house to support state regulation of insurance and banking. Discussions at the federal level are considering changes that would diminish Vermont regulators’ role in protecting Vermonters. The resolution will be sent to our congressional delegation.

**J.R.H. 39 Joint resolution urging Congress not to pursue legislation authorizing individuals to purchase health insurance across state lines**

This resolution addresses the problem of different rules in different states about selling health insurance. Without safeguards in place Vermont would be left with an expensive and difficult to insure population. Here’s a summary of the resolution. In Vermont an insurer cannot reject a Vermont resident’s application for health insurance based on the individual’s health status or medical conditions. Most other states do not require these consumer protections. Allowing purchase of health insurance across state lines could lead to many healthy people purchasing insurance out of state where their policies might be dropped when they become sick and then turning to Vermont where we guarantee the right to buy health insurance. This would create a very sick Vermont risk pool that would be expensive to insure and would increase the cost of Vermont health insurance. A substitute amendment to the bill failed 49 t0 86 and then the resolution passed 92 to 45. I supported the resolution as written.

**H. 237 An act relating to governance of the Vermont state hospital**

This bill improves the governing board for the State Hospital by making sure there is representation on the board for mentally ill patients.  Also it states that if the state hospital system includes facilities in other parts of the state that there should be governing boards at those locations.

**H. 767 An act relating to the livestock care standards advisory council**

This bill sets up an advisory panel to look at the numerous health and safety issues associated with raising livestock and make recommendations to the Secretary of Agriculture and the House and Senate Agriculture Committees.

**H. 498 An act relating to maintenance of private roads**

This Commerce Bill passed the house unanimously. It intends to help people living on private roads obtain financing for their homes by making sure there is a standard for private road maintenance if people living on the roads do not have a written agreement.

**H. 578 An act relating to requiring all state law enforcement officers to serve under the direction and control of the commissioner of public safety**

The bill’s intent is to “ (1) increase communication, provide for coordinated and strategic planning, encourage resource sharing, and identify cost savings among and within the departments of public safety, of fish and wildlife, of motor vehicles, and of liquor control; (2) maintain the core missions of the individual state agencies; (3) ensure a unified approach to law enforcement in Vermont; (4) provide efficient and effective service delivery to those who live, work, and travel in Vermont.” The state agencies would develop memos of understanding with each other to better provide service.

**H. 88 An act relating to adding a dental assistant to the state board of dental examiners**

This bill makes sure that dental assistants are represented on the board of dental examiners as their skills and duties are different than dentists.

**H. 647 An act relating to misclassification of employees to lower premiums for workers’ compensation and unemployment compensation**

This bill was a major bill for the Commerce Committee. We took many days of testimony to balance the concerns and interests of all parties. The committee voted 11-0 for the bill after a great deal of give and take on the best approaches to making sure that all employers properly insure their workers for workers’ compensation. This would reduce costs and level the playing field for business competition. The bill increases penalties for those who do not insure when they should and requires stop-work orders when appropriate. It also takes first steps towards a compliance-fraud task force insurance to address insurance abuse and recommend how Vermont can build a culture of compliance. In other states that have taken this approach, the cost of workers’ compensation has dropped dramatically.

**H. 695 An act relating to definition of premises for award of liquor license**

This bill makes it possible for a manufacturer with multiple establishments on adjoining property to acquire a single liquor license.

**H. 614 An act relating to the regulation of composting**

This bill regulates large scale composting where there can be negative environmental consequences. It does not impact small and backyard composting. There were two votes on the bill. In the first, at second reading, the bill passed 94 to 46. A number of legislators voted no because of some concerns about who would have authority. The committee made some changes and the final vote the next day was 137 to 0.

**H. 555 An act relating to youth hunting**

This bill makes sure that written permission comes from the landowner when a youth is hunting. Any fines that might occur for violations would be the responsibility of the adult accompanying the youth.

**H. 600 An act relating to permitted investments by the state treasurer**

This bill would allow the state treasurer to invest in certificates of deposit at credit unions. It would also allow with proper safeguards investment in pools of municipal funds

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Next week will be busy too as we will be voting on many of the bills that passed committee last week. In the remaining weeks of the session I expect to see bills on jobs, education taxes, consolidation of supervisory unions, highway safety, judicial reform, health care and an energy bill as well as the capital, transportation and budget bills.

A note on the energy bill—I asked last week for some language to be included that would charge a group from the tax department, league of cities and towns, public service department and renewable energy consortium to report back on how to value renewable energy installations, particularly solar, for the property tax. The chair of the energy committee said he thought this was the way to go about solving any issues and said he would put it in the bill. This should help listers make the necessary determinations.

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**Announcements of upcoming local events**

**Rabies Clinic**: The Town of Pownal will be hosting a rabies clinic for dogs and cats at the Pownal Center Fire House on Saturday March 20 from 9:00AM until 12:00 noon.  The clinic also offers an opportunity to license any unlicensed dogs. Vermont statute requires that all dogs over six months of age are licensed in the town in which they reside. The cost is $12.00 for the vaccination.

**Bonfire:** The Solomon Wright Public Library invites you to attend a bonfire in celebration of Pownal’s 250th anniversary and the first day of spring on Saturday, March 20 in North Pownal near the Waste Water Treatment plant. Fire will be lit around dusk. All welcome—come with family, neighbors, friends and relatives.

**Postal Cover Collecting:** On March 21, 2010 at 2:00 PM at the Solomon Wright Public Library the Pownal Historical Society presents a program titled “An Introduction to Cover Collecting,” a talk by John Breen with illustrations showing how postal covers accurately illustrate human history and progress. Included will be hand-outs with links showing local postal history such as “The Bennington Boy” stamp in 1927. You will learn how to create local history covers and view Pownal’s special 250th anniversary cover which commemorates the recording of Pownal’s charter on the 28th of January 1760.

I hope everybody has a very good week.

Stay in touch,

Bill

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