

1/10/06

## VPA LEGISLATIVE REPORT #1

The Legislature is back in session for the second year of the biennium. Governor Douglas addressed the General Assembly on Thursday, with a central theme of “affordability” on taxes and a number of subject areas, and, of particular interest to planners, the area of affordable housing. This was no surprise as the Administration via Commerce Secretary Dorn had floated a white paper “Homes for Vermonters” in the fall and had met with a number of groups including regional planning commissions to get feedback. While there is a healthy broad support for the cause of affordable housing, some of Dorn’s proposals received sharp opposition, chiefly the proposed tax/exaction of conserved land to generate funds and sites for housing. That idea was so overwhelmingly panned that by December Dorn was saying that had been dropped entirely. It remains to be seen what will emerge in legislation, but we expect at least 3 components: employer-assisted housing, the housing land bank (substantially revised) and new neighborhoods.

A major land use planning issue of this session will be Growth Centers. A summer study committee has produced a draft report that is to be finalized this week. The Senate Natural Resources Committee has scheduled its entire agenda time every day this week to work on this. The VPA Executive Committee and Legislative Committee, with the assistance of Michael Munson, has been following the work of this committee and from first impressions, the draft report of the Growth Centers Study Committee looks to have included Mike’s recommended definitions of growth centers based on extensive prior VPA research and past position papers. Also attached to this legislative package and of keen interest are the incentives for Growth Centers, designation process, and changes regarding Act 250 primary ag soils. Sue Minter, Legislator and VPA member has been closely involved with this Committee work.

Also this past week the Vermont Council on Rural Development released its Vermont Planning Council report “Vermont By Design”. This is unfortunately not yet posted on their web site, but VPA is working to get this mailed directly to all VPA members. This Planning Council met over several months and included Senator Lyons, Chair of Natural Resources - and some recommendations in the Growth Centers Report are related.

To VPA members who are unfamiliar with the Legislature’s web site I would recommend a tour – <http://www.leg.state.vt.us> - so you can become familiar with how to quickly find out what’s in particular bills – or what’s happening.

Some of the issues / bills from the last session that are of continuing interest to planners are:

S.7 relating to licensure of landscape architects. The bill as drafted includes “planning” within the definition of “the practice of landscape architecture”, but the bill also includes the following exemption:

d) This chapter shall not be construed to limit or restrict in any manner the

right of a practitioner of another profession or occupation from carrying on in the usual manner any of the functions incidental to that profession or occupation, including landscape designers undertaking work that does not require a permit, foresters preparing forest management plans, and professional planners.

This is pending in Senate Gov't Operations. We have heard that it is opposed by the Sec of State's Office of Professional Regulation, which doesn't feel it's a profession that needs regulation by their office to protect the public from injury. Our own VPA Exec Board member, Landscape Architect Jim Donovan, is on the Senate Gov Ops agenda for Friday the 13<sup>th</sup> (Good Luck despite that date, Jim).

Other bills from last session that remain stuck ("on the wall" in the Committee rooms):

- H. 28 - Rep. Kiss' outdoor lighting bill – passed the House and Senate Natural Resources and is stuck in Senate Institutions.
- H.49 - The Climate Crisis and Opportunity Act - stuck in House Natural Resources. But, new on this subject is S. 259- Establishing Greenhouse Gas Reduction Goals and a Plan for Meeting Those Goals - just introduced last week and sent to Senate Natural Resources Committee.
- H.334 Ancient Roads is technically in House Commerce, although it is on the agenda for discussion Wednesday at 2pm in House Gov Ops Committee.

A new bill on the subject of limiting the use of Eminent Domain in economic development – S.246, was introduced and is on the Senate Judiciary agenda Thursday 9:30 Am with property rights witnesses lining up...

Ahead: Tuesday, January 17, 2006, 2:00 p.m. – House Chamber – Governor's Budget message.

#### Deadline for Introducing Bills

Pursuant to Rule 40(b) of the Rules and Orders of the Vermont House of Representatives, during the second year of the biennium, except with the prior consent of the Committee on Rules, no member may introduce a bill into the House drafted in standard form after the last day of January or submit any requests to the legislative Council that a bill be drafted in this form later than the fifteenth day of January.

More next week. Stay tuned...

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