



## VPA LEGISLATIVE UPDATE #6

March 8, 2010

### Weekly Highlights

Friday is cross-over deadline for all but the big appropriations bills (FY11 budget, capital and transportation) -- all other bills must be reported out of committee. Appropriations bills are scheduled to come out the week after -- by Friday the 19<sup>th</sup>. Lots of committee markup and votes scheduled...

The big news before town meeting break was the much anticipated Senate vote on Vermont Yankee. The House may also schedule a vote before the end of the session -- action on the VT Yankee decommissioning fund (the Governor's veto of H.436) has been postponed until May 20<sup>th</sup>. Also of note, "Challenges for Change" legislation (S. 286) also passed the House and Senate as amended. The Senate also passed their 2010 "jobs bill" (S.288) -- the "Vermont Recovery and Reinvestment Act of 2010." As introduced by the Senate Economic Development, Housing and General Affairs Committee, the bill largely supplements programs established under the 2009 VRRRA, and authorizes use of remaining ARRA funds. It includes an additional \$100,000 in Downtown and Village Center Program tax credits. It will be taken up this week in House Commerce and Economic Development, along with the Economic Development Board bill (H.550).

**Water Supply/Wastewater System Bills (H.586, H.593).** At the request of House Fish, Wildlife and Water Resources, VPA weighed in before break generally in support of a consolidated redraft of the water supply and wastewater permit bills (H.586, H.593). As proposed, the new bill would allow municipalities to condition municipal land use permits (zoning, subdivision, certificates of occupancy, etc) on the issuance of state permits as specified in the bylaws, require state notification of municipalities *and* notification of adjoining property owners encumbered by water supply or wastewater system isolation distances, and would also require the state's technical advisory committee to come up with ways to address system encumbrances on adjoining properties. The committee is scheduled to continue its discussion on Thursday, along with the Lake Champlain bill (H.509).

**Growth Centers Bill (S.64).** This week, Senate Natural Resources & Energy considers a redraft (strike-all) of S.64 -- the growth centers bill introduced last year -- which includes program changes supported by the Administration, the Preservation Trust, Smart Growth Vermont and VNRC. The committee received an overview of the proposed bill from Secretary Dorn and Paul Bruhn before break. VPA's growth centers committee has been reviewing the draft legislation against our new growth centers program platform. Mike Munson will be testifying on Wednesday on behalf of VPA, along with representatives from sponsoring organizations, RPCs, the Homebuilders, and the Lake Champlain Regional Chamber of Commerce.

**Transportation Bills.** The T-bill is scheduled for markup in House Transportation and for committee review and testimony in Senate Transportation this week. AARP's "complete streets" bill (H.741) -- supported by VPA as a member of AARP's coalition -- will be taken up in House Transportation on Thursday, with testimony scheduled from AARP, VLCT and VNRC. VLCT representatives are also scheduled to appear before Senate Transportation on Thursday to discuss local transportation issues.

**Tax Bills.** In addition to the tax bill, which is scheduled for markup and a vote on Wednesday, House Ways and Means will be considering their "**Tax Expenditure Budget Bill**" which includes recommended funding adjustments from FY11 estimates for all tax credit, exemption and related (e.g., TIF) programs. A quick review suggests that no changes are recommended to Downtown and Village Center tax credit programs. A TIF district could not receive state authorization if the total listed value within in the TIF district exceeded 4% of the total listed value of the municipality at the time of application. The committee has scheduled public hearings on the bill for Thursday, from 3:30 -- 5 pm and from 6 -- 8 pm in Room 11 at the Statehouse.

**Congratulations Jim!** Last but certainly not least -- both the House and Senate are scheduled to vote tomorrow on House Concurrent Resolution #257 honoring Jim Matteau of the Windham Regional Commission, on his retirement after 25 years with the Commission, including the last 11 as the Executive Director.

**Errors & Omissions** -- I reported, incorrectly, that GBIC and the LCRCC submitted additional testimony S.99, the Smart Growth Committee's Act 250 bill, in my last legislative update. My apologies!

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

H. Appropriations – FY11 Budget, markup (all week)  
H. Commerce, Economic Development – S.288/VRRA 2010 (T,W); H.550/ED Board (F)-new language  
H. Corrections, Institutions – Capital bill, markup (all week), school construction (W)  
H. Fish, Wildlife, Water Resources – H.586, H. 593/Chapter 117–water, wastewater permits (T);  
H.509/L. Champlain TMDLs (T), VT Yankee Update (F)  
H. General, Housing, Military – H.760/Repeal Boards, Commissions--Labor Relations Board (T)  
H. Gov Operations – H.760/Repeal Boards, Commissions--House Committee Chairs (W)  
H. Natural Resources & Energy – Renewable energy bill, markup (all week)  
H. Transportation – Transportation bill, markup (T, W); H.471/Complete Streets (Th)  
H. Ways & Means – Tax Bill, markup (T,W), Tax Expenditure Bill Hearings, Rm 11, 3:30 (Th), VT Yankee (W,F)  
S. Appropriations – FY11 Budget (T, W, F) –VHCB (W)  
S. Institutions – Capital Bill (all week), ACCD/Historic Preservation (T)  
S. Natural Resources, Energy – S.64/Growth Centers (W); S.287/Salvage Yards (Th)  
S. Transportation – Transportation Bill (all week), VLCT (Th) – local road issues

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

(Highlighted active this week)

H.323 Chapter117 – state, municipal riparian buffer regs	H. Fish, Wildlife, Water Resources
<b>H.470 Judicial Restructuring – E-Court?</b>	<b>H. Judiciary</b>
H.476 Real Property – 15-yr enforcement limit on highway permits	H. Judiciary
H.485 Use Value Appraisal – moratorium, land use change tax	S. Finance
H.486 Permit Reform/E-Board – appellate E-Board	H. Natural Resources, Energy
<b>H.498 Private Roads – abutter maintenance requirements</b>	<b>H. Floor, 3/9 (committee strike-all, 11-0)</b>
H.503 Chapter 117 – accessory dwellings, 750 sf cap	H. General, Housing, Military
H.504 Chapter 117 – telecom facilities permitting	H. Natural Resources, Energy
<b>H.509 Lake Champlain – highway funding tied to road BMPs</b>	<b>H. Fish, Wildlife, Water Resources</b>
H.534 FY10 Budget Adjustment	Passed House, Senate
H.546 Permit Reform – consolidation, DEQ, E-Council	H. Natural Resources, Energy
H.547 Permits– track permit processing over 120 days	H. Natural Resources, Energy
<b>H.550 Economic Development Board, long-term economic plan</b>	<b>H. Commerce, Economic Dev</b>
H.579 Merger ACCD, Department of Labor	H. Government Operations
<b>H.586 Chapter 117– state water supply, wastewater permits</b>	<b>H. Fish, Wildlife, Water Resources</b>
<b>H.593 Chapter 117– water supply, wastewater encumbrances</b>	<b>H. Fish, Wildlife, Water Resources</b>
H.604 Municipal regulation of agricultural uses	H. Government Operations
H.642 Use Value Appraisal – incentives to not post land	H. Ways & Means
H.652 Chapter 117/Act 250 – TDRs, off-site mitigation ag soils	H. Natural Resources, Energy
H.654 Renewable energy plants – local ordinance appeals to PSB	H. Natural Resources, Energy
H.664 Act 250 – 10-acre towns	H. Natural Resources, Energy
H.677 Chapter 117/Act 250 regulation of wind energy plants	H. Natural Resources, Energy
H.686 Prohibit affordable housing discrimination in permitting	H. General, Housing, Military
H.714 Authorizes citizen initiative legislative process	H. Government Operations
H.717 Regulation, licensing of homebuilders	H. General, Housing, Military
H.721 Chapter 117– mandates municipal plans, ridgeline plans	H. Natural Resources, Energy
H.731 Chapter 117 – expedited permitting, on record proceedings	H. Natural Resources, Energy
H.732 Construction within public airport hazard areas	H. Natural Resources, Energy
<b>H.741 Complete street principles</b>	<b>H. Transportation</b>
<b>H.760 Boards, Commissions – repeal CORC, Development Cabinet</b>	<b>H. Government Operations</b>
H.763 Chapter 117 – River Corridor Management Plan, Bylaws	S. Natural Resources, Energy
<b>S.64 Growth Centers</b>	<b>S. Natural Resources, Energy</b>
S.99 Smart Growth/Act 250 – transportation, rural growth	Senate – Ordered to Lie

S.147	Chapter 117 – accessory dwellings, 750 sf cap	S. Natural Resources, Energy
S.170	Chapter 117 – home occupations, accessory structures	S. Natural Resources, Energy
S.198	Economic Development Board, long-term economic plan	S. Econ Dev, Housing, General
S.204	Tax Increment Financing	S. Finance
S.208	Vermont Agricultural Advisory Board	S. Agriculture
S.214	Permit Reform – abolish VANR; DEQ, E-Council	S. Natural Resources, Energy
S.231	Planning – VLS land use/energy planning bill	S. Natural Resources, Energy
S.233	Chapter 117/Act 250 – TDRs, off-site mitigation ag soils	S. Natural Resources, Energy
<b>S.237</b>	<b>Salvage Yards – operational standards, buffers</b>	<b>S. Natural Resources, Energy</b>
S.238	Planning Coordination – VLS state planning bill	S. Natural Resources, Energy
<b>S.263</b>	<b>Jobs, Economic Development – B-(benefit) corps</b>	<b>S. Econ Dev, Housing, General</b>
<b>S.286</b>	<b>Challenges for Change– regulatory reform, etc.</b>	<b>Passed House, Senate</b>
<b>S.288</b>	<b>2010 Vermont Recovery &amp; Investment Act</b>	<b>Passed Senate; H. Commerce</b>
<b>S.289</b>	<b>Vermont Yankee Reauthorization</b>	<b>Defeated Senate</b>

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