

Vermont Environmental Report

PUBLISHED MONTHLY BY THE VERMONT NATURAL RESOURCES COUNCIL, A NON-PROFIT CITIZENS' CONSERVATION ORGANIZATION, SUPPORTED BY MEMBERSHIP DUES AND CONTRIBUTIONS. VNRC, 26 STATE STREET, MONTPELIER, VERMONT, 05602. (802) 223-2328. CHAIRMAN: DAVID R. MARVIN; EXECUTIVE DIRECTOR: SEWARD WEBER; EDITOR: NAT FROTHINGHAM.

1977 General Assembly:

Environmentalists Score Solid Gains - Next Session Will Face a Long Agenda

What follows is a reprint from the 15th and final issue of the 1977 Weekly Legislative Alert. Readers of the VER should be aware that this summary of legislative events is a general statement on the outcome of environmental legislation that is partly "straight reporting" and partly editorial comment.

1. Gains

Environmentalists can find a measure of encouragement in the outcome of the 1977 Session of the General Assembly that adjourned in the early hours of Sunday, April 24th. There were modest, but important, gains in the long, difficult struggle to confront the environmental problems that face us.

These gains were among the most significant.

- After a tough, two-year fight, the enactment of a ban on phosphates in household detergents. Phosphates have been contaminating our rivers, lakes and streams and clogging our waters with algae blooms. This ban is an important step toward eliminating phosphate pollution at its source.

- A beginning in the massive effort to curb energy waste with the passage of a bill that provides low-interest loan money to Vermonters for home insulation.
- A Scenic Roads Bill, passed in this Session after more than a decade of consideration in both houses of the Assembly. This bill demonstrates that environmental concerns and economic issues can be successfully resolved.
- Now, with the passage of H.261 (which is the companion piece to legislation enacted in 1975), -- Vermont has what has been termed "the strongest nuclear control measures in the nation." The 1975 law requires legislative approval for further nuclear plant construction. The new law requires legislative review prior to the designation or construction of nuclear waste storage sites or reprocessing facilities.

1977 Session ...

- Real progress toward the eventual goal of property tax reform and a more equitable way of distributing state aid to education. Because of key Senate amendments in the final days of the Session, for the first time, **managed forest land** can now be covered by tax stabilization agreements. And an important principle has been established with the passage of H.16, that the "Use Value" of land may be substituted for the "Fair Market Value" in estimating the "wealth" of a town for state aid to education purposes. That the House Education Committee should have adopted a new state aid to education formula for full legislative consideration next year after years of debate is indeed a remarkable advance.
- Key amendments to Gov. Snelling's economic development assistance bill, H.422. One amendment provides for public involvement in the private, non-profit development corporations that would receive grants under the new legislation. A second amendment requires that local towns write letters of endorsement attached to any application for grants to such corporations. A third amendment, resisted by Gov. Snelling, but added at the 11th hour, requires that all development activities be consistent with comprehensive regional plans.

The 1977 Session was as notable for bills that were **not passed** as for bills that were. **Not passed** was legislation requested by the Governor that would have struck a provision for a Land Use Plan from Act 250. Gov. Snelling's recommendations to delete the Land Use Plan failed to include suggestions for how Act 250 might be strengthened to meet the need for planning for economic growth. The General Assembly chose not to act precipitately by weakening Act 250 with debilitating amendments. Instead, a summer study committee will review the need for changes in Vermont's fundamental land use and development law.

2. Still Awaiting Action

The 1977 Assembly found some of the all-encompassing and more complicated issues both the most per-

sistent and the most difficult to address effectively. Still awaiting action as the Session adjourned are the many intractable problems that surround the question of energy planning, management and conservation.

The subject of energy touches practically every concern of Government and has repercussions on almost all aspects of our lives. Is there a public concern that is not in some way related to energy? Agriculture, transportation, housing, welfare, natural resource management, education, tax revenues: all are affected. Given the pervasive nature of this problem it is no wonder that a part-time, citizen Assembly finds itself confounded as it seeks to address so wide a subject and finds postponement an available alternative to concrete action.

As President Carter's recent speech to the Nation pointed out so dramatically, the question of energy is now too urgent to be ignored any longer. Somehow the Legislature, as a first act of new business next January, will have to organize itself to attack this kind of issue. The old legislative structures of sharply defined Committee responsibilities are simply incapable of responding to issues of this kind. One proposal in the 1977 Session that held some promise for seizing on energy problems was a bill that would have created a Joint (House-Senate) Energy Committee. Such a Committee, its sponsors argued, needed to be fully-staffed, fully-funded, and fully-empowered to address energy issues. But it failed to gain approval in the closing hours of the Session.

3. The Upcoming Agenda

Demanding attention on the environmental agenda as we look ahead are problems that have been with us for a long time but whose need for consideration is just now beginning to penetrate the public consciousness. The waste in our society is prodigious: solid wastes building up on the land, human wastes polluting our waters, the waste and under-management of the State's forest resource, the destruction of agricultural land and the decline of the independent family farm, and perhaps the greatest waste of all, -- the under-employment and unemployment of human energy and human resources. Perhaps as alarming in another way is the grim statistic from the National Institutes of Health in Bethesda, Maryland that warns that as much as "70 to 90 percent of all cancers in humans may be **environmentally induced**."
