

# The House Committee on Natural Resources, Fish, and Wildlife and its jurisdiction

# The Supreme Legislative Power

- ▶ The Vermont Constitution establishes the Legislative Branch as the supreme law-making power
- ▶ Vt. Const. Ch. II, § 2 (Supreme Legislative Power)
  - ▶ “The Supreme Legislative power shall be exercised by a Senate and a House of Representatives.”
- ▶ The core function of the Legislative Branch is to enact laws, while the core function of the Executive Branch is to execute those laws.
- ▶ Under the separation of powers doctrine, the Legislative Branch has the supreme lawmaking authority and sets the State’s policy through the laws it enacts, while the Executive Branch, including the Governor, executes the policy.
- ▶ As the State’s policy-making branch, the General Assembly’s lawmaking authority over the structure and operation of the Executive Branch is unlimited, except in regard to Executive Branch authority derived from the Vermont Constitution, which is limited in scope.
- ▶ “But it can confer upon the executive . . . a wide discretion in the manner and method for the execution of statutes validly adopted.”
  - ▶ Vermont Educational Buildings Finance Agency v. Mann, 127 Vt. 262, 267 (1968).

# Which brings us to you...

## House Rule 25- Committee duties

- ▶ Committee on Natural Resources, Fish, and Wildlife
  - ▶ To consider matters relating to:
  - ▶ Conservation and development of the state's water resources; conservation and development of lands; land resources; land use; geology; fish and wildlife; natural habitats; air quality, environmental permitting; climate change; scenery; and solid waste and toxic substances management.

# The Public Trust Doctrine

## Surface Water

- ▶ Under the common law public trust doctrine, the State, as trustee, holds navigable waters and submerged land beneath navigable waters in trust for the benefit of the people.
- ▶ The purpose of the public trust doctrine is to preserve for the public access to navigable waters for navigation, commerce, and fishing free from obstruction by private parties. Title to the land under navigable waters allows the public to freely enjoy navigation of the waters, to carry on commerce, and to have the liberty to fish and take wildlife on navigable waters.
- ▶ The Vermont Supreme Court has recognized the public trust doctrine and the authority of the State to supervise and control navigable waters and the lands lying under the waters. The Vermont Supreme Court also has invoked the public trust doctrine in several cases to reject claims of private rights with respect to public waters.
- ▶ The core of the public trust doctrine is the State's authority as sovereign to exercise supervision and control over the navigable waters of the State and the underlying lands.
- ▶ Generally, lands held subject to the public trust may only be used for purposes approved by the General Assembly as public uses. E.g., Burlington harbor lands.
- ▶ The General Assembly may delegate its public trust authority to another body, such as a State agency or city, but the General Assembly always retains the right to revoke the delegated powers and exercise them in a more direct manner.
- ▶ When the General Assembly delegates the legislative approval process under the public trust doctrine, the delegation must be clear and express.
- ▶ See: 29 V.S.A. Ch. 11, the General Assembly expressly delegated the public trust legislative approval process for encroachments to the Agency of Natural Resources.
- ▶ **§ 401. Policy**
  - ▶ Lakes and ponds which are public waters of Vermont and the lands lying thereunder are a public trust, and it is the policy of the State that these waters and lands shall be managed to serve the public good, as defined by section 405 of this title, to the extent authorized by statute. For the purposes of this chapter, the exercise of this management shall be limited to encroachments subject to section 403 of this title. The management of these waters and lands shall be exercised by the Department of Environmental Conservation in accordance with this chapter and the rules of the Department. For the purposes of this chapter, jurisdiction of the Department shall be construed as extending to all lakes and ponds which are public waters and the lands lying thereunder, which lie beyond the shoreline or shorelines delineated by the mean water level of any lake or pond which is a public water of the State, as such mean water level is determined by the Department.

# The Public Trust

## Groundwater

10 V.S.A. § 1390(5)

- ▶ (5) it is the policy of the State that the groundwater resources of the State are held in trust for the public. The State shall manage its groundwater resources in accordance with the policy of this section, the requirements of subchapter 6 of this chapter, and section 1392 of this title for the benefit of citizens who hold and share rights in such waters. The designation of the groundwater resources of the State as a public trust resource shall not be construed to allow a new right of legal action by an individual other than the State of Vermont, except to remedy injury to a particularized interest related to water quantity protected under this subchapter.
- ▶ Groundwater Protection Rule and Strategy.
- ▶ § 12-102. PURPOSE
- ▶ It is the purpose of this Rule to establish the following:
  - ▶ (1) a system of management for the different classes of groundwater;
  - ▶ (2) a process for the reclassification of groundwater;
  - ▶ (3) standards for the protection of groundwater quality;
  - ▶ (4) processes that must be incorporated into regulatory programs to ensure that activities that present a potential threat to groundwater are designed, managed, and permitted to protect groundwater resources; and
  - ▶ (5) a system to protect the groundwater resources that are held in trust for the public.

# The Public Trust

## Wildlife; Ferae Naturae

- ▶ The Vermont Constitution provides that the citizens of the State shall have “liberty in seasonable times to hunt and fowl on lands they hold, and on other lands not enclosed, and in like manner to fish in all boatable and other waters (not private property) under proper regulation, to be made and provided by the General Assembly.”
- ▶ The Vermont Supreme Court has interpreted this language and common law to mean that the wild animals of the State--the ferae naturae--belong to the people of the State in their collective and sovereign capacity, and not in their individual and private capacity.
- ▶ These holdings have led to the commonly held and voiced belief that the citizens of the state “own” the wild animals of the State.
- ▶ The U.S. Supreme Court, however, has stated that the “ownership language” in the context of the public trust in wild animals is a legal fiction, and that what the public trust provides is authority to regulate the resource—the wild animals—in a manner that is consistent with the Constitution.
- ▶ **§ 4081. Policy**
  - ▶ (a)(1) As provided by Chapter II, § 67 of the Constitution of the State of Vermont, the fish and wildlife of Vermont are held in trust by the State for the benefit of the citizens of Vermont and shall not be reduced to private ownership. The State of Vermont, in its sovereign capacity as a trustee for the citizens of the State, shall have ownership, jurisdiction, and control of all of the fish and wildlife of Vermont.
  - ▶ (2) The Commissioner of Fish and Wildlife shall manage and regulate the fish and wildlife of Vermont in accordance with the requirements of this part and the rules of the Fish and Wildlife Board. The protection, propagation, control, management, and conservation of fish, wildlife, and fur-bearing animals in this State are in the interest of the public welfare. The State, through the Commissioner of Fish and Wildlife, shall safeguard the fish, wildlife, and fur-bearing animals of the State for the people of the State, and the State shall fulfill this duty with a constant and continual vigilance.
  - ▶ (b) Notwithstanding the provisions of 3 V.S.A. § 2803, the Fish and Wildlife Board shall be the State agency charged with carrying out the purposes of this subchapter.

# Matters Relating to:

- ▶ Water Resources—Water Quality (permitting, planning); Water Quality Financing; Stormwater Permitting; Use of State Waters; Aquatic Nuisance Control; Stream Alteration; Wetlands; Groundwater Permitting; Encroachments (docks, power lines); Public Trust Waters
- ▶ Conservation and Development of Lands—State Lands (State Forests, State Parks); Conservation Easements; Forest Health
- ▶ Land Resources/Geology—Mining, Quarrying, Fracking
- ▶ Land Use—Act 250; Municipal Planning and Zoning; Use Value Appraisal
- ▶ Fish and Wildlife—Fishing, Hunting, Trapping, Conservation of Nongame Wildlife, Endangered Species, Pete the Moose
- ▶ Air Quality/Climate Change—Air pollution, air emissions, climate change, outdoor wood boilers
- ▶ Environmental Permitting—Water, Air, Waste, Wetlands, Lake Shoreland, Groundwater
- ▶ Scenery—Sign Law, Outdoor Lighting
- ▶ Solid Waste—Universal Recycling; Solid Waste, Landfills; Hazardous Waste; Sludge; Composting; Extended Producer Responsibility (mercury lamps, paint, batteries); Beverage Container Redemption (bottle bill)
- ▶ Toxic Substances—Toxic Substances Control, Chemicals of High Concern to Children

# Water Resources

Includes surface water and groundwater

Wetlands- 10 VSA chapter 37

§ 901. It is hereby declared to be the policy of the State that the water resources of the State shall be protected, regulated and, where necessary, controlled under authority of the State in the public interest and to promote the general welfare.

§ 905b. The Department shall protect and manage the water resources of the State in accordance with the provisions of this subchapter and shall:

(1) Study and investigate the streams in the State and their basins, and cooperate with federal agencies in mapping them and in collecting and compiling data relating to run off and stream flow.

(3) Have supervision over and act as the State's agency in all matters affecting flood control, channel clearing, and river bank protection. To discharge this responsibility, the Department shall:

(A) Develop flood control policies and a flood control program that balances the need to protect the environment with the need to protect public and private property. The policy and program shall direct appropriate remedial measures following significant flooding events and shall define appropriate flood hazard mitigation measures. These measures may include:

- (i) flood debris removal and streambed and stream bank maintenance and restoration practices;
- (ii) identification of disaster-prone areas;
- (iii) land use planning assistance to minimize future damage from flooding;
- (iv) flood proofing measures for existing vulnerable private or public structures;
- (v) acquisition and relocation of structures away from hazard-prone areas;
- (vi) development of State standards to protect public infrastructure from disaster damage;
- (vii) structural hazard control, such as debris basins or floodwalls to protect critical facilities;
- (viii) educating the public regarding the availability of flood insurance and the advisability of obtaining flood insurance.

(B) Develop and implement steps to incorporate into other programs administered by the Department measures that decrease the likelihood and impact of future flooding incidents.

(4) Make studies and investigations or demonstrations of problems relating to water quality with respect to pollution and causes, prevention, control, and abatement thereof as it may deem advisable, and when appropriate propose remedies to the Legislature.

# Water Resources

Wetlands continued...

The Department shall protect and manage the water resources of the State in accordance with the provisions of this subchapter and shall:

- ▶ (5) Encourage the construction of sewage disposal plants by municipalities; and encourage the construction of septic tanks and other proper methods of waste and sewage disposal in rural and industrial areas.
- ▶ (6) After the construction or major reconstruction of sewage disposal plants and attendant facilities, and at least once every three years, and once in any 12-month period upon petition by 10 or more people in interest from the municipality or an adjacent municipality, inspect the facilities so constructed, and similar facilities constructed for the purpose, to determine the efficiency of operation and maintenance, and submit a report to the appropriate municipal officials.
- ▶ (7) Foster and encourage recreational uses of the waters of the State and for this and other purposes cooperate with municipalities of the State and with agencies of the State concerned.
- ▶ (9) Administer loans, grants, and contracts from the federal, State, and local governments and from other sources, public and private, with the approval of the Governor, for furthering the water resources program of the State as embodied in the statutes.
- ▶ (12) Make available to any municipality in the State, to the extent funds are available, assistance relating to surveys, studies, and plans for pollution abatement works.
- ▶ (13) Undertake a continuing study and investigation of the groundwater in the State and cooperate with other governmental agencies in collecting and compiling data relating to the quantity, quality and location of groundwater.
- ▶ (16) Assist municipalities in the development of water supplies and in the construction of facilities for storage, distribution, and treatment of potable water supplies and approve all plans for the construction of such facilities, provided that plans shall also be approved by the State Board of Health prior to construction. The Department may provide planning and engineering assistance as requested in matters relating to preliminary surveys, studies and plans, if such assistance is not otherwise available, except that the Department's authority shall not infringe on the duties of the State Board of Health or local health officials with respect to quality of domestic water supplies.

# Water Resources

## Regulation of Stream Flow- 10 VSA chapter 41

### § 1001. Purpose

The Department of Environmental Conservation is created to administer the water conservation policy of this State. It is in the public interest that the waters of the State shall be protected, regulated, and where necessary controlled under the authority of the State. The proper administration of the water resources now and for the future require careful consideration of the interruption of the natural flow of water in our watercourses resulting from the construction of new, and the operation of existing dams, diversion, and other control structures. This subchapter is intended to identify this need, to provide a means for the investigation of the cause and effect of intermittent or diverted flow, and for the consideration of corrective actions required to assure as nearly continuous flow of waters in the natural watercourses as may be possible consistent with reasonable use of riparian rights.

## Dams- 10 VSA chapter 43

### § 1079. Purpose

It is the purpose of this chapter to protect public safety and provide for the public good through the inventory, inspection, and evaluation of dams in the State.

# Water Resources

- ▶ Water Pollution Control – 10 VSA chapter 47
- ▶ § 1250. State water quality policy
  - ▶ (1) protect and enhance the quality, character and usefulness of its surface waters and to assure the public health;
  - ▶ (2) maintain the purity of drinking water;
  - ▶ (3) control the discharge of wastes to the waters of the State, prevent degradation of high quality waters and prevent, abate or control all activities harmful to water quality;
  - ▶ (4) assure the maintenance of water quality necessary to sustain existing aquatic communities;
  - ▶ (5) provide clear, consistent, and enforceable standards for the permitting and management of discharges;
  - ▶ (6) protect from risk and preserve in their natural state certain high quality waters, including fragile high-altitude waters, and the ecosystems they sustain;
  - ▶ (7) manage the waters of the State to promote a healthy and prosperous agricultural community; to increase the opportunities for use of the State's forest, park, and recreational facilities; and to allow beneficial and environmentally sound development; and
  - ▶ (8) seek over the long term to upgrade the quality of waters and to reduce existing risks to water quality.

# Water Resources

## Lake Shoreland Protection Standards -10 VSA chapter 49A

### § 1441. Purpose

- (1) provide clear and adaptable standards for the creation of impervious surface or cleared area in lands adjacent to lakes;
- (2) prevent degradation of water quality in lakes and preserve natural stability of shoreline;
- (3) protect aquatic biota and protect habitat for wildlife and aquatic life;
- (4) mitigate, minimize, and manage any impact of new impervious surface and new cleared area on the lakes of the State;
- (5) mitigate the damage that floods and erosion cause to development, structures, and other resources in the lands adjacent to lakes;
- (6) accommodate creation of cleared areas and impervious surfaces in protected shoreland areas in a manner that allows for reasonable development of existing parcels;
- (7) protect shoreland owners' access to, views of, and use of the State's lakes; and
- (8) preserve and further the economic benefits and values of lakes and their adjacent shorelands.

# Water Resources

## ▶ Aquatic Nuisance Control – 10 VSA chapter 50

### § 1451. Findings

(3) The Agency of Agriculture, Food and Markets and the Department of Forests, Parks and Recreation have established an informal working group to address invasive and noxious weeds, but additional authority is necessary for the Agency of Natural Resources to adequately respond to invasive aquatic nuisance species.

(4) The ability to initiate quickly a response to contain and control a new aquatic species introduction before it can spread is critical to reduce future management costs and protect the integrity of Vermont's ecosystems.

(5) Infestations of new aquatic species must be detected early and acted upon swiftly to minimize economic, social, and ecological impacts as well as to increase the probability of a successful eradication effort.

## ▶ Public Water Supply – 10 VSA chapter 56

§ 1672 the Secretary shall have authority over and shall regulate the purity of drinking water, the adequacy, construction, and operation of public water systems, public water sources, and public water source protection areas.

## ▶ Underground and Aboveground Liquid Storage Tanks– 10 VSA chapter 59

### § 1921. Purpose

It is the purpose of this chapter to prevent ground and surface water contamination from underground storage tanks by authorizing the establishment of State standards and criteria for the design, installation, operation, maintenance, and monitoring of underground liquid storage facilities. It is the intent of this chapter to provide authority to the Secretary to enable the Secretary to operate a program consistent with or more stringent than that contained in Title VI of the Hazardous and Solid Waste Amendments of 1984.

# Conservation and Development of Lands

- ▶ 10 VSA §2603. Powers and duties of Commissioner of FPR
  - ▶ (b) The Commissioner shall manage and plan for the use of publicly owned forests and park lands in order to implement the policy and purposes of this chapter, promote and protect the natural, productive and recreational values of such lands, and provide for multiple uses of the lands in the public interest. The Commissioner may sell forest products and other resources on public lands and shall administer the State park system and a community recreation program as is in the best interests of the State and is consistent with the purposes and policies of this chapter.
- ▶ 10 VSA § 2607. Natural areas; designation
  - ▶ (a) The Commissioner, with the approval of the Governor, may designate and set aside areas in the State forests and State parks as natural areas.
- ▶ 3 VSA § 2807. Lands and Facilities Trust Fund
  - ▶ (1) The public lands, facilities, and recreational assets of Vermont represent both a priceless inheritance from the past and an enduring legacy for future generations.
  - ▶ (2) The lands, facilities, and recreational assets owned or managed by the Department of Forests, Parks and Recreation are held as public assets for the citizens of Vermont, and require proper management to ensure that these natural resources and facilities remain viable and available for this and all future generations.
- ▶ Quick Note: House Rule 25- Committee on Agriculture and Forestry jurisdiction
  - ▶ Agriculture and forestry, forest products and their markets, and state parks and lands

# Conservation and Development of Lands

- ▶ 10 VSA chapter 155 – Acquisition of Interests in Land by Public Agencies = Conservation Easements
- ▶ § 6301. Purpose
  - ▶ It is the purpose of this chapter to encourage and assist the maintenance of the present uses of Vermont's agricultural, forest, and other undeveloped land and to prevent the accelerated residential and commercial development thereof; to preserve and to enhance Vermont's scenic natural resources; to strengthen the base of the recreation industry and to increase employment, income, business, and investment; to enable the citizens of Vermont to plan its orderly growth in the face of increasing development pressures in the interests of the public health, safety, and welfare; and to encourage the use of conservation and preservation tools to support farm, forest, and related enterprises, thereby strengthening Vermont's economy to improve the quality of life for Vermonters, and to maintain the historic settlement pattern of compact village and urban centers separated by rural countryside.

# Land Resources/Geology

- ▶ 10 VSA § 101. Division of Geology and Mineral Resources
- ▶ The Division of Geology and Mineral Resources shall:
  - ▶ (1) conduct surveys and research related to the geology, mineral resources, and topography of the State;
  - ▶ (2) give aid and advice as may be possible relating to the development and working of rock or mineral deposits suitable for building, road making, and economic or other purposes;
  - ▶ (3) provide information and education to government, industry, other institutions and organizations, and to citizens regarding the geology, mineral resources, and topography of the State;
  - ▶ (4) provide technical information and advice regarding the management of mineral resources on State-owned lands, and cooperate where possible by providing geologic expertise and advice to persons conducting regulatory programs for the State;
  - ▶ (5) provide geological services for the Natural Gas and Oil Resources Board;
  - ▶ (6) maintain records of old and new information relating to the geology, mineral resources, and topography of the State;
  - ▶ (7) prepare and publish reports on the geology, mineral resources, and topography of the State.

# Land Use

- ▶ 10 VSA chapter 151 = Act 250- State Land Use and Development Plans
  - ▶ To protect and conserve the lands and the environment of the state and to insure that these lands and environment are devoted to uses which are not detrimental to the public welfare and interests
  - ▶ Requires that all development and subdivisions, as defined by the Act, receive a permit form the Natural Resources Board before beginning construction; the permit requires that the project not have an undue adverse impact on natural resources or the local community
  
- ▶ 24 VSA chapter 117 – Municipal and Regional Planning and Development
  - ▶ 24 VSA 4302
  - ▶ (b) It is also the intent of the Legislature that municipalities, regional planning commissions, and State agencies shall engage in a continuing planning process that will further the following goals:
    - ▶ (1) To establish a coordinated, comprehensive planning process and policy framework to guide decisions by municipalities, regional planning commissions, and State agencies.
    - ▶ (2) To encourage citizen participation at all levels of the planning process, and to assure that decisions shall be made at the most local level possible commensurate with their impact.
    - ▶ (3) To consider the use of resources and the consequences of growth and development for the region and the State, as well as the community in which it takes place.
    - ▶ (4) To encourage and assist municipalities to work creatively together to develop and implement plans.

# Fish and Wildlife

- ▶ Already discussed regulation of hunting and fishing
- ▶ Protection of Endangered Species – 10 VSA chapter 123
  - ▶ (a) The Secretary shall adopt by rule a State endangered species list and a State threatened species list. The listing for any species may apply to the whole State or to any part of the State and shall identify the species by its most recently accepted genus and species names and, if available, the common name.
  - ▶ (b) The Secretary shall determine a species to be endangered if it normally occurs in the State and its continued existence as a sustainable component of the State's wildlife or wild plants is in jeopardy.

# Air Quality

- ▶ Air Pollution Control – 10 VSA chapter 23
- ▶ § 551. Declaration of policy and purpose
  - ▶ to achieve and maintain such levels of air quality as will protect human health and safety, ... prevent injury to plant and animal life and property, foster the comfort and convenience of the people, promote the economic and social development of this State, and facilitate the enjoyment of the natural attractions of this State.
  - ▶ To these ends it is the purpose of this chapter to provide for a coordinated statewide program of air pollution prevention, abatement, and control, for an appropriate distribution of responsibilities among the State and local units of government, and to facilitate cooperation across jurisdictional lines in dealing with problems of air pollution not confined within single jurisdictions, and to provide a framework within which all values may be balanced in the public interest.
- ▶ 10 VSA 554
  - ▶ (a)(5) Prepare and develop a comprehensive plan or plans for the prevention, abatement, and control of air pollution in this State
  - ▶ (9) Determine by appropriate means the degree of air contamination and air pollution in the State and the several parts thereof.
  - ▶ (10) Make a continuing study of the effects of the emission of air contaminants from motor vehicles on the quality of the outdoor atmosphere of this State and the several parts thereof, and make recommendations to appropriate public and private bodies with respect thereto.
  - ▶ (11) Establish ambient air quality standards for the State as a whole or for any part thereof, based on nationally recognized criteria applicable to the State of Vermont.
  - ▶ (14) Consult, upon request, with any person proposing to construct, install, or otherwise acquire an air contaminant source or device or system for the control thereof, concerning the efficacy of the device or system, or the air pollution problem that may be related to the source, device or system. Nothing in any consultation shall be construed to relieve a person from compliance with this chapter, rules in force pursuant thereto, or any other provision of law.

# Climate Change

- ▶ 10 VSA chapter 24 – Global Warming Solutions Act
- ▶ The Vermont Climate Council shall identify, analyze, and evaluate strategies and programs to reduce greenhouse gas emissions; achieve the State's reduction requirements pursuant to section 578 of this title; and build resilience to prepare the State's communities, infrastructure, and economy to adapt to the current and anticipated effects of climate change and adopt the Vermont Climate Action Plan. The Secretary of ANR shall adopt rules consistent with the Plan.

# Scenery

- ▶ 10 VSA chapter 19- Scenery Preservation

- ▶ 10 VSA 421: to preserve and to enhance Vermont's scenic values
- ▶ Allows AoT and ANR to acquire lands for this purpose
- ▶ Classify scenic corridors, areas, and sites

- ▶ 10 VSA chapter 21 – Tourist Information Services

- ▶ AKA the Sign Law/Billboard law
- ▶ 10 VSA 483-
  - ▶ (1) To establish means by which the traveling public may receive general and specific travel information in a timely manner utilizing current marketing and technological systems.
  - ▶ (2) To provide for the effective collection and distribution of travel information.
  - ▶ (3) To prohibit the indiscriminate use of other outdoor advertising
- ▶ General prohibition on off-premise outdoor advertising, except on signs erected by AoT

# Solid Waste

- ▶ 10 VSA chapter 159 – Waste Management

- ▶ § 6603. Secretary; powers

- ▶ the Secretary shall have the power to:

- ▶ (1) Adopt, amend, and repeal rules pursuant to 3 V.S.A. chapter 25 implementing the provisions of this chapter.

- ▶ (2) Issue compliance orders as may be necessary to effectuate the purposes of this chapter and enforce the same by all appropriate administrative and judicial proceedings.

- ▶ (3) Encourage local units of government to manage solid waste problems within their respective jurisdictions, or by contract on a cooperative regional or interstate basis.

- ▶ (4) Provide technical assistance to municipalities.

- ▶ (5) Contract in the name of the State for the service of independent contractors under bond, or with an agency or department of the State, or a municipality, to perform services or to provide facilities necessary for the implementation of the State plan, including the transportation and disposition of solid waste.

- ▶ (6) Accept, receive, and administer grants or other funds or gifts from public and private agencies, including the federal government, for the purpose of carrying out any of the functions of this chapter. This would include the ability to convey such grants or other funds to municipalities, or other instruments of State or local government.

- ▶ (7) Prepare a report which proposes methods and programs for the collection and disposal of household quantities of hazardous waste. The report shall compare the advantages and disadvantages of alternate programs and their costs. The Secretary shall undertake a voluntary pilot project to determine the feasibility and effectiveness of such a program when in the Secretary's opinion such can be undertaken without undue risk to the public health and welfare. Such pilot program may address one or more forms of hazardous waste.

- ▶ (8) Provide financial assistance to municipalities.

- ▶ (9) Manage the hazardous wastes generated, transported, treated, stored, or disposed in the State by administering a regulatory and management program which, at a minimum, meets the requirements of subtitle C of the Resource Conservation and Recovery Act of 1976, and amendments thereto, codified as 42 U.S.C. Chapter 82, subchapter 3, and the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended.

- ▶ (10) Require a facility permitted under section 6605 of this title or a transporter permitted under section 6607 of this title to explain its rate structure for different categories of waste to ensure that the rate structure is transparent to residential consumers.

- ▶ 10 VSA chapter 53 - Beverage Containers; Deposit-redemption System

- ▶ 10 VSA chapter 166 – Collection and Recycling of Electronic Devices

# In conclusion

- ▶ The General Assembly is the supreme law making body
  - ▶ It establishes the State's policy and then implements it by enacting laws
  - ▶ The House of Representatives is divided into Committees with each having a specific area of focus
  - ▶ Yours is natural resources, fish, and wildlife
  - ▶ These resources are held in public trust by the State for the public
  - ▶ There are already many laws regulating these resources; you may amend, repeal, or adopt new ones
  - ▶ The General Assembly has already delegated authority over these resources to the Agency of Natural Resources and its Departments and Divisions, the Fish and Wildlife Board, the Natural Resources Board, and the Agency of Transportation
  - ▶ As the body that granted that authority, you may amend that delegation of authority