



VPA LEGISLATIVE UPDATE #2

January 13, 2009

Opening Week Highlights:

The 2010 election season got off to an early start last week, first with Senator Doug Racine's announcement that he intends to run for governor, followed by Governor Douglas' inaugural address, which received a cool reception from the first branch.

The Governor's full speech is recorded in the Journal of the Joint Assembly from January 8th: <http://www.leg.state.vt.us/docs/2010/journal/ja090108a.pdf>. Some brief highlights/excerpts:

- Given this time of "great collapse"... The discussion about how to balance a lean state budget will consume the greater part of this biennium -- and appropriately so.
- Now is not the time to use the rainy day fund. And Vermonters have no capacity for higher taxes.
- Act 60 and Act 68 are fundamentally broken and beyond repair. Now is the time to build a new education system.
- Create a funding bridge until a new education financing system is established by freezing per-pupil spending for schools and categorical grants at current (2009) levels.
- Transfer money from the Education Fund into the General Fund to help address shortfalls.
- Develop Green Growth Zones to join commercial, residential and renewable energy facilities together in an arrangement that benefits an energy producer with access to a ready market, and benefits businesses and individuals with reduced rates for clean power.
- Broaden Act 250 so proposals are not only judged on impacts, but also on the positive economic, social, or cultural benefits that may flow from a project into a community or region.
- Bring greater predictability to all interested parties by ensuring that once you've obtained your permit from an agency of state government, that permit will not be challenged in an Act 250 proceeding.
- Expedite the chilling and costly effect of our lengthy appeals process by instituting "on the record review" – one formal hearing, where all evidence is submitted and examined.
- Expand the use of the self-certifications, general permits and permits by rule that are now used in stormwater, air pollution control and other programs. Self-certification will allow agency staff to spend more time in the field ensuring compliance, rather than micro managing proposed permits upfront.

Douglas offered no specifics for addressing current and anticipated budget deficits. These should be addressed in more detail when he presents his budget next week.

The House started off with the election of Rep. Shap Smith (D-Morris-town) as House Speaker, who quickly got down to business by announcing committee assignments, his legislative priorities for the session (keeping Vermonters working, warm and well) and his proposal for a \$150 million economic recovery package, consisting of public works projects, much of which would be financed through bonding.

On the Senate side, Senate Pro Tem Peter Shumlin (D- Windham County) cited transportation, health care, job creation, high speed internet access and clean energy as his priorities, as well as opportunities presented by a federal stimulus package. He also announced committee assignments, and noted their intent to limit this session to 16 weeks.

Given the state's fiscal difficulties, and the lines already drawn, expect a contentious session...

Committees:

Full committee assignments are available at <http://www.leg.state.vt.us/legdir/legdir2.htm>

There was some shuffling, but most committees generally have the same makeup as last year. It appears that Chapter 117, permitting and related bills will continue to be introduced mainly through Senate and House Natural Resources and Energy, though on occasion they start out in other committees. Please review committees to find out where your reps have been assigned...

House Committee Chairs:

Agriculture	Rep. Carolyn Partridge
Appropriations	Rep. Martha Heath
Education	Rep. Johanna Leddy Donovan
Commerce	Rep. Warren Kitzmiller
Fish, Wildlife, Water	Rep. David Deen
General, Housing, Military	Rep. Helen Head
Government Operations	Rep. Donna Sweany
Health Care	Rep. Steven Maier
Human Services	Rep. Ann Pugh
Corrections, Institutions	Rep. Alice Emmons
Judiciary	Rep. William Lippert
Natural Resources, Energy	Rep. Tony Klein
Transportation	Rep. Richard Westman
Ways & Means	Rep. Michael Obuchowski

Senate Committee Chairs:

Agriculture	Sen. Sara Branon Kittell
Appropriations	Sen. Sue Bartlett
Education	Sen. Robert Starr
Finance	Sen. Ann Cummings
Government Operations	Sen. Jeanette White
Health & Welfare	Sen. Douglas Racine
Institutions	Sen. Philip Scott
Judiciary	Sen. Richard Spears
Natural Resources, Energy	Sen. Ginny Lyons
Transportation	Sen. Dick Mazza
Econ Dev, Housing, General Affairs	Sen. Vince Illuzzi

Bills:

**Note: this year all bills, calendars and journals are being posted in Adobe (PDF) rather than Word (DOC) format, and are available on-line through the legislative bill tracking system:

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

So far it's been a slow week for the introduction of bills ~ 15 House bills 16 Senate bills have been posted on the bill tracking system (with a few more in the hopper to go). Many do not yet have committee assignments. Of potential interest to planners:

- H.2 Outdoor wood fire boilers
- H.10 Requires internet publication of state agency rules (including drafts, final)
- H.13 Exempts church property transfers from property transfer tax
- H.15 Aquatic nuisance control
- S.4 Authorizes Garvee bonds to finance transportation projects
- S.16 Establishes regional common levels of appraisal

Legislative Calendar:

The weekly legislative calendar for most committees was unavailable as of this writing, but is typically posted on Mondays (or Tuesdays) at: <http://www.leg.state.vt.us/schedule/schedule2.cfm>

As expected, money committees are looking at fund balances, revenue forecasts, etc.

HNR&E -- Energy and air quality issues, VT Yankee; testimony from DPS, ANR, utilities

HTrans -- Deteriorating infrastructure, revenue forecasts, cuts to AMTRAK on western corridor

SGovOps -- Stimulus package ideas

STrans -- Agency overviews; Policy & Planning scheduled for Wednesday, 9:30 am

Breaking News:

MPGs. According to Joss Besse at DHCA, the decision has been made to make awards under the MPG – they are wrapping up decisions and he expects the announcement to be made next Tuesday.

VPA Legislative Workshop. Reminder ~ please join us on Friday, January 23rd, 1:00-3:00 pm at the VLCT offices in Montpelier!

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