

House Calendar

Wednesday, April 17, 2019

99th DAY OF THE BIENNIAL SESSION

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ACTION CALENDAR

Third Reading

S. 49

An act relating to the regulation of polyfluoroalkyl substances in drinking and surface waters

S. 53

An act relating to determining the proportion of health care spending allocated to primary care

S. 68

An act relating to Indigenous Peoples' Day

NOTICE CALENDAR

Favorable with Amendment

H. 207

An act relating to approval of an amendment to the charter of the City of Montpelier regarding non-citizen voting in City elections

Rep. Gannon of Wilmington, for the Committee on Government Operations, recommends the bill be amended by striking all after the enacting clause and inserting in lieu thereof the following:

Sec. 1. CHARTER AMENDMENT APPROVAL

The General Assembly approves the amendment to the charter of the City of Montpelier as set forth in this act. Voters approved the proposal of amendment on November 6, 2018.

Sec. 2. 24 App. V.S.A. chapter 5 is amended to read:

CHAPTER 5. CITY OF MONTPELIER

* * *

Subchapter 15. City Voter Checklist

§ 1501. ELIGIBILITY OF NON-CITIZEN VOTERS

(a) Notwithstanding 17 V.S.A. § 2121(a)(1), any person may register to vote in Montpelier City elections who on election day is a legal resident of the

United States, provided that person otherwise meets the qualifications of 17 V.S.A. chapter 43.

(b) A non-citizen voter shall not be eligible to vote on any State or federal candidate or question by virtue of registration under this section.

§ 1502. CITY VOTER CHECKLIST; CITY CLERK DUTIES TO MAINTAIN

The City Clerk shall maintain a City voter checklist composed of voters eligible to vote in City elections under 17 V.S.A. chapter 43 and this subchapter and shall keep this City voter checklist separate from any other voter checklist. The City Clerk shall develop all necessary forms and procedures for implementation of this subchapter.

§ 1503. CITY ELECTION BALLOT

In any election involving a federal, State, county, special district, or school district office or question and a City question or City office, the City Clerk shall prepare a ballot that contains only the City questions and candidates, except for justices of the peace.

§ 1504. DEFINITIONS

As used in this subchapter:

(1) “Legal resident of the United States” means any non-citizen who resides in the United States on a permanent or indefinite basis in compliance with federal immigration laws.

(2) “Non-citizen voter” means any voter who registers and qualifies to vote in City elections under section 1501 of this charter but is not a citizen of the United States.

Sec. 3. EFFECTIVE DATE

This act shall take effect on passage.

(Committee Vote: 8-3-0)

S. 41

An act relating to regulating entities that administer health reimbursement arrangements

Rep. Durfee of Shaftsbury, for the Committee on Health Care, recommends that the House propose to the Senate that the bill be amended by striking all after the enacting clause and inserting in lieu thereof the following:

Sec. 1. 18 V.S.A. § 9417 is added to read:

§ 9417. TAX-ADVANTAGED ACCOUNTS FOR HEALTH-RELATED EXPENSES; ADMINISTRATION; RULEMAKING

(a) As used in this section:

(1) “Flexible spending account” or “FSA” has the same meaning as in 26 U.S.C. § 106(c)(2).

(2) “Health reimbursement arrangement” or “HRA” means any account-based reimbursement arrangement funded solely by employer contributions that reimburses an employee, spouse, or dependents, or a combination thereof, for medical care expenses incurred by the employee, spouse, dependents, or a combination thereof, up to a maximum coverage amount set by the employer for a given coverage period, and that is established pursuant to 26 U.S.C. §§ 105–106 and applicable guidance from the Internal Revenue Service.

(3) “Health savings account” or “HSA” has the same meaning as in 26 U.S.C. § 223(d)(1).

(b) Any entity administering one or more HRAs, HSAs, FSAs, or similar tax-advantaged accounts for health-related expenses, or a combination of these, in this State is subject to the jurisdiction of the Commissioner of Financial Regulation pursuant to 8 V.S.A. § 10 and all other applicable provisions.

(c) The Commissioner of Financial Regulation shall adopt rules pursuant to 3 V.S.A. chapter 25 to license and regulate, to the extent permitted under federal law, entities administering or proposing to administer one or more HRAs, HSAs, FSAs, or similar tax-advantaged accounts for health-related expenses, or a combination of these, in this State. The rules shall include:

(1) annual licensure or registration filing requirements; and

(2) such requirements and qualifications for such entities as the Commissioner determines necessary to protect Vermont consumers and employers and to help ensure that funds are disbursed appropriately.

(d) Following the adoption of rules pursuant to subsection (c) of this section, an entity making an initial application for a license or registration to administer HRAs, HSAs, FSAs, or similar tax-advantaged accounts for health-related expenses, or a combination of these, in this State shall pay to the Commissioner a nonrefundable fee of \$600.00 for examining, investigating, and processing the application. Each such entity shall also pay a renewal fee of \$600.00 on or before December 31 every three years following initial licensure.

(e) This section shall not apply to an employer that self-administers one or more tax-advantaged accounts on behalf of its own employees.

Sec. 2. RULEMAKING; REPORT

On or before February 15, 2020, the Commissioner of Financial Regulation shall provide an update to the Senate Committee on Finance and the House Committees on Health Care and on Commerce and Economic Development on the progress of the rulemaking required by Sec. 1 of this act, including any findings related to the permissible scope of the rule.

Sec. 3. EFFECTIVE DATE

This act shall take effect on passage, provided that the Department of Financial Regulation shall adopt its final rule on or before September 1, 2020 regulating entities that administer HRAs, HSAs, FSAs, or similar tax-advantaged accounts for health-related expenses, or a combination of these.

and that after passage the title of the bill be amended to read: “An act relating to regulating entities that administer tax-advantaged accounts for health-related expenses”

(Committee vote: 10-1-0)

(For text see Senate Journal March 13, 2019)

Ordered to Lie

H. 97

An act relating to fiscal year 2019 budget adjustments.

Pending Question: Shall the House concur in the Senate Proposal of Amendment to House Proposal of Amendment to Senate Proposal of Amendment?

Public Hearings

April 23, 2019 - Room 11 - 5:00-7:00 P.M. - Public Hearing on Fossil Fuel Infrastructure (H. 51, H. 175, H. 214) - Held by House Committee on Energy and Technology

April 17, 2019 - House Chamber -Constitutional Prop. 5 - Held by House Committee on Human Services