



## VPA LEGISLATIVE UPDATE #10

April 7, 2009

### **FY10 Budget Passes House**

You wouldn't have known it from the relatively scant press coverage it received in the wake of marriage votes and veto threats, but the "Big Bill" – the FY10 budget (H.441) – passed the House on Friday in a 94-52 vote, mostly along party lines. The FY09 budget readjustment (H.232) also emerged from conference committee last week. No real surprises – both bills incorporate federal ARRA stimulus funds to help make ends meet, and are at odds with Governor's recommends.

The FY09 budget adjustment includes anticipated cuts in planning funds, and also authorizes the obligation of initial federal stimulus funds this fiscal year – including funding for the 31 transportation projects on VTrans initial list. It appears, however, that highway aid to municipalities took an unexpected hit – the \$925,000 withheld in January.

The House's \$4.4 billion 2010 spending plan was crafted to avoid excessively deep cuts and layoffs by using \$162 million in ARRA funds. It also relies on \$1.1 billion in general fund money, \$24 million in new revenues, and \$28 million in cuts – including \$14 million in workforce cuts, still to be identified. The House level funded planning at adjusted FY09 levels, and restored the majority of Housing Conservation Trust funds scheduled for cuts by the Governor.

#### **Property Transfer Tax Funds:**

	FY09 Adjustment (Con Comm)	FY10 Budget (House)
Admin (Tax Dept)	\$314,503	\$314,503
HCTF	\$12,464,095	\$8,101,662
MRPF	\$3,449,427	\$3,449,427
Regional Planning	\$2,632,027	\$2,632,027
Municipal Planning Grants	\$408,700	\$408,700
VCGI	\$408,700	\$408,700

The Governor called the House budget "unbalanced" – suggesting that it still needs a lot of work – and on Thursday proposed a supplemental education spending plan for the coming two years that reportedly uses ARRA funds to hold down property taxes and avoid tax increases proposed by the Legislature. House Appropriations continues to work on a list of contingency cuts – additional FY10 "base budget reductions" – for consideration in the event that the tax bill, up for debate this week, isn't supported.

Summaries of H.441 as introduced, a one-page narrative from House Appropriations "FY2010: Building a Budget in a Time of Uncertainty" and highlights of key differences with the Governor's proposed budget are available through the Joint Fiscal Office's web page:

<http://www.leg.state.vt.us/jfo/>

### **Bill Updates**

**Vermont Recovery & Reinvestment Act (S.137).** At the request of other organizations and members, VPA offered written comments to Senate Natural Resources & Energy last week, expressing our concerns regarding the telecommunications facility permitting sections of S.137 – especially proposed amendments to 24 V.S.A. Chapter 117 that would further weaken municipal authority to regulate of "interconnected" facilities.. A copy of our filing, as endorsed by the

Executive Committee, will be posted on VPA's web site. The bill is scheduled for committee mark-up on Tuesday. S.137 is also getting air time in Senate Finance, which is doing a section by section review on Tuesday. A relatively concise summary of S.137, as introduced by committee is available on through the Legislative Home Page: <http://www.leg.state.vt.us/misc/242246.pdf>

**Smart Growth Bill (S.99).** We are also closely tracking S.99, which was taken up by Senate Economic Development, Housing and General Affairs last week. VPA is considering an endorsement of the bill, having been represented on the Smart Growth Committee that drafted it; but, as of this writing, an amendment is reportedly in the works for consideration on Tuesday. Karen Horn (VLCT), Michael Zahner (Natural Resources Board) and Brian Shupe (VNRC) are scheduled to testify. VLCT supports a more comprehensive examination of state permitting processes, including Act 250, but given the lack of time remaining, is recommending that the permitting sections of S.99 and S.137 be considered jointly, since both address aspects of the permitting process.

**Landscape Architect Licensing Bill (S.28).** The LA bill, after a trip through Senate Finance, also passed the Senate last week as a strike all – but those sections of potential concern to planners regarding overlapping areas of expertise appear to be intact – planners will still be able to plan without getting an license...

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

(<http://www.leg.state.vt.us/schedule/schedule2.cfm> – schedules are subject to change without notice)  
This week action is definitely shifting to the floor – committee schedules are light, and subject to floor time. Expect some major votes this week... Several committees appear to be setting priorities for the remaining session. The wetlands bill (H.324) is scheduled for markup on Tuesday in House Fish, Wildlife and Water Resources, while House Agriculture looks at ag exemptions under Act 250 (H.370). The renewable energy bill may emerge from House Natural Resources on Monday or Tuesday.

**Of potential interest to planners:** the Senate and House Natural Resources & Energy Committees have scheduled a joint meeting on **Thursday, 9:00 am, in Room 11**, to hear from **Helen Caldicott**.

### **Bills on the Move:**

- H.436 VT Yankee decommissioning bill – passed House, now in Senate Finance
- H.438 Transportation bill – passed House now in Senate Transportation
- H.441 Appropriations bill – passed House, now in Senate Appropriations
- S. 47 Salvage yards – passed Senate, now in House Natural Resources & Energy
- S. 54 Clean energy assessment districts – Senate calendar, ordered to lie
- S. 99 Smart Growth bill – now in Senate Economic Development, Housing, General Affairs
- S. 137 VRRRA – Now in Senate Finance and Senate Natural Resources & Energy

### **Bills Introduced:**

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

H.441 Appropriations bill

Sharon Murray AICP  
VPA Legislative Liaison