



## VPA LEGISLATIVE UPDATE #5

February 10, 2009

### **Update: American Recovery and Reinvestment Act of 2009**

The Senate today, in a 61-37 vote, passed their version of an economic stimulus bill valued at \$838 billion over ten years, compared with the \$819 billion version passed by the House. The details of the spending package as amended over the weekend are not yet available, but the Senate version reportedly favors tax cuts over spending initiatives, and reduces aid to states by \$37.7 billion. A general side by side comparison of the two bills is available on the ProPublica website ([www.propublica.org](http://www.propublica.org)). The bill is headed for conference committee this afternoon. Negotiations are expected to be contentious and extend into next week. A full version of the Senate bill (S.1) as passed should be posted shortly on the Library of Congress legislative web site (Thomas): <http://thomas.loc.gov/>.

### **This Week at the State House**

(<http://www.leg.state.vt.us/schedule/schedule2.cfm>)

While Congress is determining how much Vermont will get, our legislative committees are now trying to figure out how federal funds will be managed. H. Ways and Means is taking testimony today - from the newly created Vermont Federal Recovery Office, VLCT, the Central Vermont EDC, and the Rutland RPC - regarding **locally controlled projects** under the federal stimulus package. At the same time, S. Economic Development, Housing and General Affairs is scheduled to hear testimony on **infrastructure permitting issues** from DEC, VTrans, the Natural Resources Board, VLCT, and Legislative Counsel, and will be working on an economic development stimulus bill this week.

House and Senate Appropriations, following a joint public hearing last night, continue their budgeting work. The **FY09 budget adjustment** bill is scheduled for markup in H. Appropriations through Friday, along with initial consideration of the Governor's proposed **FY10 budget** - ACCD and VHCB budgets will be reviewed on Wednesday. H. Appropriations will hold additional public hearings on the FY10 budget the last week of the month.

Regional planning commissions are busy this week - in addition to Mark Blucher's scheduled time today before H. Ways and Means, Peter Gregory/TRORC is scheduled to testify tomorrow before the committee on the state's **orthophoto mapping program** (Section 4 of the Miscellaneous Tax Bill). All RPCs, and the CCMPO, are scheduled to appear before H. Transportation throughout the week to discuss **regional transportation priorities**.

H. Natural Resources & Energy is focusing its efforts on **energy** legislation this week - including Vermont Yankee, the proposed **E State initiative** to expand wind and telecommunications infrastructure, and a renewable energy bill. S. Natural Resources will be reviewing the Administrations proposal to close DEC's LaRosa testing lab. The committees will meet jointly on Friday in Room 11 to consider electric power options in the morning, and ANR's budget in the afternoon.

S. Government Operations will be taking testimony from VLCT on Wednesday concerning the **municipal regulation of water system capacity** (S.57).

## **Riparian Buffer Bill**

At the request of H. Fish, Wildlife and Water Resources, VPA on Friday submitted comments on draft riparian buffer legislation for committee consideration. We support the committee's intent to establish 50-foot buffers along navigable (public) waters of the state, as long as existing development within these areas - including downtowns and villages - are taken into account in implementing rules, and municipalities retain their current ability under Chapter 117 to regulate these areas under local bylaws. VPA also offered revised language under §4424 of Chapter 117 intended to better address these and other hazard areas. VPA comments were reviewed by our Legislative and Executive Committees prior to submission. For a copy, please contact Scott Gustin: [SGustin@ci.Burlington.vt.us](mailto:SGustin@ci.Burlington.vt.us). Many thanks to Scott for all his great work.

## **Growth Center & Neighborhood Bills Introduced**

Two bills - **S.64 (growth center designations)** and **S.65 (neighborhood designations)** - have been introduced to clarify designation requirements as applied by the Vermont Downtown Development Board, and to allow for decisions of the board to be appealed to the Environmental Court. These are VNRC-backed bills; for their summary of the proposed legislation, check out their "Dispatch from the Statehouse" video at [www.vnrc.org](http://www.vnrc.org). The bills, as introduced, have been circulated for comment to those VPA members who've expressed an interest in proposed growth center legislation. If you'd like to participate in our review of these bills, please contact me at [smurrayvt@aol.com](mailto:smurrayvt@aol.com) or 434-4118.

## **Other Bills of Interest**

(<http://www.leg.state.vt.us/database/database2.cfm>)

Bills "released for introduction": House – 198, Senate- 78. Of note:

- H.145 Composting; definition, Act 250 exemption
- H.152 Biomass energy production (tax credits, study/reporting, programs)
- H.154 No skinny dipping (prohibiting public nudity on public land)
- H.161 Municipal clean energy assessment districts (see S.54)
- H.163 Repeal mural exemption from sign law
- H.172 Clean energy development fund for thermal projects
- H.194 Recovery of permitting costs for wind generation projects (in rates)
- S.60 Outdoor wood fired boilers (sale, use, installation)
- S.61 Wastewater permits, conversion of seasonal residences
- S.63 Limiting local zoning powers to regulate renewable energy facilities**
- S.64 Growth center designations, appeals to E-Court**
- S.65 Neighborhood designations, appeals to E-Court**

## **Upcoming Public Hearings:**

Tuesday, February 17, 2009, 7pm- 9 pm, Well of the House  
House and Senate Committees on Agriculture – The Future of Vermont Food & Farming

Tuesday, February 24, 2009, 9am- 12 pm, Room 11  
House Committee on Appropriations – FY 2010 State Budget

Wednesday, February 25, 2009, 2:30 pm- 4:30 pm, Room 11  
House Committee on Appropriations – FY 2010 State Budget

Sharon Murray AICP  
VPA Legislative Liaison