**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 1, 2011

Hello All,

We are in the last weeks of winter and everyone is feeling it. It is a good time to get out, see friends and neighbors, connect to the community and get ready for the warmer months ahead. Today I enjoyed Bud Willette and his son Jeffrey talk about their family life in North Pownal at the Solomon Wright Library. It was great to see so many community members there. Here is a list of upcoming meetings you may want to attend to offer your support, thoughts and help.

**Monday evening, March 14. Statewide public hearing on health care reform**

Held at all the Vermont Interactive TV locations 6:00-8:00 PM.

This is a joint hearing of Senate Health & Welfare Committee and House Health Care Committee.

To testify, simply show up at a Vermont Interactive Television site Monday evening and sign up.  The Bennington V.I.T. location is at the Senior Citizen’s Service Center, 124 Pleasant Street, Bennington, VT 05201 Here is a link to directions: <http://www.vitlink.org/location/bennington>

The latest version of **H.202**, "H.202: DRAFT House Health Care Committee Amendment - March 11, 2011," is now posted on the legislative website, with a link from the home page.

The direct link to the document is <http://www.leg.state.vt.us/misc/H-202HHCDraft.pdf>

**March 19 9 AM until 1 PM Dog and Cat Rabies and Parvo Clinic,**

**Pownal Center Firehouse, Corner of US 7 and North Pownal Road**

This clinic is not limited to Vermont cats and dogs.  All are welcome from any state. The cost is $12.00 per shot. The attending veterinarian is Dr. Rod Goebel DVM. Previous vaccination records would be helpful but necessary to attend. Pownal Town Clerk Karen Burrington will also be available to issue dog licenses. Note: All Vermont dogs must be licensed by April 1, 2011.

**Tuesday, March 22, 2011 7:00pm-9:00pm Passenger Rail Study Public Meeting**

**Bennington Fire Station, 130 River Street, Bennington, VT, 05201.**

The Vermont Agency of Transportation (VTrans) and the New York State Department of Transportation (NYSDOT), in cooperation with the Federal Railroad Administration (FRA), are working together to identify and establish intercity passenger rail service to parts of southwestern Vermont and adjacent areas in New York that are currently underserved, and have scheduled the first public meeting to discuss the study for the project study area, which is generally located between Albany/Rensselaer, NY and Rutland, VT, includes Bennington and Rutland Counties in Vermont, and Rensselaer, Albany, Schenectady, Saratoga, Warren and Washington Counties in New York.

Passenger rail is a vital and integrated component of both the Vermont and New York multimodal transportation systems. Both states have developed state rail plans to provide a strategic policy framework for maintaining and enhancing their respective rail systems.

**Free Home Ownership Workshops Starting March 23**

4 Week Workshops on Home Ownership  
Pownal Valley Affordable Housing is sponsoring a series of FREE Workshops on Government Programs and Local Resources for home ownership.  
WHERE:  Pownal Methodist Church, Rte 346 and Church St.  
WHEN: 6:30 - 8:00 PM  
March 23  - "Getting Out of Debt and On a Budget"  
March 30  - "Financing Options" (including VA and USDA programs, construction and home improvement loans)  
April 6 - "What's Available to Buy or Build"?  
April 13 - "The Next Step"

**Saturday March 26, 5:30 PM Green Mountain Friends of NRA 9th Annual Fund Raising Banquet and Auction Mt. Anthony Country Club, 180 Country Club Drive, Bennington.**

Funds support local efforts to support youth and adult firearms safety and education, wildlife conservation and range development. Tickets are available online [www.friendsofnra.org](http://www.friendsofnra.org) or through Charles Wells Gun Shop 216 Northside Drive, Bennington 442-3267

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It was a pleasure to be home Town Meeting Week and see so many constituents at Town Meeting Monday night and the polls on Tuesday. At the end of the week I headed for Washington to attend the Spring Meeting of the National Conference of Insurance Legislators (NCOIL). This group of state legislators meets to educate legislators on insurance issues, raise issues of national concern to Congress and write model laws that may be adopted in the states. One of the main goals of NCOIL is to make sure that regulation of insurance stays with the states. This helps ensure a competitive market and makes sure regulators are close to the issues that concern citizens and businesses. For me it was an opportunity to  raise the issues we and many other states face with flood insurance, particularly the issue of banks requiring flood insurance on an entire property for a loan even though only a very small part of the property may be in the flood plain. NCOIL showed interest in the issue and in considering it for future agendas.

I came home late Sunday, just ahead of the ice storm and drove north to Montpelier Monday evening. The ice turned to snow around Danby but roads were ok the rest of the way even as the snow fall amounts increased to about two feet of new snow on the ground in Montpelier.

Here are the bills that have come through the House since I last wrote.

**J.R.H. 11** **Joint resolution urging Congress to approve a streamlined sales tax agreement that will authorize the national collection of sales tax from online sales**

The House passed this resolution and sent it to our Congressional representatives because it is very difficult to collect the sales tax on online purchases. This is true in other states as well. Congress needs to act for the interstate internet sales tax agreement to go forward. Vermont and many other states have joined the interstate compact but it needs federal approval.

**H. 275** **An act relating to the recently deployed veteran tax credit**

This bill came to the floor from the Commerce and Economic Development Committee the Wednesday before the Town Meeting break. In a vote to suspend rules so the bill could be expedited and passed before we went home for Town Meeting, the Republican Caucus voted no and the motion failed Yeas, 93. Nays, 45. A three-quarters vote of 104 is required to suspend rules. I voted yes.

The next day we presented the bill and in another vote the bill passed 136 to 0. The bill offers an incentive to companies that employ recently deployed veterans who have returned from active duty and need jobs. The Ways and Means Committee added self-employed veterans who might start a new business. The Commerce Committee saw this as a friendly amendment and accepted it along with the entire House. The bill is now in the Senate.

**H.R. 7** **House resolution expressing support for the collective bargaining rights of Wisconsin state, public school, municipal, and University of Wisconsin Employees**

This resolution was offered in support of workers whose rights to organize were being diminished in Wisconsin. A motion by Rep. Olsen of Jamaica to order the bill to lie, which would have essentially killed the bill, failed 43 to 96 and I voted no. Worker’s rights are important as is bargaining in good faith. In a final vote to pass the bill I voted yes and that motion passed 95 to 44.

**J.R.H. 12** **Joint resolution urging Congress to retain federal community services block grant funding for the balance of fiscal year 2011 at its current operating level.**

Community services block grants are essential to the work of community service agencies such as BROC which helps with job readiness programs, energy conservation and weatherization, and micro business development as well as budget counseling, emergency food assistance and housing and homeless assistance. In Congress the majority in the House of Representatives has put forward a budget that would badly hurt agencies work for the rest of the budget year which ends Sept. 30. The resolution supports restoring funding so essential services that move people from crisis to self-sufficiency continue. The resolution passed in a voice vote.

**H. 26** **An act relating to limiting the application of fertilizer containing phosphorus or nitrogen to nonagricultural turf**

This bill proposes to prohibit the application of fertilizer containing phosphorus or nitrogen to nonagricultural turf with some exceptions. The bill also prohibits applying fertilizer to an impervious surface or within 25 feet of a water of the state. In addition, enforcement will be through the judicial bureau. H. 26 is about cleaning up Lake Champlain and other waterways. Phosphorous causes algae blooms and has led to many towns needing to add expensive phosphorous treatment to wastewater plants. There will be warnings at stores where fertilizer is sold as it still can be used for agriculture purposes, but not close to waterways. There was a roll call vote on the bill which passed 114 to 24 and I voted yes.

**H.R. 8** **House resolution opposing the federal expenditure reductions in H.R.1 as passed by the United States House of Representatives and strongly urging Congress to adopt a fairer and more equitable legislative alternative**

This resolution spoke to cuts in programs in Washington that will have serious consequences in Vermont. Here are some examples taken from the bill.

“The specific program reductions Vermonters would sustain in comparison to the funding amounts approved in Pub.L. No. 111-322 as a result of the House-passed version of H.R.1 include: Byrne Justice Assistance Grants ($400,000), K–12 education ($5,100,000), Pell Grants ($8,000,000), vocational and adult education ($240,000), Workforce Investment Act Job Training ($5,300,000), Mental Health and Substance Abuse Block Grants ($1,124,000), Selected Low-Income Housing Programs ($1,200,000), Clean Water and Drinking Water State Revolving Funds ($12,000,000), and Community Development Block Grant ($5,700,000).”

Also “there will be funding reductions in Community Health Centers, the Low Income Home Energy Assistance Program (LIHEAP), and the Environmental Protection Agency–Lake Champlain Water Quality Improvement Project ($2,600,000), and the Corporation for Public Broadcasting funding is eliminated, resulting in a loss of 10 percent of Vermont Public Radio’s and 15 percent of Vermont Public Television’s FY 2011 budgeted operating amounts. These reductions would take place in this year’s budget if agreed to by Congress. This resolution also passed in a voice vote.

**H. 299** **An act relating to repealing the provision that some school district budgets be presented to the voters by means of a divided question**

The two vote proposal of a few years ago was repealed. It would have caused a second vote on a school budget if it grew more than an inflation adjusted amount and it exceeded the statewide average. This proposal was a compromise with former Gov. Douglas’s plan to put a hard cap on education spending, which would have led to inequities in education. In the three years the two-vote provision has been in law it has been applied few times and not in Pownal or Woodford where school boards have worked hard to deliver a quality education and hold costs down. This has been true in the rest of Vermont too as recent school budgets have restrained spending. The bill passed easily on voice votes.

**H. 38** **An act relating to adopting the interstate compact on educational opportunity for military children**

Military families are greatly impacted by the movement of soldiers from base to base throughout the country. This bill directs the commissioner of Education to “work with school districts and supervisory unions to support the educational continuity and success of children of military families, whose lives can be disrupted by frequent relocation and parental deployment, by, among other things, facilitating the timely enrollment of a child of a military family, the transfer of education records, and the educational placement process.” The bill passed on a voice vote.

**H. 240** **An act relating to continuing to provide for the receivership of long-term care facilities**

This bill proposes to remove a sunset provision in order to continue to provide for the receivership of long-term care facilities. This is important to establishing an orderly process in case a long term care facility needs to close. Sunsets are often put in bills to make sure that legislation works well and that the legislature will review in the future the original proposal. Sunsets  are sometimes allowed to stay in place in case legislation isn’t working, extended in case further review makes sense or removed if not needed anymore.

**J.R.H. 13** **Joint resolution urging the United States Department of Agriculture to authorize each state to create its own list of foods eligible for purchase with federal Supplemental Nutrition Assistance Program funds or alternatively to authorize a demonstration project allowing the state of Vermont to develop its own list**

This bill would help Vermont’s farmers by allowing us to design a list that worked better with our agriculture sector and offered more quality local fresh food.

**H. 13** **An act relating to deer doing damage to forest resources**

The legislature revisited the statute on taking deer out of season when they are causing excessive damage to woodlands. This occurs in some places in Vermont. Here are the findings in the bill.

The general assembly finds and declares:

(1) The forests of Vermont are integral to the economy, culture, beauty, and appeal of the state.

(2) Each 1,000 acres of forestland in Vermont supports 1.4 forest-based manufacturing, forestry, and logging jobs and 1.4 forest-related tourism and recreation jobs.

(3) Vermont landowners received estimated stumpage revenue in 2005 of $31.5 million.

(4) The sale of Christmas trees, wreaths, and maple syrup contributed approximately $22 million in 2005.

(5) White-tailed deer in Vermont are also important socially, culturally, ecologically, and economically.

(6) Under 10 V.S.A. § 4081, an abundant, healthy deer herd is a primary goal of fish and wildlife management in Vermont.

(7) Activities related to white-tailed deer such as hunting, photographing, and viewing generate in excess of $157 million annually in Vermont, and the revenue generated from deer hunting is dispersed throughout the state’s rural communities in the form of food, gasoline, and lodging expenditures.

(8) In parts of Vermont, however, the state’s distinct interests in forestland and the deer herd are in conflict where deer populations have damaged existing wood lots and destroyed efforts to reseed or regenerate saplings.

(9) The existing authority to take deer doing damage to crops has been interpreted by the department of fish and wildlife as applying to trees or plantations cultivated for an annual or perennial crop and not to land managed for the production of other marketable forest products.

(10) The general assembly should clarify the authority of a land owner to take deer doing damage to land managed for the production of marketable forest products in order to mitigate the existing conflicts between management of forestland and the management of the deer herd.

The bill goes on to propose new limits to taking deer and the process for allowing the takings.

**H. 143** **An act relating to the taxation of certain Internet sales**

This bill proposes to require certain businesses that sell items subject to the sales and use tax via independent contractors located within Vermont to collect and remit sales tax. Small retailers such as local bookstores are being hurt by internet sales that are often facilitated by individuals in Vermont through links on their websites. This bill would create a nexus between the company and Vermont so sales tax would be collected by the large internet company. Other states have taken this step, sometimes causing the large internet company to withdraw its affiliation agreements. For this reason Vermont set a date of July 2012 for implementation of the law so we can see how related court cases play out in other states.

**H. 79** **An act relating to uniform adult guardianship and protective proceedings**

This bill enacts the Uniform Adult Guardianship and Protective Proceedings Jurisdiction Act in Vermont. The act establishes which state has jurisdiction to make initial guardianship decisions, provides for transfer of guardianship cases between jurisdictions, and allows recognition of an out-of-state guardian’s authority to deal with issues in the state on a limited basis.

**H. 426** **An act relating to extending the state’s reporting concerning transportation of children in state custody and transportation of individuals in the custody of the commissioner of mental health**

This bill extends to January 31, 2015, the state’s reporting to the house committee on human services and the senate committee on health and welfare concerning (1) the transportation of children in state custody; and (2) the transportation of individuals in the custody of the commissioner of mental health. A few years ago the legislature responded to an incident where a young child was transported in an inappropriate manner. While the problem has been corrected according to reports, the legislature in this bill would continue to make sure mental health patients are transported appropriately.

**H. 428** **An act relating to requiring supervisory unions to perform common duties**

The bill corrects an oversight by covering transportation employees as well as already covered special education staff as supervisory unions transition to performing “common duties” on behalf of member districts. The bill also gives supervisory unions an additional year to implement their plans by extending the deadline from July 1, 2012 to July 2013.

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The coming weeks promise to be very full as numerous bills come to the full House for debate. These will include the budget and the health care bill as well as the jobs bill, the energy bill, the transportation bill and the capital bill.

Please let me know if you have any questions about legislation. Also, I look forward to seeing you if you are in Montpelier. You can almost always find me in the House Commerce and Economic Development Committee room—Room 35 when not on the floor.

I hope you have a very good week and for those collecting sap, may this be an excellent maple season.

Stay in touch,

Bill

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