**Montpelier Notes**,  An occasional email for Pownal and Woodford residents. If you would prefer not to receive these notes please reply to [botzow@sover.net](mailto:botzow@sover.net) and I'll remove you from the list. If you would like to be added please let me know. I do not give your email address to others. --Bill Botzow

April 3, 2011

Hello All,

The highlight of my week came Friday morning when Pownal’s Amanda Dean was honored for her weeks of service as a legislative page. Her parents Kevin and Lynn and brother Justin were there to see her receive her legislative pin and a standing ovation from all the House members along with remarks from Speaker Shap Smith conveying our sincere thanks for the pages service with hopes they will both stay committed to their communities and inspire their friends to become involved in service to their communities, state and nation. Amanda has been an excellent page carrying out her duties promptly and well—a great representative for Pownal and our schools.

**Pownal Historical Society Annual Meeting** – Sunday April 10, 1:30 PM Solomon Wright Library, 97 Main Street, Pownal

Next Sunday the Pownal Historical Society will host author Howard Coffin , a noted Civil War historian, as a guest speaker at their 17th Annual Meeting. In recognition of the 150th anniversary of the start of the Civil War, Mr. Coffin will discuss the war, its effect on Vermonters and on Pownal. The meeting is free and open to the public. All are welcome.

Here’s my report on bills that passed the House this week:

**H. 254** **An act relating to consumer protection**

Consumer protection issues are generally handled by the Commerce and Economic Development Committee. This year, working with the Attorney General’s office, the House passed and the Senate will next consider a consumer protection bill that largely focuses on ways internet commerce can be exploited to hurt both individual and business consumers. This bill is a collection of business and consumer protections, and provides for greater security of consumer data. The bill addresses deceptive practices employed by out of state companies that can hurt Vermonters such as telephone bill ‘cramming’ where questionable and often unauthorized charges for miscellaneous services like ‘tech support, or ‘online yellow pages’ are crammed into a person’s or business’s local phone bill. Some estimates show that Vermonters have lost millions of dollars, all in seemingly small unauthorized charges over time. Regularly look at your telephone and credit card bills very carefully to see if all the charges are legitimate. If you have concerns you can call the Attorney General’s Consumer Assistance Program number 1 800 649-2424. The Consumer Assistance Program website is <http://www.uvm.edu/consumer/> .  Another example is discount membership charges where consumers are charged long-term ‘membership’ fees on their credit card bills for what appears to be a free offer for a one-time discount. Another section of the bill protects Vermont florists and their customers from abuses of Internet and directory advertising. Out-of-state order-aggregators attempt to hijack consumer traffic and orders by masquerading as a Vermont or “local” florist, frequently using the business name of a real Vermont florist.

The bill also makes clear how the Attorney General must be notified of a security breech that could compromise Vermonter’s personal identity records. The final section strengthens the security of data held by agencies of the state of Vermont by placing Information Technology Security regimens under one management structure in the Agency of Administration. We also make clear that the Department of Information and Innovation in the Agency of Administration is in charge of information security planning and implementation for State Government. In developing the bill we heard compelling testimony from information security experts on the risks we all face from hackers, spamming, phishing and more on the internet.

Because of the importance of these measures to Vermonters, we passed the bill on a roll call vote and it was approved 134 to 0.

This week we also voted out two town charter change bills. I usually don’t report on these bills as they are the business of the individual towns. Towns in Vermont are governed under state law, but some towns have chosen to adapt charters covering their internal governing structure. When a town seeks a charter change, the proposal is first voted by the municipality’s residents and then reviewed and voted by the legislature. That is because under the Vermont constitution town charters are granted by the state. Neither Pownal nor Woodford are charter towns. The legislature acts on a number of charter changes annually, often on short order after Town Meeting as that is when town residents vote on proposed changes. This last week we passed without controversy:

**H. 335** **An act relating to amending the charter of the town of Barre;**

and

**H. 444** **An act relating to approval of amendments to the charter of the city of Burlington**

**H. 443** **An act relating to the state’s transportation program**

H.443 is the annual transportation bill, which along with the budget and the capital bill, makes up the three annual spending bills. It sets amounts and policy for state transportation programs and infrastructure along with levels of state support for local transportation projects. This year local transportation funding is essentially level funded for Class 2 roads, state support for Class 3 roads and for town bridges and culverts. The bill also set policy supporting the western rail corridor saying:

“The general assembly finds that intercity passenger rail along Vermont’s western rail corridor is of critical importance to the transportation mobility and economic prosperity of the state. The western rail corridor includes connections from points in New York to the corridor between Bennington, Rutland, Burlington, Essex Junction, and St. Albans to points in Canada. The agency is encouraged to apply for a federal grant to cover, in whole or in part, the cost of upgrading the state’s western rail corridor for intercity passenger rail service.”

The bill also established a municipal sidewalk program of matching grants to municipalities and added money to fund the program. The municipal sidewalks program “is created for the purpose of disbursing grants to municipalities for projects to construct, reconstruct, or improve sidewalks located along or connecting class 1, 2, or 3 town highways or state highways…” Grants would be matched by municipalities and capped at $75,000. There would be a total cap of $200,000 on the program in the coming year budget.

The bill also made policy adjustments to the scenic byways council and criteria. It also put in place a short grace period and process for recently expired licenses and vehicle registrations.

Only one part of the bill was controversial and that was a section that changed the sign laws to allow for electronic signs that change messages frequently. The legislature felt that more review by the Natural Resources Committee was needed and pulled that section from the bill. I supported the amendment asking for more review which passed 96 to 40.

**H. 446** **An act relating to capital construction and state bonding**

The annual capital bill invests through bonded money in infrastructure and facilities for state and local government. This supports private economic development and creates jobs. This year the legislature passed a two year capital bill which will be reviewed next year when adjustment s will be made based on the progress of projects started this year. The total amount of $153 million in authorized bonding has been allocated across FY12 and FY13, with about $90 million in this coming year and $63 million the year after.  This will provide funding for a few necessary major projects and take advantage low borrowing costs while providing jobs.

Some of the projects in the bill include the new Health Lab in Colchester and repairs at the current Vermont State Hospital and various Corrections facilities, major maintenance projects at state funded higher education institutions, building Communities Grants for improvements at municipal and nonprofit recreational, cultural, human services and educational facilities and paying off owed money for past school construction projects. The bill also funds best management projects for farms to protect water quality, upgrades badly outdated information technology for departments of finance and human resources, and it funds investments through the Vermont Telecommunications Authority to expand broadband and cellular service. Pownal was successful once more in making sure that interest on the state share of the wastewater project is covered and the house also included dollars to pay down the principal on that loan.

**H. 155 An act relating to property-assessed clean energy districts**

A few years ago the legislature passed a bill allowing towns to set up clean energy districts and a process for towns that wanted to do so to make loans for renewable energy projects. This year the legislature made changes to the bill to reflect needed changes for federal mortgage institutions that have come about with regulation at the federal level. The bill would “modify the statutes that enable municipalities to form clean energy assessment districts. These modifications include revising the name to property-assessed clean energy (PACE) districts and addressing issues related to the status of PACE liens, foreclosure, reserve funds, recording of documents related to PACE, and loan prepayment.”

Members of the Commerce Committee worked with the Natural Resources Committee to make sure there would be proper oversight of any lending activities. The bill passed easily on a voice vote.

**H. 420** **An act relating to the office of professional regulation**

Every year the Government Operations Committees review a portion of the professions Vermont regulates and makes changes to keep practices up to date. This year professions under review were barbers and cosmetologists, where the committee recommended making it clear that nail technicians are part of cosmetology and nursing where we clarified that nurse assistants are included. The bill also made technical corrections to statutes on optometrists, land surveyors, landscape architects, radiology, clinical mental health counselors, real estate appraisers, and licensed alcohol and mental health counselors. Professions are reviewed by their own boards of peers and in many cases the review periods were eased to reflect workloads and reality. Here’s a link to the bill <http://www.leg.state.vt.us/docs/2012/bills/Intro/H-420.pdf> Let me know if you have any questions on this or any other bill as they go forward to the Senate.

Next week we will take up this year’s energy bill. Here’s some information on the bill I recently received from the Natural Resources Committee.

“**H.56, the Energy Act of 2011**, expands and improves Vermont's successful net metering program and prevents a gap in funding for the Clean Energy Development Fund. The bill also takes a number of steps to ensure the continuance of existing renewable energy facilities.

The bill contains the following provisions:

**Net metering** (the state's program that allows utility customers who install small renewable energy systems to get credit from their utility for the power they produce):

•    Raises the current cap on the percentage of net metering allowed per utility territory, from 2% to 4%

•    Establishes a statewide solar credit, requiring utilities to offer a standard benefit per kWh produced by a customer's solar system (recognizing that these projects help avoid higher energy costs during peak times as well as expensive transmission upgrades)

•    Raises the allowable size per net metering system from 250 kW to 500 kW for both group and individual systems

•    Provides for a simple registration system for solar net-metered systems of 5 kW or less

•    Monetizes kWh credits so that net-metering customers can offset their production against their total utility bill

**Clean Energy Development Fund**

•    Funding for the CEDF is due to cease in March of 2012. H. 56 establishes a temporary Clean Energy Support Charge to bridge the gap until a permanent new source can be decided. The proposed monthly charge of 55 cents per utility customer would raise about $2.3 million annually for three years, providing the predictable resources necessary to support locally generated renewable power and jobs for Vermonters across the state. (The CEDF currently provides about $6 million annually to leverage millions more in investments.)

**Preserving existing hydro and biomass power plants**

•    H.56 asks the Public Service Board to design new standard offer contracts for certain small hydroelectric plants and for the Ryegate biomass plant, whose PURPA contracts are expiring over the next two years. The new prices are expected to be lower than the PURPA contracts but stable enough to allow for the plants' continued financial viability.

**Permanent self-managed energy efficiency**

•    Recent legislation allowed IBM, the state's largest electric consumer, to manage and fund its own energy-efficiency program, as long as required efficiency goals could be met. H. 56 recognizes the success of this program by making it permanent.

**Biofuels and Low Sulfur Mandate**

•    To help save Vermonters money and provide for a cleaner environment, H.56 establishes low sulfur and biofuel mandates for heating oil sold in Vermont, timed to match implementation by surrounding states.”

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Ruth and I often enjoy a good walk on the weekend. This morning we were happy to see skunk cabbage shoots emerging from the frozen ground near the South Stream waterfowl area and also see Mergansers, a beautiful duck that passes through early every year, and a beaver swimming in the newly open water. Spring is on the way despite the still chill air. I hope everyone has a good, healthy week.

Stay in touch,

Bill

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