

February 15, 2015

Hello All,

Brrr! That's all I have to say about you know what. Two bills voted this week. Here they are:

H. 86 An act relating to the Uniform Interstate Family Support Act

This bill "amends the Uniform Interstate Family Support Act to include international provisions for the purpose of complying with obligations of the United States under the 2007 Hague Convention on the International Recovery of Child Support and Other Forms of Family Maintenance."

Child support arrangements amongst states and even foreign countries can be problematic. H.86 would amend the Uniform Interstate Family Support Act ("UIFSA") originally enacted in Vermont in 1996. The bill clarifies which state's law applies when more than one state is involved in establishing, enforcing or modifying a child support or spousal order. This update must be enacted to make sure that the Office of Child Support continues to annually receive about \$56 million in federal support for the program.

H. 184 An act relating to Executive Branch fees

The annual fee bill passed 88 to 57 and I voted yes. This bill sets every three years fees for government services. The Ways and Means Committee reviews the fee proposals to make sure they accurately reflect costs. Inflation is one important factor. Another is demand. In some cases fees are reduced as demand for the service decreases. Over time we have seen programs supported by General Fund dollars move to being supported by fees. When supported by the General Fund, everybody contributes. When supported by fees the costs fall to users.

Several amendments were offered on the floor. One was defeated 96 to 50 as it would have imposed a broad brush reduction to all fees and been unworkable. I voted no.

Another amendment was accepted as it made sure that very small haulers of solid waste would not become subject to the fees. This makes sure for example that the person taking a few garbage cans to the transfer station for their neighbors and families will not become subject to the fees.

Another amendment was modified in conversation between the presenter and the committee to find a way to lower the fee increase for inspections of the smaller family restaurants.

Most of our time continues to be spent in committee preparing legislation. Here are a few more edited reports from colleagues on those committees

House Agriculture is working on H.35 (The Water Quality Bill) before officially taking control of it at the end of February. Challenges include:

- How to define what qualifies as a "small farm" for purposes of certification and regulation?
- How to assure compliance with Accepted Agriculture Practices (AAPs) by the thousands of currently uncertified small farms in the state?
- How to revise the AAPs to mitigate harm to state waters while educating as many farmers as possible
- How to sustainably fund the regulation and enforcement capabilities of the Agency of Agriculture, Food & Markets?
- How to ensure implementation of Best Management Practices while providing necessary technical and financial assistance to farmers?
- How to determine fair penalties for farmers repeatedly found to be outside of compliance with AAPs.

Government Operations has been hearing testimony from multiple departments and agencies.

The committee has oversight of DII (Dept. of Information and Innovation) and has taken testimony on what DII does, how it works in various agencies and departments, and what it ultimately provides.

The committee has also been considering the "PSAP Consolidation Project". PSAP is an acronym for Public Safety Answering Point. Currently there are four state police dispatch centers in Derby, Williston, Rutland and Rockingham. These four centers also provide dispatching services to many municipal Police,

Fire and EMS organizations as part of the dispatch program. Due to an upgrade in technology, the department is working on a proposal to eliminate dispatching services from the Derby and Rutland PSAPs and consolidate these services into the Williston and Rockingham PSAP locations.

The committee also spent time reviewing the Office of Professional Regulation (OPR). There are three different levels in OPR: Registration, Certification, and Licensing. Professions apply for one of the levels. This week, the committee reviewed the OPR's assessment of whether Art Therapists, Behavior Analysts, and Foresters are regulated appropriately. The recommendations are based on OPR's investigations and properly noticed public hearings. It is the policy of the state that regulation be imposed upon a profession or occupation solely for the purpose of protecting the public.

- Behavior Analysts: OPR does not recommend regulation at this time.
- Art Therapists: Existing regulation adequately protects the public and should continue.
- Foresters: Recommend that any person who holds himself or herself out to the public as a professional forester be licensed.

OPR also helped the committee understand more about the standards and processes involved with becoming and acting as a Notary. Notaries public were created in the 1700's. It is one of our oldest laws and virtually unchanged since first adopted.

Natural Resources and Energy On Friday the committee approved H.40, which establishes a renewable energy standard and energy transformation (RESET) program. The bill will next go to the Ways & Means Committee. Here's a short description.

Twenty-nine states, including every New England state except Vermont, have renewable portfolio standards. Last year, Connecticut questioned the sale of Renewable Energy Credits (RECs) by Vermont utilities in the absence of a Vermont renewable portfolio standard. If New England states disallow the purchase of Vermont RECs, Vermont utilities may suddenly find themselves unable to sell \$50 million in RECs. H.40 would address this problem by creating a Vermont-specific renewable portfolio standard.

The RESET program would also reduce greenhouse gas emissions and lower Vermonters' energy costs. The RESET program consists of three tiers. Tier 1 requires utilities to sell increasing amounts of total renewable energy (55% of total sales in 2017, increasing to 75% by 2032). Most of this tier will be filled by existing renewables already in the utilities' portfolios. Tier 2 requires utilities to sell energy from new distributed renewable generation (1% of total sales in 2017, increasing to 10% by 2032). Tier 3

requires utilities to provide and report energy-related services (converted to KWH and measured as a percentage of sales) that reduce fossil fuel consumption.

The tier 3 energy transformation projects are defined as energy-related goods and services, other than the generation of electricity, that reduce fossil fuel consumption and the emission of greenhouse gases. Examples include home weatherization, air source and geothermal heat pumps, electric vehicle charging stations, and energy storage.

As a result of energy transformation projects, Vermont consumers are expected to save \$275 million in total energy spending over the next 15 years and see a modest drop in electricity rates (-0.6%) through improved demand management.

Fish, Wildlife, and Water Resources continues to focus solely on H.35, the water quality bill. The bill's overarching purpose is to improve the water quality in the State of Vermont through prioritized and cost effective strategies. All land use sectors will be required to improve practices and all will be required to participate in providing resources to fund and finance a long term sustained effort. The thoughtful management of storm water runoff from all sectors is necessary as well as the management of wastewater treatment plant effluent. Where possible the bill will decouple any statutory requirement to provide funding or other resources from the requirement of compliance with applicable standards. This does not mean that resources might not be available, only that there is no guarantee of assistance in order to require compliance. A special clean water fund would be created as a mechanism to finance water quality improvements. This financing would assist municipalities in complying with water quality requirements and implementation schedules, and allow non-profits, regional organizations, and other entities to participate. The sources of these funds are still being considered and may include an impervious surface per parcel fee, a fertilizer tax (maybe just on non-agricultural goods), and/or rooms or meals tax increase.

House Commerce and Economic Development heard extensive testimony on workforce readiness and development. Education Secretary Holcombe reviewed "Individual Learning Plans" that incorporate the department's "Priority Career Clusters" in the context of workforce readiness. We heard from four geographically diverse tech centers. North Country has a mechatronics training program for advanced manufacturing developed with Siemens USA. Stafford Tech works closely with G.E. along with trade programs like pipefitters and CDL certifications. Graduates are able to earn career wages from the start. Internship programs are becoming stepping-stones to careers that keep youth in Vermont. VBSR started the Vermont Internship Professional Network. Sterling College and UVM introduced their programs. We also heard from the business community. They universally applauded these initiatives. However, they confirmed the lack of qualified applicants.

Changing how Vermont markets itself was the focus of Agency of Commerce and Community Development testimony. H.124 (an act relating to promoting economic development) was also introduced to the committee. This bill creates a marketing plan to be funded by a specific increase in receipts from the rooms and meals tax above the previous year. Both ACCD and H.124 are focusing on enhancing Vermont's image as a great place to live, work and be connected to the world.

H.117 (an act relating to creating a Division for Telecommunications and Connectivity within the Department of Public Service) creates a division in the DPS to oversee telecommunications and connectivity – since the Vermont Telecommunications Authority sunsets July 2015. Jim Porter, Dir. of Telecom at the Public Service Department reviewed Vermont's Telecommunications Plan (12/2014). We are mostly connected but with many at relatively low speeds. The challenge is to bring everything up to the 2024 goal (100/100). This would give businesses and individuals their optimum upload and download speeds. The state has to encourage broadband expansion in a nonregulatory environment. Simultaneously, the ILEXs (Independent Landline Exchanges) are hemorrhaging money because the federal Universal Service Fund has switched its support from high-cost telephony to high-cost broadband. H.117 creates a VTA-like advisory board within the division of telecom to distribute the funding received from Vermont's Universal Service Fund .

The **Transportation Committee** received updates on improvements for the State's two Amtrak trains - the Ethan Allen Express and the Vermonter. Ridership numbers on both trains continues to grow. The more fares the trains receive, the lower the State subsidy. The Vermonter no longer travels through Palmer, MA where it used to have to turn around and add 17 miles to the trip. The new route stops at Northampton and Greenfield, MA. Holyoke will be added soon as well. More track work is needed on the new route and until that work is completed the schedule times are the same as they were. However, when the work is finished, the new route will shave about 25 minutes off of the schedule. Negotiations continue with Montreal to terminate the train there instead of St. Albans.

To promote intra-state travel on the Vermonter, the State had offered a set fare from any point to any other point both within the State for only \$12. Amtrak had not promoted the deal very well (or not at all) and few people were using it. AOT will beef-up promotion, improve the website so that we are not dependent on Amtrak for marketing and raise the fare to \$18. Track work continues on the Western Corridor section of the State-owned route between Rutland and Burlington. After FY'16 improvements are made 10 miles will remain to bring that section of the corridor to 60 miles per hour grade.

The committee heard from the Agency of Transportation and all of the major highway-paving contractors to learn how we may be able to expedite the project development process and move projects out in time for pavers to begin work earlier in the spring. The season is short and we could get more done with an earlier start. Pavers advocated for more "leveling" projects, as these projects do not use federal dollars and can therefore be developed and permitted faster and for less money. "Leveling"

is a basic re-coat or new layer of asphalt without sub-base work. The committee will look further into what can be done to use recycled material in pavement such as waste asphalt roofing shingles in asphalt mixes.

Health Care has moved from receiving testimony on the Budget Adjustment Act to the budget proposals presented by the Governor. Discussion of the Governor's Proposed FY2016 Budget filled most of the agenda during the week of February 2, including testimony on the funds necessary to cover increases in the Medicaid base, increasing Blueprint payments and to reducing the cost shift. We looked at the proposed payroll tax and its implications. We heard from the administration, insurers and providers. Al Gobeille, Chair of the Green Mountain Care Board (GMCB), and Robin Lunge, Director of Health Care Reform, testified about provisions in the Governor's health care proposals that relate to the GMCB and the continuing efforts at meaningful health care reform. An update on Accountable Care Organizations and the role they could play in payment reform was another topic of testimony and discussion during the past two weeks.

The **General, Housing and Military Affairs Committee** is looking at a broad range of topics.

H.25 is a bill concerning Natural Burial Grounds (a plot of land where unembalmed human remains are buried). The committee learned that about 60% of deceased Vermonters are currently cremated and many Vermonters are interested in "green" burials.

The committee heard that 125,000 Vermonters are "fuel poor" and that Vermont ranks poorly in energy affordability. Weatherization is important to reducing fuel use and cutting costs.

The committee heard about caring for our veterans, especially from Michael Pulling from the Vermont Veterans Home (VVH) in Bennington. The number of veterans in nursing homes is declining, and that has adversely affected the VVH. Mr. Pulling thought that better marketing could help VVH's daily census climb again.

Arthur Hamlin from the Department of Housing and Community Development told the committee that there are between 22,000 and 23,000 mobile homes in Vermont, making them an important sector of the affordable housing stock. David Hall from Legislative Council briefed the committee on the legal complexities of mobile homes. Are they homes or vehicles? How do you tax them? When you sell or otherwise transfer ownership, what is the correct process? The answer to all those questions: It depends.

In **Corrections and Institutions** it was Capital Bill every day, all day for testimony on the Governor's recommendations for the Capital Bill. The committee heard from the Vermont Veterans Home, the Vermont Housing Conservation Board, the Agency of Natural Resources on ecosystem restoration and protection, state/federal matching grants for waste water and drinking water and dam safety and hydrology projects. The Agency of Education assured us that all construction projects have been paid off and reported new requests for possible school consolidation. The Judiciary and Buildings and General Services discussed the Caledonia, Windsor, and Lamoille Court House projects. The committee held a joint meeting with the House Agriculture and Forest Products; Natural Resources; and Fish, Wildlife and Water Resources Committees on a proposed collaborative laboratory for the Agencies of Natural Resources and Agriculture, Food and Markets. The committee also took testimony from the Agency on Agriculture about the needs for the Vermont building at the BIG E in Springfield, Mass.

Committee on Health and Human Services (HHS) is focusing on policies and programs ranging from child welfare, childcare, mental health, substance abuse and long term care, to public health (as contrasted with health insurance and individual health care) and mitigating or removing barriers to participation in the economic and social life of Vermont. Many of these areas intersect with the expertise of other legislative committees.

The committee participated in a joint hearing with House General about housing and issues related to emergency housing and general assistance. The committee joined House Health Care in hearing a presentation on adverse childhood events. Over 50% of Vermont's children experience adverse childhood events and exposure to three or more is associated with increased risk for problems with behavior, learning and health. Mitigating and addressing these environmental and social-emotional determinants of health can lead to better health outcomes.

The Agency of Human Services (AHS) is one of the largest components of the state budget and individual HHS members and small teams are working collaboratively with Appropriations on any policy changes proposed in the budget and to analyze any policy changes embedded in changes (or maintenance) of funding in a particular area. The HHS committee as a whole has had a briefing on the AHS budget by the Secretary and each of the Commissioners.

Because many Vermonters are not able to access substance abuse treatment in a timely manner, the Committee began taking testimony on H.20, a bill to allow independently practicing and licensed alcohol and drug counselors to bill Medicaid. Other licensed mental health professionals such as licensed mental health counselors and licensed social workers are able to do this already. This is a matter of provider parity as well as access to treatment.

Health and Human Services has been tasked by the Administrative Rules Committee and the Mental Health Oversight Committee with clarifying legislative intent in Act 79 which pertains to emergency

involuntary procedures and to weigh in on three questions: who the rules on this topic should apply to; who can prescribe chemical restraint, and whether or not the person who is prescribing chemical restraint has to personally observe the patient.

Stay warm as best you can! And,

Stay in touch,

Bill

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