

Down to the Wire

Budget Bills. The four big money bills made it through the Senate last week, but not without controversy. Amended **capital (H.446) and transportation (H.433) bills** passed the Senate on Wednesday with little opposition. Thursday, tempers flared over whether to tax cigarettes, dentists, or the wealthy under the revenue bill (H.436). Ultimately, after heavy last-minute lobbying by the Administration, rule suspensions, harsh words, walkouts, and a couple of late nights, the Senate passed their version of the tax bill on Friday (20-8) reducing, but not eliminating, Senate Finance's proposed cigarette tax – which could result in a Shumlin veto. The tax bill as passed also authorizes a State Revenue Review Commission, and an audit of tax increment finance districts. The **FY12 budget bill (H.441)** had a relatively easier time of it, also passing the Senate on Friday (27-1). All four bills were messaged to the House as amended. Conference committees are being appointed and will begin their work this week, heralding the end of the session. The House and Senate have upped their floor time to finish up – both are scheduled to convene on Monday afternoon. Health care (H.202), another must pass bill, will first up in the Senate this week.

Energy Bills. The **2011 Energy (H.56)** and **Clean Assessment District/PACE (H.155)** bills took a quick turn through Senate Natural Resources & Energy last week, and are now in Senate Finance. The separate **Clean Energy Fund Bill (H.456)** reported out by House Natural Resources and Energy – which would institute a Shumlin/industry proposal to finance the fund through tax credit cashouts to developers – has generated both press and opposition from House Republicans. It's now in House Appropriations and may be attached to the energy bill in Senate Finance.

Telecom Bill (S.78). Several house committees took testimony on this bill last week. House Commerce, where it resides, is expected to vote and report on Tuesday.

Jobs Bill (H.287). Senate Economic Development reported out their strike-all version of the jobs bill on Monday, which was then forwarded to Senate Finance, and will likely get floor time this week. The Senate version includes House-proposed changes to the VT Neighborhoods Program, economic development planning by the Development Cabinet, and the addition of economic elements in local and regional plans. It also includes TIF-legislation, current use legislation, and a study of Vermont building codes. It does not include RPC-supported amendments to Chapter 117 relating to municipal and regional plan adoption.

Complete Streets (H.198). The House passed a complete streets bill on Tuesday that unexpectedly amended Chapter 117 (rather than Title 19 highway statutes) to include both complete street policies *and* municipal highway program management requirements under state planning goals (§4302). When this was brought to our attention we notified other coalition members that, while VPA continues to support complete streets legislation, this is not the appropriate place in statute to include it. We've been told that, if addressed this year, it will be corrected in the Senate version.

Permit Reform. H.332, that would have created an Environmental Commission to evaluate the state's permitting process, has been replaced by **JRH 19**, a joint resolution sponsored by House Natural Resources and Energy. The resolution, which is scheduled for floor time on Monday, supports the administration's efforts to "examine and provide recommendations for improving and increasing the effectiveness of Vermont's state and municipal environmental protection process." It

requests that the NRB Chair (Ron Shems), in coordination with state and municipal permitting officials:

- seek public input,
- develop recommendations to make state and local permitting processes more efficient, effective, open, predictable, better coordinated, and quicker for applicants and citizens, and
- report back to the legislature by January 15, 2012.

E911 (H.455). Proposed updates to Vermont's E-911 statutes were introduced by House Government Operations on Tuesday, fast-tracked, and passed by the House on Friday. The proposed changes require the E-911 board to work with municipalities to identify non-monetary incentives to streamline and reduce database management burdens.

Current Use (H.237). Current use legislation is being introduced from a number of quarters – under H. 237, and under proposed amendments attached to other bills (in part to address recent cutting violations on Champion lands). H.237 was voted out of House Ways and Means last week, and has been placed on the House Notice Calendar for consideration on Monday. The bill includes proposed changes to and reallocations of the land use change tax, easy out provisions, and creates another study committee to address municipal payment formulas under the program. It also includes a list of additional areas in which legislative changes are needed.

Bills on the Move (Abbreviated VPA Tracking List)

<http://www.leg.state.vt.us/Research01.cfm?Session=2012>

H.11	Pharmaceutical wastes, state waters	S. Action Calendar, 4/22
H.26	Fertilizer Bill	Senate amendments– H. Notice Calendar 4/25
H.56	Energy Bill	S. Finance
H. 73	Government transparency	S. Government Operations
H.155	PACE (Clean Energy Assessment Districts)	S. Finance
H.198	Complete Streets	S. Rules – likely to S. Transportation
H.237	Current Use Program	H. Notice Calendar 4/25
H.258	Environmental enforcement, public participation	S. Rules – likely to S. Judiciary
H.287	Jobs bill (neighborhoods, development cabinet, 117)	S. Finance
H.332	VT Environmental Commission for 21st Century	JHR 19 substitute – H. Notice Calendar 4/25
H.411	Act 250, agricultural fairground exemptions	S. Action Calendar 4/25
H.436	FY12 Misc Tax Bill	Senate amendments– H. Notice Calendar 4/25
H.441	FY12 Budget Bill	Passed Senate w/amendments 4/22
H.443	Transportation Bill	Conference Committee
H.446	Capital Bill	Conference Committee
H.455	E-911	Passed House 4/22
S.49	Commercial vehicles, interstate	Passed House w/amendments 4/22
S.67	Open meeting law	H. Government Operations
S.77	Private well testing	H. Fish, Wildlife, Water Resources
S.78	Telecom bill	H. Commerce (vote Tuesday)
S.99	Agricultural economic development (VSJF, F2P)	S. Economic Development, Housing, General; some in H.287

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