

Vermont Environmental Report

Legislative Review - Part II

Beyond the Deer Herd

A sluggish, myopic 1979 legislative session frustrated many environmentalists who had hoped to see the passage of several important measures.

The only bill of any environmental significance to become law was the infamous deer herd bill, which transferred management of the herd from the legislature to the Department of Fish and Game.

While the deer herd question is settled - at least for the time being - other urgent and crucial measures affecting Vermont's environment remain uncertain.

What has come to be called the "primacy bill" is one such piece of legislation.

Primacy Bill

The federal Safe Drinking Water Act of 1974 provides that states may assume primary responsibility (primacy) for administering and enforcing the Act. If a state does not assume primacy by October 1979, the Environmental Protection Agency (EPA) will administer the Act within the state and withhold any further money for state programs.

For Vermont, assuming primacy under the Safe Drinking Water Act requires passing a law. The 1979 General Assembly failed to pass this law - H.445, the primacy bill. There are several reasons why H.445 was not passed, among them: lack of time, lack of recognition of what the legislation means to Vermont's drinking water program, and lack of support from key senators.

H.445 was introduced late in the session, which meant swift passage was critical. The bill received a favorable report from the House Government Operations Committee, but met resistance in the House Appropriations Committee.

Members of the House Appropriations Committee,

with clear conservative sentiments, argued against the bill because it seemed to them just one more onerous federal program that Vermont could do without. The irony of this argument is, of course, that the bill would have given Vermont more control over its own affairs and lessen federal government meddling.

There was also some disbelief expressed in the House Appropriations Committee that the federal government would actually withdraw or withhold funding if the measure were defeated. Rep. Glendon King (R-Washington), a member of the House Appropriations Committee, insisted that the federal government was usually bluffing - that they rarely carried out threats of withholding funds. Unfortunately, Mr. King's assessment of the federal government's behavior is incorrect: as of April 31, EPA revoked \$264,000 from Vermont's drinking water program.

The House Appropriations Committee at first voted to table the primacy bill, but pressure from environmentalists and health officials persuaded the Committee to reconsider and to forward the measure, with an adverse report, to the House floor. After considerable maneuvering by VNRC, the Vermont Public Interest Research Group, the League of Women Voters, and others, H.445 passed the full House.

Once the bill reached the Senate, it received speedy and favorable action by the Senate Natural Resources Committee, but it hit a snag in the Senate Appropriations Committee. Committee Chairman John Boylan (R-Essex-Orleans), an avowed opponent of H.445, refused to allow the drinking water bill to come before the Committee for consideration.

The failure to pass H.445 this session has had an immediate and detrimental effect on Vermont's safe drinking water efforts. State drinking water programs

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