

CONFIDENTIAL

LEGISLATIVE BILL REVIEW FORM: 2016

Bill Number: H.518 **Name of Bill:** An act relating to the membership of the Clean Water Fund Board

Agency/Dept: Vermont Agency of Transportation, PPAID

Authors of Bill Review: Hope Zabronsky, Gina Campoli

Date of Bill Review: 5/05/2016

Related Bills and Key Players: The CWF Board (Secretaries of Admin, ANR, VTrans and Agriculture. Mayors of Burlington, St. Albans and Rutland, VLCT, Rep. David Deen)

Status of Bill: (check one): ☐ Upon Introduction ☐ As passed by 1st body ☒ As passed by both

Recommended Position:

☐ Support ☒ Oppose ☐ Remain Neutral ☐ Support with modifications identified in #8 below

Analysis of Bill

1. Summary of bill and issue is addresses. *Describe what the bill is intended to accomplish and why.*

This bill proposes to require appointment of members of the public to the Clean Water Fund Board. These public appointments will include two members of the public or the House of Representatives appointed by the Speaker of the House, each of whom shall be from a separate major watershed of the State with one of the members appointed under this subdivision being a municipal official. Public appointments to the board also include two members of the public or the Senate appointed by the Committee on Committees, each of whom shall be from a separate major watershed of the State with one of the members appointed under this subdivision being a municipal official.

2. Is there a need for this bill? *Please explain why or why not.*

Legislation passed by the House last year had included language intended to appoint members of the public to the Clean Water Fund Board. This language was removed by Senators who believed the responsibility of funding allocation recommendations for the Clean Water Fund Board should fall solely on government agencies. Members of the public believe the Clean Water Fund Board is being used to further the agendas of government agencies and want to participate in funding allocation decisions.

3. What are likely to be the fiscal and programmatic implications of this bill for this Department? None for VTrans

4. What might be the fiscal and programmatic implications of this bill for other departments in state government, and what is likely to be their perspective on it? ANR will have to facilitate a much larger CWF Board. This will take time and planning resources. In addition, ANR has stated in testimony that the desire is to keep funding decisions, technical and scientific and avoid special interests.

5. What might be the fiscal and programmatic implications of this bill for other, and what is likely to be their perspective on it? *(for example, public, municipalities, organizations, business, regulated entities, etc.)* There are several CWF stakeholders including municipalities and environmental organizations who feel that the funding decision-making process is not sufficiently transparent and could benefit from public input.

6. Other Stakeholders:

6.1 Who else is likely to support the proposal and why?

Vermont Mayors Coalition and Vermont League of Cities and Towns support allowing members of the public to serve on the Board and present recommendations separate from agency priorities.

6.2 Who else is likely to oppose the proposal and why?

7. Rationale for recommendation: *Justify the recommendation stated above.* VTrans opposes adding members of the public to the Clean Water Fund Board, recognizing that ANR is taking the lead in opposing the bill.

8. Specific modifications that would be needed to recommend support of this bill: *Not meant to rewrite bill, but rather, an opportunity to identify simple modifications that would change recommended position.*

9. Will this bill create a new board or commission AND/OR add or remove appointees to an existing one? If so, which one and how many?

This would add four members of the public to the Clean Water Fund Board.

Secretary/Commissioner has reviewed this document: _____ **Date**_____

Please return this bill review as a Microsoft Word document to Jahala.Dudley@vermont.gov and Jessica.Mishaan@state.vt.us