



VPA Legislative Update #3 Jan 26, 2015

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News and Notes

- **VPA 2015-16 Legislative Priority: 10-year plans.** We're moving forward – I met briefly last week with representatives from DHCD VLCT, RPCs and VNRC, as well as Rep. Rebecca Ellis (HNRE) and Sen. Diane Snelling (SNRE) regarding their support for 117 legislation:

VLCT – strongly supports, interested in working with us

RPCs – some strongly support; others have concerns. VAPDA has not yet taken a position as an organization.

DHCD – no position to date; willing to host a meeting to discuss

VNRC – some concerns, but supports with clear guidance, checks

Rep. Ellis – very interested, supports, willing to work with us – I'm scheduling a follow-up meeting to discuss in more detail

Sen. Snelling – may support, but has some concerns – I'm scheduled to meet with SNRE on Thursday.

At this point we're hoping to get a meeting together of interested parties, to discuss and outline proposed legislation. Unfortunately time is short – drafting deadlines are coming up very shortly. If you're interested in actively participating in the discussion – and potentially serving on a more long-term 117 working group, please let me know ASAP (frontporch@gmavt.net). Thanks to VPAers who have already responded!

- **VPA Intern.** I also met briefly last week with our new intern, **Andrew Marchev**, who will be our eyes and ears at the state house this session. Very capable, bright and on the beam – he was already making the rounds of committee rooms last week. We'll be sharing and coordinating his time with VNRC, and he'll be based out of their offices on Bailey Ave during the session. Andrew will also be helping us track the status of bills of interest – using a new tracking spreadsheet for weekly updates that we hope to get together sometime this week, using templates from other APA chapters.
- **Act 250: 9L Redux.** Sat through a couple of hours of [testimony in a joint hearing of SNRE and SED](#) last week on 9(L) (existing settlements, strip development) as enacted last year. A lot of repeat chamber testimony, mostly based on hypotheticals; more facts and figures

from the Natural Resource Board regarding 9L as addressed under applications received to date, and associated guidance. Three projects of particular note and discussion – in Rutland Town (active), Ferrisburgh (withdrawn, relocated) and South Hero (withdrawn, being reconfigured). The most interesting testimony came from Ferrisburgh residents in support of 9L (in part to address shortcomings in local plans and bylaws) and the Ferrisburgh Planning Commission, regarding the lack of consideration under 9L given to local plans. Not sure this will get any additional traction this year. It seems SNRE would rather give it more time to work, as recommended by several who testified on its behalf. There is also rumored some tension between the two committees regarding jurisdiction over Act 250 legislation.

- **Water Quality Bills.** Several water bills hit the boards last week as expected, with most ending up in H. Fish Wildlife and Water Resources as the committee of jurisdiction, and in others as appropriate (H. Ag). HFWR is expected to act quickly this week on [H.4](#), which would ban the use of “microbeads” in personal care products; and take much more time on [H.35](#), Rep. Deen’s potential 66-page omnibus water quality bill. As introduced, and presented to the farming community in St. Albans yesterday, this bill would revise AAPs and BMPs, require small farm certification, allow for enforcement, and provide for certification training, custom applicator certification, compliance through current use, and contracts with RPCs to produce basin plans. As expected, the Vermont Farm Bureau has already come out against this one. Other water-related bills of note introduced to date:

- H.27 Agriculture best management practices
- H.29 Financing water quality improvements
- H.33 Municipal regulation of public water supply surface waters
- H.37 Safety and regulation of dams
- H.53 Well isolation distances (shadowing)
- H.54 Manure application on farms in watersheds of impaired lakes

- **Energy Bill ([H.40](#)).** H. NRE’s annual energy bill, developed in consultation with DPS, was introduced last week by Reps. Klein and Ellis. As anticipated, it will replace the existing SPEED program with a renewable energy portfolio standard and credit system that is designed to meet the state’s renewable energy goals, and to be more in line with accepted market practices. No facility siting standards included.
- **Budget Bills.** H. Appropriations made quick work of the Administration’s FY15 Budget Adjustment ([H.82](#)), voting it out relatively intact, without a directive for Judiciary to cut \$500,000 from their budget by March (to instead be addressed outside of the adjustment bill). The revenue forecasts presented last week still look pretty grim – projected shortfalls of \$18.6 million this year, and a \$96 million in FY16 – but not beyond what was anticipated in the Administration’s proposed budgets.

NRB Consolidation. Also of note—budget language put forward by the Governor (Sec.E.713) would consolidate the Natural Resource Board within ANR – projected to save up to

\$200,000 to help offset the FY16 budget gap – but it’s not clear what this means for independent oversight of Act 250. Per the Administration, NRB and ANR are to submit a consolidation plan to House and Senate Appropriations by March 31, 2015.

Coming Up

- **River Corridor Maps.** I’ll be meeting with ANR folks on Wednesday to discuss local use of the river corridor maps recently released by the Agency – including a concern that corridors have been defined and adjusted by state highway and rail infrastructure. *Let me know if you have any thoughts.*
- **Committee Intros.** VPA has been invited to meet with S. Natural Resources & Energy on Thursday to introduce the organization (and Chapter 117 priorities), to be preceded by VAPDA and VLCT.
- **TIFs** – Susan Mesner, Deputy State Auditor, is scheduled to go over the TIF sections of the miscellaneous tax bill in H. Ways and Means today.
- **Budget Adjustment Bill.** House floor vote scheduled for Thursday. H. Appropriations is now working on the FY16 Budget Bill.
- **Current Use Moratorium** – proposed moratorium on program enrollments to be discussed in S. Agriculture, Forests on Wednesday.
- **Water Quality/Municipal Highways.** VLCT will be discussing funding for municipal highways under lake restoration plans in S. Transportation on Wednesday.

Weekly Calendar (subject to change)

H. Agriculture, Forests	NOFA (T); H.27, H.35 Water Quality (T,W); Farm Show (Th)
H. Appropriations	FY16 Budget (T-F)
H. Commerce, Econ Dev	Econ Dev Groups—intros, overviews (T,W,F)
H. Corrections, Institutions Waterbury (W)	BGS Report (T); Capital Bill (T-F)—JT Hearing w/H. Gov Ops (W);
H. Fish, Wildlife, Water	H.35 Water Quality (T-F)— RPCs (Th)
H. General, Housing	Weatherization Program (W); VSJF (W); HRC/Fair Housing Statutes (W)
H. Government Operations (Th)	H.18 Public Records (T,W); JT Meeting (W); BGS (W); ANR (Th); Judiciary
H. Natural Resources, Energy	H.40 Energy Bill (T-F)—overview (T), testimony all week
H. Transportation Stormwater (F)	Planning (T); T-Board (W); Proportional Share (W); Transit (Th);
H. Ways and Means	Misc Tax Bill – TIF sections (T)
S. Agriculture, Forests VTC (F)	GMO Legal Challenge (W); FY16 Budget/Current Use Moratorium (W);

S. Appropriations Budget Adjustment (T-F)—Language (W), **NRB** (Th)
 S. Economic Development S.11 Keg Bill (W); Pathways VT (Th); AIV (Th); GE Rutland field trip (F)
 S. Government Operations S.37 Lobbyists (T); **Genuine Progress Indicator** (Th); Hemp Legislation (F)
 S. Institutions Waterbury Trip (T); Capital Bill (W-F)—**Clean Water** (F)
 S. Natural Resources, Energy H.40 (F) Overviews—PSB, NRB (T); VEDA, VNRC (W), **VLCT, VAPDA, VPA** (Th);
 S. Transportation Municipal Assistance (T); T-Board (W); Lake cleanup/town highways—
 VLCT (W)

Bills

Legislative Council is taking drafting requests.

H.6	Application of lake shoreland protection standards	HFWWR
H.13	Regulating flood insurance coverage requirements	HCED
H.26	Taking of endangered or threatened species	HFWWR
H.27	Implementation of best management practices	HAFP
H.29	Financing water quality improvement	HFWWR
H.33	Municipal regulation of surface waters used as drinking water supplies	HFWWR
H.35	Improving the quality of State waters	HFWWR
H.37	Safety and regulation of dams	HFWWR
H.40	Renewable energy standard and energy transformation program	HNRE
H.42	Energy assistance program fees	HCED
H.53	Isolation distances for potable water supplies and wastewater systems	HFWWR
H.54	Manure application on farms located in watersheds of nutrient impaired lakes	HFWWR
H.82	Fiscal year 2015 budget adjustment	HAPP
S.1	"Welcome to" signs for census-designated places within towns	STRANS
S.16	Siting charges for energy transmission facilities	SFIN
S.33	Transferring E-911 administration to the Department of Public Safety	SFIN
S.39	Solid waste management (waste transporter recycling exemption)	SNRE

Legislative Reports

[State Land Leases Boost Ski Industry, but Are Dated and Inconsistent Legislative Report](#)
[Lands and Facilities Trust Fund Annual Report \(Act 61, Sec. 53 of 2001\)](#)
[Farm to Plate Investment Program 2014 Annual Report \(VSA Title 10, Chapter 15A\)](#)
[The Impacts of Development Activities in the Northeast Kingdom Legislative Report](#)
[Vermont Blueprint for Health 2014 Annual Report \(18 V.S.A § 709\(a\)\)](#)

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