

House Calendar

Wednesday, February 01, 2017

29th DAY OF THE BIENNIAL SESSION

House Convenes at 1:00PM.

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ACTION CALENDAR

Third Reading

H. 53

An act relating to permitting planting projects in flood hazard areas

Favorable with Amendment

H. 58

An act relating to awarding hunting and fishing licenses at no cost to persons 65 years of age or older

Rep. McCullough of Williston, for the Committee on Natural Resources; Fish & Wildlife, recommends the bill be amended by striking all after the enacting clause and inserting in lieu thereof the following:

Sec. 1 10 V.S.A. § 4255(c) is amended to read:

(c) A permanent or free license may be secured on application to the Department by a person qualifying as follows:

(1) A Vermont resident ~~70~~ 66 years of age or older may receive one or all of the following licenses ~~at no cost~~ for \$60.00:

(A) a permanent fishing license;

(B) if the person qualifies for a hunting license, a permanent combination fishing and hunting license, which shall include all big game licenses, except for a moose license;

(C) if the person qualifies for a trapping license, a permanent trapping license; and

(D) if the person qualifies for an archery license, ~~an~~ a permanent archery license.

* * *

Sec. 2. EFFECTIVE DATE; IMPLEMENTATION

This act shall take effect on passage, provided that the Commissioner of Fish and Wildlife shall not start collecting license fees for licenses issued under 10 V.S.A. § 4255(c)(1) until July 1, 2017.

and that after passage the title of the bill be amended to read: “An act relating to permanent licenses for persons 66 years of age or older”

(Committee Vote: 9-0-0)

Rep. Canfield of Fair Haven, for the Committee on Ways and Means, recommends the bill ought to pass when amended as recommended by the Committee on Natural Resources; Fish & Wildlife and when further amended as follows:

By striking out Sec. 2 in its entirety and inserting in lieu thereof the following:

Sec. 2. EFFECTIVE DATE

This act shall take effect on January 1, 2018.

(Committee Vote: 10-0-1)

Action Under Rule 52

H.R. 8

House resolution relating to conducting a recount in the election for the House of Representatives for the Orange-1 District

(For text see House Journal January 31, 2017)

Amendment to be offered by Rep. Townsend of South Burlington to H.R. 8

First: By striking the fourth, fifth, and sixth resolved clauses.

Second: In the third, seventh, eighth and ninth resolved clauses after the word “Recount”, by striking “Committee” where it severally appears and inserting in lieu thereof “Panel”

Third: By inserting a new fourth resolved clause to read:

Resolved: That temporary House Rule 90b. is established as follows:

90b. Special Recount Panel. The Panel shall be composed of 23 members. The leader of the Progressive Party caucus shall appoint six members, one of whom shall be a current member of the Committee on Government Operations who belongs to the Progressive Party caucus. The leader of the Democratic Party caucus shall appoint five members, each of whom shall be a current member of the Committee on Government Operations who belongs to the Democratic caucus. The leader of the Republican Party caucus shall appoint 11 members, four of whom shall be a current member of the Committee on Government Operations who belongs to the Republican caucus. If the leader of the Progressive, Republican, or Democratic caucus fails to appoint sufficient members, the Speaker of the House shall do so. In addition to these 22 members, the Chair of the Committee on Government Operations shall serve on the Special Recount Panel as presiding officer, and shall have the special assistance of the Republican and Progressive Party caucus leaders.

The panel shall have the power to review and count ballots in the matter of the contested election in District Orange-1. The policies and procedures governing this Panel shall be adopted by the Committee on Government Operations. The Panel shall report its findings to the Committee on Government Operations. The Panel may conduct its business and members shall not be subject to the provisions of House Rules 10 and 27. Temporary Rule 90b shall be in effect until the Panel has completed its duties and this Rule shall be dissolved after the report of the Committee on Government Operations has been voted on by the House of Representatives.

Fourth: By striking the tenth resolved clause and inserting in lieu thereof the following:

Resolved: That the Committee on Government Operations shall report its findings and recommendations to the House of Representatives as to whether it recommends Robert Frenier or Susan Hatch Davis should be the duly elected and qualified Representative for the Orange-1 District in the House of Representatives upon which the House of Representatives will take a final vote.

Amendment to be offered by Rep. Haas of Rochester to H.R. 8

Representative Haas of Rochester moves that the resolution be amended in the first resolved clause by striking out “, except for 14 ballots previously determined to be defective,” and after the words “shall be conducted, and” by inserting “all ballots shall be inspected, and”

NOTICE CALENDAR

Favorable with Amendment

H. 38

An act relating to the membership of the Clean Water Fund Board

Rep. Beyor of Highgate, for the Committee on Natural Resources; Fish & Wildlife, recommends the bill be amended by striking all after the enacting clause and inserting in lieu thereof the following:

Sec. 1. 10 V.S.A. § 1389 is amended to read:

§ 1389. CLEAN WATER FUND BOARD

(a) Creation. There is created a Clean Water Fund Board which shall recommend to the Secretary of Administration expenditures from the Clean Water Fund. The Clean Water Fund Board shall be attached to the Agency of Administration for administrative purposes.

(b) Organization of the Board. The Clean Water Fund Board shall be composed of:

- (1) ~~the~~ The Secretary of Administration or designee;
- (2) ~~the~~ The Secretary of Natural Resources or designee;
- (3) ~~the~~ The Secretary of Agriculture, Food and Markets or designee;
- (4) ~~the~~ The Secretary of Commerce and Community Development or designee; and
- (5) ~~the~~ The Secretary of Transportation or designee.
- (6) Six members of the public to be appointed as follows:

(A) The Speaker of the House of Representatives shall appoint three members of the public, one of whom shall be a municipal official.

(B) The Committee on Committees shall appoint three members of the public, one of whom shall be a municipal official.

(C) Of the members appointed under this subdivision (6), it is the intent of the General Assembly that at any one time a member representing each of the following major watersheds shall be serving on the Board:

- (i) the Connecticut River watershed;
- (ii) the Hudson River watershed;
- (iii) the Lake Champlain watershed; and
- (iv) the Lake Memphramagog watershed.

(c) Officers; committees; rules; reimbursement.

(1) The Clean Water Fund Board shall annually elect a chair from its members. The Clean Water Fund Board may elect additional officers from its members, establish committees or subcommittees, and adopt procedural rules as necessary and appropriate to perform its work.

(2) Members of the Board who are not employees of the State of Vermont, who are not legislators, and who are not otherwise compensated or reimbursed for their attendance shall be entitled to per diem compensation and reimbursement of expenses pursuant to 32 V.S.A. § 1010 paid from the budget of the Agency of Administration for attendance of meetings of the Board. Legislative members of the Board shall be entitled to per diem compensation and reimbursement of expenses pursuant to 2 V.S.A. § 406.

* * *

(g) Terms; appointed members. Members who are appointed to the Clean Water Fund Board shall be appointed for terms of three years, except initially, appointments shall be made such that two members appointed by the Speaker shall be appointed for a term of two years, and two members appointed by the

Committee on Committees shall be appointed for a term of one year. Vacancies on the Board shall be filled for the remaining period of the term in the same manner as initial appointments.

Sec. 2. EFFECTIVE DATE

This act shall take effect on passage.

(Committee Vote: 8-0-1)

Rep. Helm of Fair Haven, for the Committee on Appropriations, recommends the bill ought to pass when amended as recommended by the Committee on Natural Resources; Fish & Wildlife.

(Committee Vote: 11-0-0)

H. 85

An act relating to captive insurance companies

Rep. Sullivan of Dorset, for the Committee on Commerce and Economic Development, recommends the bill be amended as follows:

First: In Sec. 1, 8 V.S.A. § 6007, by striking out subsection (b) in its entirety and inserting in lieu thereof a new subsection (b) to read as follows:

(b) Prior to March 1 of each year, and prior to March 15 of each year in the case of pure captive insurance companies or industrial insured captive insurance companies, each captive insurance company shall submit to the Commissioner a report of its financial condition, verified by oath of two of its executive officers. Each captive insurance company shall report using generally accepted accounting principles, statutory accounting principles, or international financial reporting standards unless the Commissioner requires, approves, or accepts the use of ~~statutory accounting principles or any~~ other comprehensive basis of accounting, in each case with any appropriate or necessary modifications or adaptations thereof required or approved or accepted by the Commissioner for the type of insurance and kinds of insurers to be reported upon, and as supplemented by additional information required by the Commissioner. As used in this section, statutory accounting principles shall mean the accounting principles codified in the NAIC Accounting Practices and Procedures Manual. Upon application for admission, a captive insurance company shall select, with explanation, an accounting method for reporting. Any change in a captive insurance company's accounting method shall require prior approval. Except as otherwise provided, each risk retention group shall file its report in the form required by subsection 3561(a) of this title, and each risk retention group shall comply with the requirements set forth in section 3569 of this title. The Commissioner shall by rule propose the forms in which pure captive insurance companies, association captive

insurance companies, and industrial insured captive insurance companies shall report. Subdivision 6002(c)(3) of this title shall apply to each report filed pursuant to this section, except that such subdivision shall not apply to reports filed by risk retention groups.

Second: In Sec. 3, 8 V.S.A. § 6001, by striking out subdivision (5) in its entirety and inserting in lieu thereof a new subdivision (5) to read as follows:

(4)(5) “Captive insurance company” means any pure captive insurance company, association captive insurance company, sponsored captive insurance company, industrial insured captive insurance company, agency captive insurance company, risk retention group, or special purpose financial insurance company formed or licensed under the provisions of this chapter. For purposes of this chapter, a branch captive insurance company shall be a pure captive insurance company with respect to operations in this State, unless otherwise permitted by the Commissioner.

(Committee Vote: 10-0-1)

Favorable

S. 1

An act relating to the determination of average daily membership for the 2016–2017 school year and equalized pupil count for fiscal year 2018

Reps. Cupoli of Rutland City, for the Committee on Education, recommends that the bill ought to pass in concurrence.

(Committee Vote: 11-0-0)

(For text see Senate Journal January 24, 2017)

S. 1

An act relating to the determination of average daily membership for the 2016–2017 school year and equalized pupil count for fiscal year 2018

Rep. Wright of Burlington, for the Committee on Ways and Means, recommends that the bill ought to pass in concurrence.

(Committee Vote: 10-0-1)

(For text see Senate Journal January 24, 2017)

Public Hearings

Thursday, February 9, 2017 in Room 11, from 7:00 pm- 8:30 pm there will be a hearing on the minimum wage, held by the House General, Housing and Military Affairs committee.

PUBLIC HEARING

Joint Community-Based Public Hearings on Fiscal Year 2018 State budget
House and Senate Committees on Appropriations

Monday, February 13, 2017, 6:00 - 7:00 p.m. – The Vermont House and Senate Committees on Appropriations are seeking public input on the FY2018 proposed State budget and will hold joint public hearings Monday, February 13, 2017, 6:00 – 7:00 p.m. at 6 locations across the State.

Bellows Falls: Windham Antique Center, 5 The Square.

Johnson: Johnson State College, Bentley 207.

Rutland City: Rutland Public Schools, Longfellow School Building.

St. Albans City: St. Albans City Elementary School, Library.

St. Johnsbury: The St. Johnsbury School, Cafeteria.

Winooski: Community College of Vermont, Janice Couture Room (108).

The Committees will take testimony on the Governor's FY 2018 State budget proposal at that time. Anyone interested in testifying should come to one of the hearings. Time limits on testimony may apply depending on volume of participants.

For more information about the format of these events, or to submit written testimony, e-mail Theresa Utton-Jerman at tutton@leg.state.vt.us or Rebecca Buck at rbuck@leg.state.vt.us, or call 802-828-5767 or 802-828-2295. Requests for interpreters should be made to the office by 3:00 p.m. on Monday, January 30, 2017.

PUBLIC HEARING

Public Hearings on Fiscal Year 2018 State Budget
House Committees on Appropriations

Thursday, February 16, 2017, 6:00 - 7:00 p.m. – The Vermont House Committee on Appropriations is seeking public input on the FY2018 proposed State budget and will hold an additional public hearing on Thursday, February 16, 2017, 6:00 – 7:00 p.m. in room 11 of the State House.

The Committee will take testimony on the Governor's FY 2018 State budget proposal at that time. Anyone interested in testifying should come to the hearing. Time limits on testimony will likely apply depending on volume of participants.

For more information about the format of these events, or to submit written testimony, e-mail Theresa Utton-Jerman at tutton@leg.state.vt.us or call 802-828-5767 or toll-free 1-800-322-5616.

