

2012

WASHINGTON-CHITTENDEN 1,
WATERBURY, DUXBURY, HUNTINGTON & BUELS GORE

END OF SESSION REPORT

Rep. Tom Stevens & Rep. Rebecca Ellis



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A Session Like No Other

To say that Tropical Storm Irene colored the work we did this session would be an understatement. It seemed that most major issues were viewed through the prism of flood recovery, with very few exceptions. When we weren't doing the work of our assigned committees, we were hustling to make sure the issues most important to Waterbury were considered and implemented.

This report condenses the work accomplished by your state government this session. Vermonters should be proud of our state's response to the flooding of 2011, and can look forward to seeing tangible improvements in our future planning. Thank you for the privilege for having served you this biennium. It is a truly humbling experience, especially while helping us recover from this natural disaster.

-Tom & Rebecca

REDISTRICTING HAS CHANGED OUR DISTRICT

BY constitutional mandate and state statute, Vermont must reapportion its legislative districts every ten years to maintain equality of representation.

Our new 2-member House district is comprised of Waterbury, Bolton, Huntington and Buels Gore. Duxbury will be joining Moretown, Waitsfield, Warren and Fayston in a new 2-member district in the Mad

River Valley. Both of us have filed our petitions and will be candidates for reelection in the November 2012 elections.

In the Senate, Huntington and Buels Gore will be joining the Addison County Senate District, Bolton will be in the Chittenden County Senate District, and Waterbury will remain in the Washington County Senate District.

PRIMARY DAY IS AUGUST 28, 7 AM TO 7 PM (POLLS OPEN 6:30 AM IN HUNTINGTON)

EARLY VOTING BEGINS JULY 14 REQUEST YOUR ABSENTEE BALLOT NOW

WATERBURY: Thatcher Brook Primary School DUXBURY: Crossett Brook Middle School

HUNTINGTON/BUELS GORE: Brewster-Pierce Memorial School BOLTON: Smilie Memorial School

General Election November 6, 7 AM TO 7 PM (POLLS OPEN 6:30 AM IN HUNTINGTON)

FLOOD RECOVERY EFFORTS TOP THE AGENDA IN OUR TOWNS



Window on Randall Street, Waterbury

IT would not be a stretch to say that the flooding our district experienced in 2011 shaped our work during the 2012 session. Huntington and Duxbury experienced incredible washouts and damage from the flooding in May and, as we all know well, Tropical Storm Irene crippled parts of Duxbury

and Waterbury. It also forced the closure of the Vermont State Hospital and the relocation of over 1,200 state workers who worked at the State Complex.

When we returned to the State House in January, we had already been working to make sure that our district be made as whole as possible after these natural disasters. In Huntington, residents were assisted in their efforts to reinforce river banks eroded by the overflowing Huntington River. While there was no direct financial assistance, we made sure Huntington received the benefits it needed to minimize the damages. Camels Hump Road in Duxbury was severely damaged in May, and the repairs to that road were damaged again in August. Crossett Hill also saw substantial damage in May. Repairs were made to all the roads, though repairs to private roads were paid for by the families living on them. The sheer amount of damage statewide should reduce Duxbury's share of the costs to 10%.

The bulk of our off-season work was done after August 29. Those of us in elected office were called to serve nearly nonstop. As Selectboard Chair, Rebecca led the response and recovery efforts in Waterbury, working as many as 20 hours a day during the height of the crisis to bring relief to the people and businesses of Waterbury Village. Tom connected with the residents on the street level, and

his experience with the affordable housing sector allowed him to mediate between the state, FEMA and the owners and residents of our local mobile home parks so the damaged homes could be dealt with quickly and legally. And together we worked to make sure the state made a commitment to return in a substantial way to Waterbury. With the release of the Freeman French Freeman/Goody Clancy Report, it is clear we succeeded. Our work, and the work of the Legislature, resulted in the following resolutions to longstanding issues at the Complex, and throughout Vermont:

1. Concluding a decade-long discussion, the Legislature voted to replace the State Hospital with a 25-bed secure facility in Berlin, and an expanded community-based system.
2. The state will move forward with a new office space in Waterbury to replace flood-damaged buildings.
3. The Main Street Project will be studied and, if feasible, the project will be done concurrently with the reconstruction of the Complex.
4. Legislation was passed to help with the crisis in affordable housing and the loss of mobile homes up and down the riversides in Vermont, including language that prevents discrimination against land use decisions with respect to these homes.
5. The budget contains \$100 million in additional transportation funding to address storm damage at state and local levels.
6. New regulations will be adopted to ensure municipal compliance with FEMA's National Flood Insurance Program.
7. The Agency of Natural Resources will have new authority to regulate activity in streams and rivers during emergency conditions.

PLEASE FEEL FREE TO CONTACT US ABOUT THESE ISSUES, OR FOR HELP WITH YOUR QUESTIONS OR CONCERNS. FOR FURTHER INFORMATION, PLEASE VISIT OUR WEBSITES:

WWW.STEVENSVERMONT.COM
WWW.ELLISVERMONT.COM



AN EDUCATIONAL LEADERSHIP CHANGE



THE Legislature passed a law this session enabling the governor to appoint a Secretary of Education beginning January 1, 2013. This bill elevates the Commissioner of Education to a cabinet level position and gives the governor authority to select a secretary from a pool of three candidates advanced by the Vermont Board of Education. Permitting the state board to select candidates also promises to provide a buffer against the politicization of our public school education at the state level.

Vermonters will spend \$1.5 billion this year on education. Relative to our investment, we have successful outcomes compared to other states. But we know we can do better. With a Secretary of Education in the governor's cabinet, he or she can convey a unified vision to deliver effective outcomes that improve the quality of education in our state. Every two years, you can hold the governor accountable for the educational achievements of Vermont students and the cost of delivering them.

This legislation significantly increases transparency and accountability at the state level. It will help Vermont administer statewide education policies more efficiently and allow decisions related to education to be made in the context of broader state priorities. Greater transparency and accountability will elevate the importance of education policy and put it on par with other vital services administered by state and local government.

HEALTH CARE REFORM, YEAR 2

THE Legislature took an important step forward in moving toward a health care system that provides the best care possible for all Vermonters. The combination of the Federal Affordable Care Act and the new state law will give many of us access to better insurance plans at more affordable prices. The Health Benefit Exchange is due to be in full operation starting in 2014.

This new marketplace will be good for our families because we will be able to compare health insurance products and define the type of health care coverage that best fits our family's health care and financial needs. The Federal Affordable Care Act also provides for significant tax breaks for most Vermonters who purchase insurance here. These tax breaks will make good coverage more affordable.

The exchange marketplace will also be good for Vermont businesses. After 2014, small businesses will have new choices available to them to make sure that their employees have good access

Recovery Related Actions

This year, the Legislature:

- Delayed the local payment to the Education Fund by 90 days to allow for cash-strapped Irene-affected towns to maintain their cash flow.
- Authorized reimbursement to towns that abated education property taxes for properties that were partially or fully destroyed and uninhabitable after Irene.
- Put \$15 Million into the Emergency Relief Assistance Fund to hold harmless town tax rate increases over three cents for flood recovery work.
- Created 11 new transportation positions through FEMA funds to help municipalities navigate accessing federal resources.
- Passed a "Rivers Bill" to bring Vermont communities into voluntary compliance with the National Flood Insurance Program standards and address river-related issues that surfaced during Irene.
- Made modest increases in DMV fees to assist the Agency of Transportation with the ongoing charge of rebuilding flood-damaged roads and bridges.
- Increased lending capacity of the Vermont Economic Development Authority (VEDA) in order to help meet the needs of businesses as they recover.
- Regulated activities in flood plains that are currently exempt from municipal review, such as agriculture, utilities, and transportation.
- Authorized \$500,000 in refundable tax credits for properties in designated downtowns and village centers damaged by flooding this year.

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to care. Many Vermont businesses will have a new choice to free themselves from the burden of managing employee health benefits and focus their energy on what they do best: growing their businesses and providing the best Vermont-made products and services.

CITIZENS UNITED

On March 6, 2012, 64 towns and cities around Vermont passed resolutions urging Congress to overturn the U.S. Supreme Court's *Citizens United* decision.

In response to this call from towns and cities, the Vermont State Legislature passed a similar resolution asking the U.S. Congress to amend the Constitution and reform our campaign finance system.

Corporations are the engines of our country's capitalism. But citizens have always expressed concern over the outsized influence that corporations can wield. Passage of this resolution asks that we recommit ourselves to public debate that is uninhibited and open. Corporations should not be afforded the same first amendment rights as natural persons. That's not anti-business; it's pro-democracy.

"FRACKING"

Water that catches fire? No, thanks. This spring, the Legislature passed a bill making Vermont the first state in the nation to place a prohibition on fracking. Hydraulic fracturing (as opposed to the more benign hydro-fracturing for well water) involves horizontal drilling at considerable depths and injecting millions of gallons of water mixed with sand and chemicals to

produce natural gas. In the U.S., the use of fracking has grown about 3,000%. Questions remain around its negative effects on air and water quality, as well as seismic activity. Over the next three years, the Agency of Natural Resources will review upcoming studies and put rules in place to make sure Vermont's air and water are protected should the prohibition ever be lifted.



Huntington Public Library, August 2011

AFFORDABLE HOUSING

Irene devastated mobile homes across Vermont. Since September, state agencies have been working to find a way to increase affordable housing and access to new mobile homes. S.99 addresses these needs and provides the Shumlin Administration with the tools it needs to aid in the redevelopment of mobile home parks and alternative housing. S.99 also gives municipalities a new option in disposing of abandoned mobile homes, and provides landlords with a definitive timeframe for disposing of unclaimed property after an eviction. Additionally, S.99 contains legislation passed earlier this session that prohibits

discrimination against affordable housing units in land use decisions.

Other legislation mobile home owners affected by the flooding to be eligible for tax incentives and financing help totaling \$1.1 million. We also adjusted existing statute to make it easier for mobile home park tenants to form cooperative mobile home parks.

RECYCLING AND SOLID WASTE

H.485 takes the first step to achieving universal recycling in Vermont. It improves solid waste management services to divert waste from landfills to facilities that can turn the material into alternative products or uses. Vermont has only two landfills and the landfill in Moretown may close in the near future. It is imperative to reduce the quantity of waste currently going to landfills.

In other words, this legislation says that if it can be recycled or composted, it can't go to the landfill. Specifically, H.485 sets a schedule to ban recyclable material from landfills statewide. It will require diversion not only of traditional recyclables, but also of yard residuals and other organic materials such as food waste. This bill also requires an assessment of state waste-management systems with recommendations for improvement.

Implementation dates for these requirements stretch from 2014 to 2020, so that solid waste facilities, transporters/haulers, and individuals have time to allow for education and smooth transition. The bill also creates economic development opportunities, particularly for organic waste that may be converted to compost, energy recovery, or agricultural use.