

2018 Legislative Session

Alcohol & Tobacco

S.0184— An act relating to creating the Department of Liquor and Lottery and the Board of Liquor and Lottery

- <https://legislature.vermont.gov/bill/status/2018/S.184>
- In Senate Economic Development, Housing & General Affairs

H.0571— An act relating to creating the Department of Liquor and Lottery and the Board of Liquor and Lottery

- <https://legislature.vermont.gov/bill/status/2018/H.571>
- In House General, Housing & Military Affairs

H.0710 — An act relating to beer and wine franchises

- <https://legislature.vermont.gov/bill/status/2018/H.710>
- This bill proposes to create an exception to the beer and wine franchise law for certificate of approval holders and manufacturers of malt beverages that manufacture or distribute not more than 300,000 barrels of malt beverages or 100,000 gallons of vinous beverages per year.
- The House General, House & Military Affairs Committee heard from several witnesses regarding the proposed legislation.
- Vermont wholesale distributors provide crucial infrastructure and services that enable brewers and vinous beverage producers to fully access Vermont's retail market. David Farrell, President and CEO, Farrell Distributing Corporation spoke about how Franchise law may be seen as a benefit to distributors, but it comes at a cost and changes to the law could be extreme and disruptive. This bill, if enacted, likely would limit geographical reach and service levels for brewers. Farrell stated, "Arbitrary 30 day no cause termination is

troubling to us. We would prefer to see some trigger for exit, some form of arbitration that is speedy, moves quicker, and at lower expense."

- Murphy Baker, Sales Execution Manager, Baker Distributing Corporation, who testified alongside David Farrell, stated 'it could cripple their business if brewers leave abruptly'. Distributors invest heavily in the upfront marketing of new products which also includes training and education to their employees to serve the consumers and time to determine how best to get the product distributed throughout Vermont. She said distributors would need a reasonable amount of time to recoup investment - without franchise law they would not have time to recoup. This would also have a negative and direct impact for brewers trying to promote new products. Distributors would be subjected to a much higher risk of investment and would likely be more hesitant to enter into an agreement. Many also agreed it is not a reality to say franchise law limits variety.
- The committee has realized this is a more complex issue than originally thought. We expect they will be doing a "deep-dive" into the franchise system before making any decisions.

Economic Development

H.0597— An act relating to the Vermont Employment Growth Incentive Program and economic development

- <https://legislature.vermont.gov/bill/status/2018/H.597>
- In House Commerce & Economic Development

Employer & Labor

S.0275— An act relating to equal pay

- <https://legislature.vermont.gov/bill/status/2018/S.275>

- In Senate Economic Development, Housing & General Affairs

S.0236— An act relating to compensation for on-call employees

- <https://legislature.vermont.gov/bill/status/2018/S.236>
- In Senate Economic Development, Housing & General Affairs

S.0206— An act relating to business consumer protection for point-of-sale equipment leases

- <https://legislature.vermont.gov/bill/status/2018/S.206>
- This bill proposes to create consumer protections for point-of-sale equipment leases.
- Senator Sirotkin, (D-Chittenden) has asked for a working group to create language that would require terminal leasing contracts to include disclosure & transparency written in plain language. Senator Soucy, (R-Rutland) will work with stakeholders and the Attorney General's office and report progress late next week to the Senate Committee on Economic Development, Housing, and General Affairs.

S.0040— Increase the minimum wage so that it reaches \$15.00 per hour by January 1, 2022.

- <https://legislature.vermont.gov/bill/status/2018/S.40>
- The Vermont Senate Economic Development Committee passed S.40 by a vote of 4-1. As voted the minimum wage would raise over six years starting in 2019, reaching \$15 an hour in 2024. The current minimum wage is \$10.50, in 2019 the wage will go up \$0.75 per year until 2024.
- One major concern was that some Vermonters receiving assistance would lose the childcare subsidy. As part of S.40, to address the so called "benefits cliff", the childcare subsidy wage trigger has been increased. A Joint Fiscal Office analysis shows that the benefit could cost between \$8 million and \$12 million a year.

S.0094 — An act promoting remote work and flexible work arrangements

- <https://legislature.vermont.gov/bill/status/2018/S.94>
- This bill proposes to direct the State to enhance opportunities for remote work and workplace flexibility within State government, and to create a tax credit for employers that adopt workplace flexibility and telecommuting

programs.

- As part of a legislative initiative to improve Vermont's workforce, the Senate Committee on Economic Development, Housing, & General Affairs will use this bill to create tax credit incentives for businesses that may include equipment purchases, broad band improvements, and allowing employees to work remotely. This bill may become part of a larger economic development bill.

H.0594— An act relating to business consumer protection for credit card terminal leases

- <https://legislature.vermont.gov/bill/status/2018/H.594>
- In House Commerce & Economic Development

H.0574— An act relating to employee classification

- <https://legislature.vermont.gov/bill/status/2018/H.574>
- In House Commerce & Economic Development

H.0294— Prohibit employers from requiring an applicant to disclose his or her salary and benefit history and from seeking an applicant's salary history without his or her authorization

- <http://legislature.vermont.gov/bill/status/2018/H.294>
- In House General, Housing & Military Affairs

H.0731 — An act relating to classification of employees

- <https://legislature.vermont.gov/bill/status/2018/H.731>
- This bill proposes to prohibit employers from providing persons who will be performing services for them with substantial and material assistance related to the establishment of an independent business to avoid their obligation under the workers' compensation and unemployment insurance laws.
- This bill focuses on penalties for employers who encourage someone to become an "LLC." The bill also includes annual rate setting for Workers Compensation and updates to regulations in the Vermont Safety & Health Act.

Energy

H.0410— An act relating to adding products to Vermont's energy efficiency standards for appliances and equipment

- <http://legislature.vermont.gov/bill/status/2018/H.410>
- In House Energy & Technology

Regulation

S.0070 — An act relating to the nutritional requirements for children's meals

- <https://legislature.vermont.gov/bill/status/2018/S.70>
- This bill proposes to require restaurants licensed by the Department of Health to serve only children's meals that meet certain nutritional standards.
- After a short session of testimony, the Senate Health & Welfare committee requested that stakeholders create language in this bill that would address the beverage portion only of a kid's meal. The language would mandate restaurants that serve a "Children's Meal" to offer milk, 100% juice, or water as the default beverage while allowing a parent to opt for a sweetened beverage. This language would replace Sections I & II mandating the nutrition content of the entire meal.

S.0103— An act relating to the regulation of toxic substances and hazardous materials

- <http://legislature.vermont.gov/bill/status/2018/S.103>
- In Senate Health & Welfare

S.0022— An act relating to increased penalties for possession, sale, and dispensation of fentanyl.

- <http://legislature.vermont.gov/bill/status/2018/S.22>
- In *Senate Floor
- Action postponed until 1/24/18; *VETOED by Governor Scott May 24, 2017

H.0582—An act relating to increased funding for the Connectivity Initiative

- <https://legislature.vermont.gov/bill/status/2018/H.582>
- This bill proposes to increase the Universal Service Charge for a limited time and use the additional funds raised to support the Connectivity Initiative.
- A lobbyist for a telecommunications provider is asking the House Ways & Means Committee to consider changing the current Vermont Universal Service Fee (VUSF) collection system so the fee would now be collected at the point of purchase by retailers. Erin Sigrist, President of the Vermont Retail & Grocers Association, testified against this draft legislation focusing on how efficiently the current system is working.
- "It seems hugely inefficient to create a collection and enforcement system that covers large numbers of Vermont retailers when the current system of collecting directly from the small number of service providers works."
- The committee did not appear likely to include the draft legislation proposing to ask retailers to collect the fee at point of purchase, however, they will continue discussion and testimony on the proposed increase in the fee.

H.0593— An act relating to miscellaneous consumer protection provisions

- <https://legislature.vermont.gov/bill/status/2018/H.593>
- In *Passed House

H.0688—An act relating to pollinator protection

- <https://legislature.vermont.gov/bill/status/2018/H.688>
- H.688, under consideration by the House Agriculture Committee earlier this week, would ban most household uses of neonicotinoids, a class of pesticides chemically related to nicotine that has come under scrutiny for its potential toxicity to bees and other pollinating insects. However, the testimony this week hit hard on pretreated seeds. The availability of untreated seeds in Vermont is very difficult to find. It is not expected that the bill will

move this session and no further testimony is scheduled at this time.

Solid Waste and Recycling

S.0287— An act relating to universal recycling requirements - S.285 same purpose statement

- <https://legislature.vermont.gov/bill/status/2018/S.287>
- In Senate Natural Resources & Energy

S.0285— An act relating to universal recycling requirements

- <https://legislature.vermont.gov/bill/status/2018/S.285>
- In Senate Natural Resources & Energy

H.0628— An act relating to universal recycling requirements

- <https://legislature.vermont.gov/bill/status/2018/H.628>
- In House Natural Resources, Fish, & Wildlife

H.0627— An act relating to universal recycling requirements

- <https://legislature.vermont.gov/bill/status/2018/H.627>
- In House Natural Resources, Fish, & Wildlife

H.0575— An act relating to recycling containers at gas stations

- <https://legislature.vermont.gov/bill/status/2018/H.575>
- In House Natural Resources, Fish, & Wildlife
- Rep. Walz, sponsor of bill, presented bill. The Committee agreed it made sense since it is current law that is just not being enforced. They will consider along side several other recycling and solid was issues coming up.

H.0560— An act relating to household products containing hazardous substances

- <https://legislature.vermont.gov/bill/status/2018/H.560>
- In House Natural Resources, Fish, & Wildlife

Taxes & Fees

S.0284— A carbon charge that is refunded on electric bills

- <https://legislature.vermont.gov/bill/status/2018/S.284>
- In Senate Natural Resources & Energy

H.0587— An act relating to requiring certain third-party facilitators of retail sales to collect sales tax or follow notice requirements

- <https://legislature.vermont.gov/bill/status/2018/H.587>
- In House Ways & Means

Transportation

H.0625— An act relating to transportation of hazardous materials and emergency management

- <https://legislature.vermont.gov/bill/status/2018/H.625>
- In House Transportation

Water Quality

H.0564— An act relating to funding the cleanup of State waters

- <https://legislature.vermont.gov/bill/status/2018/H.564>
- In House Natural Resources, Fish, & Wildlife

Not likely to Move; Will Monitor

S.0053— Universal, publicly financed primary care system beginning in 2019

- <http://legislature.vermont.gov/bill/status/2018/S.53>
- In Senate Health & Welfare