

**VPA LEGISLATIVE REPORT #3 – 2008**

VPA Legislative Committee Members Assignments: Fred Dunnington (VT Legislative Liaison), Sharon Murray (NNECAPA Legislative Liaison) - - both of us are assigned to particularly follow bills on Housing / 'New Neighborhoods', Chapter 117 Technical Corrections, and Planning Coordination, Sarah Hadd (Prime Ag bills), Scott Gustin (Riparian buffer bill), Greg Brown ('New' Neighborhoods), Brian Shupe and Mike Munson (Growth Centers, 'New' neighborhoods, impact fees), Deb Sachs (Energy and Climate Change), Peg Elmer (Planning Coordination and Chapter 117 Technical Corrections) and Lani Ravin (apologies for the error in last week's report) has volunteered to track stormwater legislation. Thanks, Lani!

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**THIS WEEK - - Tuesday 2pm - -Governor's Budget Message**

**NEW BILLS OF NOTE**

(since last report)

**S.350 AN ACT RELATING TO ENERGY INDEPENDENCE AND ECONOMIC PROSPERITY**

Introduced by Senator Shumlin of Windham District, Senator Lyons of Chittenden District, Senator Ayer of Addison District, Senator Campbell of Windsor District, Senator Carris of Rutland District, Senator Condos of Chittenden District, Senator Cummings of Washington District, Senator Hartwell of Bennington District, Senator McCormack of Windsor District and Senator MacDonald of Orange District

Statement of purpose: This bill proposes to establish an inventory of greenhouse gas emissions and sinks, and to require reporting of certain emissions and the development of a regional greenhouse gas registry. The bill proposes to establish an advisory group named the Vermont climate collaborative *[no planners or local officials]*, and to direct it to develop a public education and engagement framework, to identify climate change "best practices," to develop recommendations for funding greenhouse gas reduction efforts, to develop a climate change adaptation plan, to convene a task force *[of a "wide range of persons"]* to update Act 250 so as to integrate smart growth principles, concepts of carbon neutrality, and principles of energy efficiency, and to reduce the rate at which agricultural lands are converted to other purposes. It requires this climate collaborative to encourage employers to offer commuter benefit programs which are designed to reduce the use of single occupancy vehicles. It requires this group to develop a program that would implement a low-carbon fuel standard, to work with others to develop an action plan for the development of significant biofuel capacity, and to work with construction trades to develop and implement an energy efficiency training and education program for builders and others. It proposes to require the climate collaborative annually to assess the extent to which the state assigns adequate resources to implement the bill, and to report on the annual funding of specified programs.

This bill proposes to require the secretary of agriculture, food and markets to facilitate development of high quality nutrient management plans, to recommend ways to create incentives for carbon sequestration on farm and forest land, to develop a program to reduce methane emissions from farms, and to develop recommendations for measures to reduce the loss and fragmentation of important primary agricultural soils located in rural areas. It requires development of strategies to increase the production, processing, packaging, storage, and distribution of locally grown animal products, grains, vegetables, and fruits. It proposes to require the adoption of rules that require companies that offer auto insurance to offer "pay as

you drive” insurance, the effect of which costs a driver less money the less the person drives. It requires that sewage treatment plants be retrofitted to be energy efficient.

The bill proposes to amend Act 250 to assure the accommodation of pedestrian and bicycle traffic and the ability to support multimodal transportation capabilities. It requires solid waste plans be updated to include organic wastes, used clothing, obsolete electronic equipment, and construction and demolition debris, and requires consideration of single stream infrastructure for the entire population. It encourages voluntary waste stream reduction on the part of manufacturers. It proposes to enhance transportation planning for alternative modes of transportation, to facilitate a greater use of passenger rail and freight rail services, to assure adequate intermodal connections, to increase the availability of public transit and the use of rideshare, carpooling, and vanpool programs, and to improve pedestrian and bicycle opportunities. It proposes to require automatic initiation of upgrades of the state’s residential and commercial building codes, and to require the development of minimum building efficiency standards that must be met at the time of sale of residential rental property, and standards that, over time, must be met when selling any residential property.

The bill proposes to increase the registration fee for new cars that get a low number of miles per gallon, to decrease the purchase and use tax for certain efficient vehicles, and to assess a surcharge on the purchase of certain inefficient new vehicles. It proposes to institute “green” state purchasing requirements.

The bill proposes to encourage the development of combined heat and power (CHP) facilities, and to require the adoption of a state biomass plan, a timber management program, and a forest land conservation program. It proposes to establish goals for the electrical energy efficiency program, and to establish a process for the commissioning and energy tracking of buildings. It proposes to allow utilities to recover a premium on investments in renewable energy generation and combined heat and power facilities located in Vermont. It proposes to expand the RGGI cap and trade program to include all significant sources of greenhouse gases, ideally in coordination with comparable efforts in surrounding states. It proposes to establish long-term goals for the state’s portfolio standards program for electric companies. Finally, it proposes to establish a system to pay rebates for retail sales of biodiesel blends.

<http://www.leg.state.vt.us/docs/legdoc.cfm?URL=/docs/2008/bills/intro/S-350.htm>

***Buried near the end of Sec. 3 of the bill is this:***

“(13) Report on extent of funding. The climate collaborative shall report annually on the extent to which:

(A) Wastewater spending, school construction dollars, and transportation dollars are directed to downtowns and growth areas designated under 24 V.S.A. chapter 76A, as required by statute.

(B) The housing and conservation board is fully funded, as required by statute.

(C) Existing state buildings and schools are maintained in downtown and growth area locations, and new state buildings and schools are sited in those locations.

(D) The Act 200 planning process is fully implemented, thereby assuring:

(i) that state agencies conduct planning as required under 3 V.S.A. chapter 67;

(ii) that the required coordination takes place among state agencies, and in the development of state agency plans, regional plans, and municipal plans;

(iii) the development of accountable strategies in all plans to achieve the planning goals established in 24 V.S.A. chapter 117.

(E) There is adequate staffing and support for the growth center planning coordination group established under 24 V.S.A. § 2793c.”

**H.614 AN ACT RELATING TO EXCLUDING TIF DISTRICT PROPERTY FROM THE COMMON LEVEL OF APPRAISAL CALCULATION**

Introduced by Representatives Atkins of Winooski and Bissonnette of Winooski

Statement of purpose: This bill proposes that the value of property in a TIF district shall not be taken into account in determining the town’s common level of appraisal.

<http://www.leg.state.vt.us/docs/legdoc.cfm?URL=/docs/2008/bills/intro/H-614.htm>

**H.621 AN ACT RELATING TO ESTABLISHING A COST-CONTAINMENT COMMITTEE WITHIN THE AGENCY OF TRANSPORTATION**

Introduced by Representatives Jewett of Ripton, Flory of Pittsford and Minter of Waterbury

Statement of purpose: This bill proposes to establish a cost-containment committee within the agency of transportation.

<http://www.leg.state.vt.us/docs/legdoc.cfm?URL=/docs/2008/bills/intro/H-621.htm>

*Why just **within** the Agency?...*

**COMMITTEE AGENDAS – of note –**

*Note: No agenda is posted for the House Housing, General & Military Affairs Committee.*

**HOUSE COMMERCE**

Tuesday, January 22, 2008

2:00 p.m. **Joint Assembly - Governor's Budget Address**

3:30 p.m. **Downtown Bill**

**Joss Besse, Dept. of Housing & Community Affairs**

Bill Fraser, City Manager, Montpelier

Thursday, January 24, 2008

9:00 a.m. **Why Vermont Works**

*Room 11*

2:00 p.m. **Vermont Economic Progress Council**

Fred Kenney, Ex. Director, VEPC

**HOUSE FISH, WILDLIFE & WATER RESOURCES**

Tuesday, January 22, 2008

11:00AM **H.549 Riparian Bill mark up**  
2:30PM **Committee**  
*TBA*

Wednesday, January 23, 2008

8:30AM- **Joint Meeting- "Use Value Appraisal Program"**  
10:00AM *in the well of the House*  
Deb Brighton, Consultant to Leg. Task Force  
David Brynn, Consultant to Leg. Task Force  
Glenn Rogers, Consultant to Leg. Task Force  
Representative Alison Clarkson, 'Use Value' Task Force  
Representative John Malcolm, 'Use Value' Task Force  
Sam Burr, Legislative Counsel

10:30AM- **H.549**  
11:00AM *The Rockefeller Center for Public Policy and the Social Sciences*  
Allyson Bennett  
Lucy Pollard  
Josh Hurd

11:00AM- **H.549**  
12:00PM  
2:00PM **Committee discussion**  
*Tire bill*

Thursday, January 24, 2008

9:00AM- **Joint Meeting on State Ag. Water Quality Program with Sen. Committee on Natural Resources and Energy**  
*Room 10*

10:00AM **Committee Discussion**  
*Tire bill*

3:00PM **H.549 mark up**

Friday, January 25, 2008

10:00AM **H.549**  
*mark up and vote*

2:00PM **Tire bill**  
*mark up*

**HOUSE GOVERNMENT OPERATIONS**

Tuesday, January 22, 2008

3:00 p.m. **H.594 Party Status to Municipal Conservation Comm.**  
*Bill Introduction*

Rep. Gary Gilbert

**HOUSE NATURAL RESOURCES & ENERGY**

Tuesday, January 22, 2008

9:00AM **S.209**  
10:00AM **Floor**  
11:00AM **S.209**  
*S.209 review finish and recap*

Rich Smith, Deputy Commissioner, Dept. of Public Service

1:00PM **Caucus**  
2:00PM **Governor's Budget Message**  
2:30PM **S.209**  
3:00PM **Weatherization**  
TBA  
3:30PM **S.209**  
TBA

Wednesday, January 23, 2008

8:45AM-10:00AM **S.209**  
*H.520 vs S.209*  
Jim Volz, Chair, VT Public Service Board  
10:00AM-10:45AM **TBA**  
11:00AM-12:00PM **TBA**  
1:00PM **Floor**  
2:00PM-4:00PM **TBA**

Thursday, January 24, 2008

9:00AM **TBA**  
10:00AM **TBA**  
11:00AM **TBA**  
1:00PM-3:00PM **Public Engagement Process**  
Rob Ide, Director, Energy Efficiency, Dept. of Public Service  
Steve Wark, Director of Consumer Affairs and Public Information, Dept. of Public Service  
TBA  
3:15PM **Efficiency Vermont**  
TBA

Friday, January 25, 2008

9:00AM **Floor**  
11:00AM-12:00PM **S.209**  
*Committee review*  
1:00PM **S.209**  
*Committee review*

**HOUSE WAYS & MEANS**

Tuesday, January 22, 2008

9:00 am **S.209, Energy Efficiency & Affordability**  
Rep Dostis, Chair, House Natural Resources & Energy Committee

Thursday, January 24, 2008

11:00 am **Housing Issues**  
Rep Head, Chair, General, Housing, and Military Affairs

**SENATE ECONOMIC DEVELOPMENT, HOUSING & GENERAL AFFAIRS**

Thursday, January 24, 2008

9:00 a.m. **S.331 - Workforce Development for Green Industries**  
*Proposed Amendment*

Kevin Dorn, Secretary, Agency of Commerce & Community Development  
Patricia Moulton Powden, Commissioner, Dept. of Labor  
Tom Hengelsberg, Truex Collins (green design architect)  
Dan Smith, Greater Burlington Industrial Corp. \*Math/Science Schools  
Frank Cioffi, Greater Burlington Industrial Corp. \*Math/Science Schools  
Will White, SolarWrights (new business in Vermont, installs solar equipment)  
Andrea Cohen, Vermont Business for Social Responsibility

Friday, January 25, 2008

9:00 a.m. **Vermont Climate Change Commission Report**  
**ROOM: 11 with Senate Natural Resources & Energy**  
Ernie Pomerleau, Chair, VT Climate Change Commission

**SENATE GOVERNMENT OPERATIONS**

Tuesday, January 22, 2008

10:45 a.m. **S. 107 Ancient Roads**  
Charles Storrow, Kimball, Sherman & Ellis

**SENATE NATURAL RESOURCES & ENERGY**

Tuesday, January 22, 2008

10:30 a.m. **S.304 - Water Withdrawal**  
Julie Wolcott, Farmer, Fairfield  
James Clift, Michigan Environmental Council  
Jackie Folsom, Pres., Vt. Farm Bureau  
Kinny Perot, Friends of the Mad River  
Warren Coleman, Gen. Counsel, ANR

Wednesday, January 23, 2008

8:30-noon **S.339 and S.350 - Energy Bill (2)**  
Al Boright, Leg. Counsel

Thursday, January 24, 2008

9:00-10:00 a.m. **State Ag Water Quality Program - ROOM 10**  
David Lane, Dep. Secretary, Ag Agency  
Phil Benedict, Ag Agency  
Julie Moore, Clean and Clear Program, ANR  
Warren Coleman, General Counsel, ANR

*The meeting in Room 10 is joint with the House Committee on Fish, Wildlife and Water Resources*

Friday, January 25, 2008

9:00-10:30 a.m. **Vermont Climate Change Commission Report - Room 11**  
Ernie Pomerleau, Chair, Vermont Climate Change Commission  
Elizabeth Courtney, E.D., Vt. Natural Resources Council  
Parker Riehle, Vt. Ski Areas Assn.  
Brian Searles, Dir., Burlington Airport

10:30 a.m. **BREAK**

10:45-11:30 a.m. **S.339 and S.350 - Energy Bill (2) - ROOM 8**  
Al Boright, Leg. Counsel

Links to VPA's bills of interest:

S.317 – Chapter 117 Technical Corrections

<http://www.leg.state.vt.us/docs/legdoc.cfm?URL=/docs/2008/bills/intro/S-317.htm>

S.325 – TIF (Tax Increment Financing) technical corrections bill

<http://www.leg.state.vt.us/docs/legdoc.cfm?URL=/docs/2008/bills/intro/S-325.htm>

S.267 Potential traffic impact - notice to potential interested parties

<http://www.leg.state.vt.us/docs/legdoc.cfm?URL=/docs/2008/bills/intro/S-267.htm>

S.300 - Conservation; Act 250; smart growth principles and state funding

<http://www.leg.state.vt.us/docs/legdoc.cfm?URL=/docs/2008/bills/intro/S-300.htm>

S.268 – Act 250 Criterion 9B

<http://www.leg.state.vt.us/docs/legdoc.cfm?URL=/docs/2008/bills/intro/S-268.htm>

S.287 -State planning coordination bill

<http://www.leg.state.vt.us/docs/legdoc.cfm?URL=/docs/2008/bills/intro/S-287.htm>

S.304 Groundwater protection; groundwater withdrawal

<http://www.leg.state.vt.us/docs/legdoc.cfm?URL=/docs/2008/bills/intro/S-304.HTM>

H. 561 - tourism directional / off premises business signs

<http://www.leg.state.vt.us/docs/legdoc.cfm?URL=/docs/2008/bills/intro/H-561.HTM>

H.594 - Chapter 117 interested person status; conservation commission

<http://www.leg.state.vt.us/docs/legdoc.cfm?URL=/docs/2008/bills/intro/H-594.htm>

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**H.549 – Riparian buffers** See 1-14-08 VPA Legislative Report #2-08

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