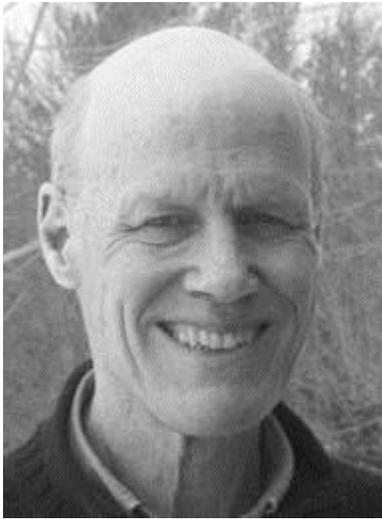


**END OF SESSION 2014**  
**LEGISLATIVE REPORT**  
**STATE REPRESENTATIVE**  
**BILL BOTZOW**



*Dear Friends and Neighbors,*

*The 2014 legislative biennium ended on Saturday May 10 at 7:18 PM. This report, edited from contributions from legislative colleagues, summarizes many of the legislature's*

*actions this year. Highlights include economic development, no broad based tax increases and a balanced budget. If you would like more detail or have questions, please let me know.*

*Thank you for the honor of serving you and for your communications with me. Your thoughts and advice sustain me in this work and I am proud to serve our towns and Vermont. I look forward to speaking with you over the summer and fall and working to serve as your state representative in the future.*

*Sincerely,*

*Bill Botzow*

### **The Budget – Investments for Vermont**

Much of the meaningful work on the budget is reflected in understanding investments in Vermont's future. Over the last 2 years we closed over \$100 million in budget gaps with only \$5 million in new revenue. The General Fund budget for FY15 beginning July 1 increased 3.9% to a total of \$1.439 billion. This year, much of our focus was on addressing emerging issues and opportunities that impact Vermont's future such as addiction, job and business creation, the high cost of housing and structural problems in funding retired teachers' health care.

Job creation and economic investment advanced on several fronts. The legislature and the Governor committed \$4.5 million in a new Vermont Enterprise Incentive Fund to retain or attract large businesses in Vermont and \$500,000 to support lending to emerging Vermont businesses. Also, \$3.3 million is targeted for enhancing people's job skills and there is a substantial increase to Regional Development Corporations support. This will help grow businesses. An increase in Working Lands grants provides more capital for agriculture and forest-based business initiatives. Also seed money was appropriated to help small businesses better export their products to US trade shows and markets. This complements an international export program currently in place. While this is usually considered a health care issue, health care providers such as hospitals, physical therapists and dentists will see a 1.6% increase in their Medicaid reimbursement.

The Governor's budget request addressed opiate addiction and the legislature invested over \$10 million in new addiction treatment capacity. We doubled funding for community recovery centers to support people in recovery and expanded a successful "rapid intervention" pilot statewide that offers those accused of non-violent addiction-related crimes an opportunity to choose treatment over prison. Identifying addictions sooner and addressing basic needs such as housing and employment provide stability.

The Vermont Housing and Conservation Board recently celebrated its 25<sup>th</sup> anniversary. Over that time it has used its State appropriation to leverage an additional \$1 billion for affordable housing, construction jobs and land conservation in all of our communities. This year an 8% increase will focus on much-needed affordable housing. We also shifted funding from expensive motel vouchers for emergency housing to more permanent housing support solutions and we increased shelter capacity.

Treasurer Beth Pearce working with many stakeholders and the legislature, reached a solution to the long-standing problem of retired teachers' health care funding that saves Vermonters over \$300 million over 25 years. Funding and necessary legislation for the plan is included in the budget.

## **Commerce and Economic Development**

Working with the Senate my Commerce and Economic Development Committee passed a significant bill to improve job creation and working conditions in Vermont and make Vermont more competitive. We focused on four main areas, access to capital, workforce development, telecommunications and workers compensation and unemployment insurance reforms.

**Economic Development.** New legislation includes targeting lending from the Vermont Economic Development Authority to seed, start-up and early growth businesses, creating a \$5M fund to retain or attract major employers, developing a one-stop web portal for business formation, encouraging networking opportunities for entrepreneurs, authorizing tax credits for developing technology based workspaces in downtown and village centers, helping Vermont manufacturers access brokers, buyers and distributors in other states, and developing crowd funding, business to business lending and small business investing opportunities. We also asked the State Treasurer to better use state dollars for investing in Vermont businesses, called for a thorough look at electricity costs for businesses, allow the state to receive royalties and license fees in its technology contracting while allowing the contractor to use the product for other commercial purposes, loosened mortgage lending license requirements for those who do a only a few transactions, eased regulations and improved lending opportunities for developing industrial parks, called for growing tourism funding based on return on the performance of our state investments, and set in motion a plan to better use our Vermont brand through a Vermont Products program.

**Workforce Development** is key to Vermont's competitive advantage for business creation, development and retention. We worked to build Vermont's many excellent programs into a system by clarifying that the Commissioner of Labor is the Workforce leader and coordinator for all our activities and we revitalized the statewide Workforce Investment Board so they best address emerging opportunities. We called for better performance granting by the Vermont Training Program (state dollars) and the Workforce Education and Training Fund (federal dollars). We established the Vermont Strong Scholars program to support Vermont students at Vermont institutions through loan forgiveness upon certificate or degree completion when they take jobs in key economic sectors and we improved intern possibilities for Vermont students to help them and businesses connect so that more of the Vermont students we educate will remain in state.

**Workers Compensation and Unemployment Insurance Reforms.** We worked to help injured workers and their employers by updating several parts of our Workers Compensation statutes. We updated death benefits and for burial and funeral expenses. We also allow the Department of Labor more time to make sure that discontinuance of medical treatment for an injured worker is

appropriate. We passed a measure calling for a hard look at fraud in workers compensation by employers, employees or insurers. We focused on keeping workers safe and getting them back to work earlier and because some of our opioid problem often originates in over prescription of pain medications, we aligned workers compensation regulations with Vermont's medical best practices. We passed an unemployment insurance bill that allows the long term unemployed to start their own businesses and also allows unemployed workers to keep more of their earnings for part time work. Often workers turn down work so as not to jeopardize their unemployment benefits and employers are not able to hire on a short term basis.

**Propane.** We passed a bill that helps people change propane suppliers by requiring fuel dealers to remove old tanks more quickly and get refunds to customers on a timely basis.

**Financial Protections.** New legislation requires insurance companies to locate people who are beneficiaries of unclaimed life insurance policies and we protected Vermonters from unscrupulous offers to "sell" their pensions. We passed a law that allows an insurance company to efficiently and prudently sell older insurance policies to a new insurance company to manage those policies into the future. This will create new businesses for Vermont and through licensing fees may generate considerable General Fund resources.

**Telecommunications.** Vermont's build out of broadband and cell phone infrastructure continues to evolve. While some addresses remain unserved or underserved, coverage and choice of providers are improved for most. This year we made sure municipalities and planning commissions are heard and fully considered in the cell phone permitting process at the Public Service Board and we looked beyond the Vermont Telecommunications Authority to better organizing connectivity in the state. This will help us meet the next challenges of greater broadband speeds while maintaining our current landline infrastructure and improving public safety communications.

### **Money and politics**

Vermont has become the first state to make a formal statement against big money in politics. We passed JRS27 petitioning Congress to convene a convention of the states for the sole purpose of proposing amendments to the U.S. Constitution to limit the influence of money in the electoral process. Thirty-three other states need to do the same for a convention. Though many states need to take action which will take time and may not succeed, it is important that we took a strong stand supported by both conservative and liberal representatives saying that too much money in elections undermines our democracy.

### **Health Care Reform**

Affordable, accessible and high-quality health care is essential for the well being of Vermonters. Recognizing this fact Vermont has implemented a series of reforms to increase access to,

improve the quality and contain the cost of health care for Vermonters. The Legislature passed Act 48 in 2011 and the law sets Vermont on a course to achieve universal health coverage for all Vermonters. The plan outlines a series of hurdles that must be crossed in order to enact universal coverage under Green Mountain Care.

The law recognizes that health care is a public good that everyone should have available to them, much like electricity. Vermont is on a path toward an integrated health care delivery system with a budget regulated by the new Green Mountain Care Board, universally available health coverage that is not linked to employment and a single system for administration of claims and payments to providers.

The Vermont House will be working on next steps in health reform to be sure that the new system is fair to patients and doctors, covers all Vermonters, is paid for in a way that is sustainable and that it will not negatively impact the economy of Vermont.

**Vermont and the Affordable Care Act.** Vermont, like the rest of the country worked through numerous challenges to rollout our health care exchange. Legislative committees spent significant time reviewing system challenges and the ongoing work to improve access to health plans in Vermont Health Connect. Although the system is still not fully functional for small businesses and is frustrating for people who have needed to make changes to their applications, there are improvements. The Legislature passed a provision that allows small businesses to continue to be able to enroll in VHC plans directly through insurers as long as the federal government allows.

**Green Mountain Care.** As we continue to work our way through health care reform, many have expressed frustrations with the Governor because of a desire for more details of how he will propose to replace our current health care financing system with one that is fairer and gives people more confidence that they won't have high out of pocket costs or lose coverage if they change jobs. In 2012, Vermonters spent over \$715 million in deductibles and co pays and spent over \$1.88 billion in premiums. The question is not whether we will raise the money to fund our access to health care, the question is whether we can find a way to do it that is fairer, more predictable and provides for better care.

**Lyme disease.** Lyme and related diseases are increasingly widespread in Vermont and have become endemic to the State. If identified early, Lyme disease may be successfully treated with a short-term course of antibiotics. If not, complex and ongoing symptoms may require more aggressive treatment. Historically, physicians are held to a limited number of treatment options many Vermonters did not find adequate. Starting in July, long-term sufferers may seek treatments recognized by the Center for Disease Control as well as the International Lyme and Associated Disease Society without putting their health care provider at risk for discipline.

**Changes to tobacco laws.** Vermonters asked for additional relief from second-hand smoke and other tobacco related issues. Starting in July, tobacco products and tobacco substitutes will be prohibited in or around childcare centers and smoking in a motor vehicle occupied by a child may result in a \$100 fine. Manufacturers of e-cigarettes will be required to use child-resistant packaging and smoking in and around State buildings will be prohibited.

**PBM Transparency.** Pharmacy Benefit Managers (PBMs) are companies that subcontract with insurance companies and with those large employers who self-fund their health insurance. PBM's negotiate discounts and rebates with pharmaceutical manufacturers. In this way, they are able to offer bulk buying power. However, it's often hard for an insurer, or Vermont's Department of Vermont Health Access (DVHA) or the state employees' health plan to see the rebates and discounts a PBM has negotiated and to know whether they've been passed on to the insurer or kept as profit for the PBM. Legislation this year sets up fair payment practices for PBM's when they pay our pharmacies for prescriptions dispensed to Vermonters. PBMs are also required to disclose the full amount of rebates and discounts they have gotten so a payer can be sure they are getting the best price possible. Also the State Auditor will be able to look into all the provisions of the state's PBM contracts.

### **Annual Ways and Means Bill – Property Tax Relief and Economic Development**

The Tax Bill includes policy and revenue changes that help us achieve a balanced budget and support the important work of state government.

The legislature recognizes that escalating property tax rates are unsustainable. The House passed a 98 cent homestead tax rate, down from the \$1.01 proposed by the Tax Commissioner, and maintained that position in the face of a proposed increase by the Senate. The non-residential tax rate will be \$1.515. The base per pupil calculation rate has been set at \$9285, down from the statutory rate of \$9382. To further help curb costs, the excess spending penalty will be pegged to the current fiscal year and increases by an inflation index rather than average statewide per pupil spending. We also direct our Joint Fiscal Office to create a fiscal note for any new legislation that creates an unfunded mandate on our school districts. We transferred \$3 million from the Supplemental Property Tax Relief Fund to the Education Fund to reduce taxes and reserved the remaining amount for future systemic changes..

**Finally, the annual tax bill does NOT include a phase out of the small schools grant or changes to the renter rebate program. This is especially important to Woodford.**

Other tax legislation highlights include:

- Increasing downtown and village center tax credits from \$1.7 million to \$2.2 million
- Reducing the tax on distilled spirits not sold in a state liquor store, to support our growing Vermont-based distillers
- Land trusts and Habitat for Humanity receive a fair property tax level of 60 to 70 percent of fair market value
- Extending the employer assessment to businesses whose employees enroll in Medicaid
- Exempting solar renewable energy plants with less than a 50 kW capacity from property taxation, providing additional incentives for our growing solar industry
- Increasing transparency for Research & Development tax credits
- Increasing taxes on snuff and new smokeless tobacco to be on par with cigarettes

- Exempting compost either sold in bulk or for agricultural use from taxation, and ending the tax on retail sales of packaged compost
- Income tax check off for Green Up Vermont

### **Investments in Working Vermonters**

**Minimum Wage.** The Legislature raised the current minimum wage. Raising the minimum wage will bring some relief to low income working Vermonters and at a rate that allows businesses to absorb the cost. A minimum wage hike will help the economy, and will allow businesses to succeed with a solid foundation of employees who seek to pull themselves out of poverty. Reaching a minimum wage of \$10.50 over four years will get money into the hands of the people who need it most while saving dollars on other state supports.

**Helping Vermonters move up the income scale.** Families on Reach Up and Reach Ahead, Vermont public assistance programs for families with children, experience a disincentive to work, the “benefits cliff”. Earn one dollar more than a certain amount and your benefits are gone. This keeps people from working their way out of poverty. Disregarding a portion of earnings allows recipients to increase their incomes by combining work with public benefits, thus increasing the incentive to work. New legislation increases the amount of earned income that will be disregarded from \$200 to \$250 for families in Reach Up. Reach Ahead provides a continued food benefit to help families sustain themselves after getting off Reach Up. We made the benefit amount smaller but continue it for a longer period of time. This keeps a family eligible for a child care subsidy for an additional year.

**Pre-K is key to a child’s future.** By investing in high-quality early educational instruction, we can provide a foundation for learning that can’t be replicated later in life. Yet working families face a number of challenges that impact their children’s access to high-quality early educational opportunities. To help support our earliest learners, the legislature passed a comprehensive bill that expands access, clarifies oversight, and creates a simplified payment system for pre-kindergarten education throughout the state. Teachers, parents, providers, and business leaders have unanimously endorsed our efforts to focus attention and support for *early* education programs that have proved to be successful. In the last 10 years, our education spending has grown while our achievement gap has remained almost exactly the same. Children who aren’t able to access high-quality early education are more likely to challenge the resources of our education system throughout their k-12 experience. Investing in meaningful early education programs is a proven way to save money and help children who need it the most.

**Child Care Providers ability to organize.** Our work shows that we need to help parents make sure their children are ready for school, and in a world where so many parents work, they need quality child care in homes they can trust will provide it. Legislation this year offers home-based child care providers an opportunity to decide for themselves if they would like to form a union, which will give them a stronger voice in negotiations over the subsidy rates the State pays for families whose income falls below 200% of the federal poverty level. Child care providers who work with these families are will have a seat at the table when it comes to what constitutes a fair

wage, and when they are seeking enhanced professional development helping them improve their businesses. This stability will help working Vermonters find the child care they need, and it will help their children stay on a positive path to school readiness.

## **Judiciary Issues**

**Treating the root causes of criminal activity.** Substance abuse or mental health issues often underlie unlawful behavior. Until those issues are effectively addressed many offenders will keep coming back into the system. New legislation based on a model called “Sequential Intercept,” recognizes that there are certain moments in the criminal justice process when an offender is most likely to respond to intervention and accept treatment. Successful pilot programs in two Vermont counties have shown positive results. Now all Vermont counties will begin to offer risk assessment and needs screening to a specified list of offenders. The risk assessments are entirely voluntary and cannot be used against the defendant if the case moves forward to trial. Some referrals to treatment can come even before formal charges are filed by the prosecutor. Other defendants can be referred by the judge at arraignment (initial court appearance when a defendant is formally charged). By targeting services at critical points in the criminal justice system, we can improve public safety, lower rates of incarceration, reduce recidivism and get offenders on track to leading lawful and productive lives.

This approach is only for offenders who have actual addiction and/or mental health issues.

The bill also includes a number of other provisions, including enhanced penalties for burglary of a home and heroin trafficking. Other provisions relate to medication assisted therapy, increasing access to naloxone (the opioid overdose antidote) and improving substance abuse services in prisons.

**Collateral Consequences.** Our justice system is based on the premise that if you commit a crime you should serve your sentence and move on from the mistake. Vermonters believe it is wrong for punishment to continue forever. Everyone deserves a chance to start over. The house passed H. 413 addressing the "collateral consequences of conviction," and it may make a big difference for some people. If you've been convicted of a crime, you may be able to get some relief from the long list of restrictions that limit your life.

The details: First, if you're charged with a crime, you must be informed that if you're convicted, there may be restrictions on your future employment, housing or educational opportunities, referred to collectively as the "collateral consequences of conviction." (This could inform how you plead.) Then, if you are convicted, you have two ways to apply for relief from some of those restrictions. You can apply to the court for a "limited order of relief" at the time of sentencing-- so that, for example, you can keep a job you'd otherwise lose, or keep your housing, or be able to rejoin a profession you might otherwise be excluded from. Finally, five years after the end of your probation or time served (assuming no trouble in the interim), you can apply to the court for a "certificate of restoration of rights." In both cases, the court makes the decision. Such a

certificate means, for example, that an employer cannot refuse to hire you simply because you have a criminal record.

The final version of the bill limited who can apply for relief to those who have not been convicted of drug trafficking or the top 30 "listed crimes." Once this framework is in place, the legislature can improve it next session.

## **Open Meeting Law**

Technology now allows us to connect and become informed in ways never previously imagined. This reality framed work on the open meeting law. We clarified the requirements for participation in meetings in person and electronically, what constitutes a public meeting, rules for the posting of meetings and minutes. What constitutes proper use of executive session has been redefined and, there are penalties and enforcement for violations of the open meeting law. Further work needs to be done to make sure meetings in executive session truly meet the standard of not putting the public body at a disadvantage in negotiations or unreasonably expose private individuals to harm while ensuring transparency when conducting the public's business.

## **Enhancing the environment**

**Net Metering Program.** Vermont's 1998 net metering bill allows electric customers to get credit for power they produce at home. The program accelerated three years ago, when the Legislature approved a 20-cent solar net metering rate. The success of the solar net metering program led to growing pains as well, leading some utilities to hit the 4% cap on the amount of net metering allowed as a percentage of a utility's peak demand. This year the Legislature increased the cap on net metering from 4% to 15% of a utility's peak load, kept the solar adder at \$.20/kwh for smaller projects of 15kW or less but achieved cost savings for utilities by reducing net metering payments to \$.19/kwh for projects over 15kW, which represents about two-thirds of current built capacity and eliminated the requirement that group net metering projects must be located on the premises of a group member. The bill also sets the framework for a future solar net metering program that would be developed by the Public Service Board and take effect on January 1, 2017.

**Energy Efficiency Charge and Heat Pumps.** Air source and geothermal heat pumps are the wave of the future in thermal efficiency. The electric efficiency charge is already being used to incentivize air source heat pumps in new buildings and in buildings that use electric resistance as a heat source. New legislation allows the Public Service Board to authorize use of the energy efficiency charge for air source and geothermal heat pumps if specified conditions are met. The heat pumps must be beneficial to ratepayers overall, they will result in energy savings, the technology will reduce greenhouse gas emissions, they will only be installed in buildings that are weatherized, only the most efficient models on the market will be incentivized and the technology must be promoted in conjunction with demand management strategies to reduce

electric use at peak periods. If, and only if, all of these conditions are met, the Public Service Board may authorize the use of the energy efficiency charge for air source and geothermal heat pumps.

This will allow the efficiency charge to be used to incentivize people to switch from fuel-oil heat systems to air-source heat-pump systems. Although use of air source heat pumps may cause electric consumption to go up, total energy consumption will likely go down because air source heat pumps are more efficient in producing heat than heating oil and they reduce greenhouse gas emissions.

**Recycling.** In 2012, Vermont became a leader in recycling with passage of Act 148, the Universal Recycling Law. This year, the Legislature took steps to remove two additional waste streams from landfills.

Alkaline batteries: Starting in 2016, consumers will be able to drop off single-use batteries at a variety of locations including solid waste facilities, municipal buildings and participating retailers. The program will help keep the 10 million batteries sold in Vermont each year out of our landfills and allow for the more efficient recovery of steel, zinc, and other materials compared to mining them. This first in the nation program is a win for the environment, a win for the battery manufacturers, and a win for our solid waste districts.

Architectural Waste: Starting in 2015, contractors will be required to haul discarded drywall, metal, asphalt shingles, clean wood, plywood and oriented strand board to a recycling center if there is one within 20 miles of the demolition or construction project. The bill also allows solid waste districts to show that they are meeting Vermont's recycling and reduction goals through means other than parallel hauling.

**Protecting our working forests.** Firewood can contain invasive insects, such as the Emerald Ash Borer. We are aware of the presence of this insect in Canada and in our bordering states of New Hampshire and New York. New legislation calls for a rule making process to address regulating the importation of firewood into Vermont. The rules process ensures that the rules are based on comprehensive testimony, solid scientific evidence and public hearings to inform the public

**Protecting Shorelands.** After long deliberation and statewide input, the shorelands bill passed the legislature in the last days of the session. The legislation will regulate building new impervious surfaces and cleared areas while allowing reasonable development of shorelands. There will be exceptions to permit standards when best management practices are used. Lots with existing structures and with other non-conforming features will be able develop with the same standards. Everything in existence at the time of enactment (July 1, 2014) will be grandfathered. Towns that have functionally equivalent bylaws may request municipal delegation. There are exceptions to needing a shorelands permit, such as Act 250, stormwater, road repairs, and wastewater systems. For de minimus activities no permit is required.

## **Education**

The governance bill calling for supervisory districts that received much discussion this year did not pass as I thought was likely. I believe it is very important to have had the legislative discussion we did because we have serious issues before us that we cannot avoid. We need to decide how best to organize our education system and how best to pay for it. Moving the conversation along required some very difficult but necessary votes for me. My preference is that communities engage in a serious and committed discussion at the local and regional level to build an education system we can afford that truly prepares students for the twenty first century. This hard but necessary work is best done at the local level.

## **Transportation**

This year we passed the largest transportation investment in Vermont history-- \$665 million for our roads, rail, airports, public transportation, bike/pedestrian facilities and bridges. While this still falls hundreds of millions short of our need to adequately maintain our transportation infrastructure, the investment we have made over the past few years is paying off. In 2008 we were 45<sup>th</sup> in the nation with 19.7% of our bridges structurally deficient. We are now 28<sup>th</sup> with only 8% structurally deficient. Our road surfaces have gone from 34% in very poor condition to 21% in very poor condition over the same period.

We also continue to fund the recovery from Irene and other storm disaster events.

## **Winter Maintenance**

We supported \$3 million of flexible funding for the Secretary of Transportation to cover excessive winter maintenance costs for the '13-'14 winter. We also supported a supplemental appropriation of \$1.6M for winter maintenance and spring leveling with a specific appropriation for the Secretary to improve Class 1 Town Highways as well as the numbered state highways.

Along with an extra federal appropriation of \$5 million secured by Senator Sanders these appropriations made the "Fast Fix 14" program possible.

**Driver's Licenses in the Department of Motor Vehicles Bill.** The miscellaneous DMV bill includes language that will allow drivers who have received a Driver's Privilege card to change to a REAL ID compliant license at no extra charge by appearing at a DMV location with the required documentation for REAL ID. REAL ID is a federally mandated identification program that states must comply with. There are many questions about this program and the best answers can be found at [www.dmv.vermont.gov/licenses/RealID](http://www.dmv.vermont.gov/licenses/RealID) .

**Transportation Improvement Districts.** With new development, often the last developer tips the scale of traffic congestion or safety concerns and must shoulder all of the cost of construction for traffic mitigation. New policy allows the Secretary of Transportation to establish Transportation Improvement Districts and impose mitigation fees that will be assessed on developers at the time of approval of new highway access or Act 250 permits. This bill was supported by developers and the environmental community.

**Ban on Hand-held Cellphone** The handheld cell phone ban is supported by a strong majority of Vermonters. It will save lives and improve the safety of our roads. The legislature decided to make the law effective October 1, 2014 to make sure people were aware of the change.

**School Bus Inspection.** At the request of The Pownal School Board I worked with the Transportation Committee to change the law requiring that a school bus inspector have a Commercial Drivers License. This will save the school district thousands of dollars as inspections will be able to happen in Bennington as before instead of over an hour away.

### **Agriculture Highlights**

**Right to Know: GMO labeling.** Governor Shumlin recently signed the nation's first GMO labeling bill into law. Nearly 90% of processed food on our store shelves contains ingredients such as corn, soy and canola that have been genetically engineered. Because there is conflicting science regarding the health and environmental safety of GMO foods and crops and a lack of thorough testing and regulation, an overwhelming majority of Vermonters (and Americans) have demanded this legislation. This law requires that in two years an additional label be included on food containing genetically engineered ingredients. The manufacturers of the food will be responsible for labeling the food unless it is sold in bulk in which case it will need to be labeled by the retailer. Bulk cases can be labeled, not each food item. Consumers will be able to make fully informed decisions about the food they purchase while taking into consideration the methods used to produce the food and the content of the food. With two years before the labeling requirement goes into effect, food manufacturers will have ample time to prepare for the new law and adjust their labels or ingredients accordingly. There is the possibility that food producers and/or the biotech industry will sue the state of Vermont for passing this law, but the bill has been deemed constitutional and defensible by a number of legal experts and a new fund in the Attorney General's office will accept contributions to help implement the law and defend the state if a lawsuit is filed.

**Raw Milk, opening new markets for VT farm products.** This bill has a narrow focus. Raw milk sales were limited to on-farm sales and a restricted delivery program. Customers who have previously visited a Tier 2 producer at their farm will now be able to pick-up their milk at a farmers' market. Tier 2 producers are a small subset of raw milk producers and are subject to stricter inspection and testing protocols. Vermont's raw milk regulatory scheme is built on the value of personal relationships, modest scale and increasing professional standards.

### **The Children Safety Act**

This year the legislature passed the Children Safety Act requiring manufacturers of products for use by children to notify the Department of Health (DOH) if their product contains chemicals harmful to children. The law defines someone less than 12 years of age as a child.

DOH will adopt by rule requirements for the sale of a child's product containing potentially harmful chemicals. The law is similar to a Washington state law. California and Maine also require notice of chemicals in children's products. States are adopting their own chemical protection laws because the federal government has done little given that we face over 84,000 chemicals that are used in commerce in the US and that 1,000 chemicals a year are added to that list. Vermont's law adopts a list of 66 chemicals that are on the Washington state list. When Vermonters want to know about a chemical found in a product they can go the DOH web site to learn the chemical's properties including its harmful effects and which products sold in Vermont contain the chemical. The law requires the Commissioner of Health to publish all chemicals that can harm children. The Commissioner may further restrict or ban the most dangerous chemicals.

This bill was developed with Vermont businesses who asked for uniformity with other states laws. The bill also carefully exempts certain products such as batteries and technology products.

**Here is my summer time contact information. Please stay in touch and let me know whenever I can help with any business you may have with the state.**

**Rep. Bill Botzow**

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