

1 S.234

2 Introduced by Senators Bray, Balint, Clarkson and Lyons

3 Referred to Committee on

4 Date:

5 Subject: Conservation and development; land use; Act 250

6 Statement of purpose of bill as introduced: This bill proposes to make multiple  
7 amendments to the State land use and development law, Act 250, including:  
8 creating designated smart growth areas that will be exempt from Act 250 and  
9 providing grants to municipalities to assist them in achieving this new  
10 designation, requiring municipalities to respond to Act 250 requests within  
11 90 days, adding new criteria for forest blocks and connecting habitat, adding a  
12 jurisdictional trigger for roads, clarifying permit conditions for wood product  
13 manufacturers, clarifying Act 250 jurisdiction in one-acre towns, and creating  
14 a committee to study the governance and administration of the Act 250  
15 program.

16 An act relating to changes to Act 250

1 It is hereby enacted by the General Assembly of the State of Vermont:

2 \* \* \* Smart Growth Designation \* \* \*

3 Sec. 1. 10 V.S.A. § 6001(43) is added to read:

4 (43) “Smart growth designation” means the process by which a  
5 designated center demonstrates that the center has satisfied the requirements of  
6 24 V.S.A. § 2793f. The term shall also refer to the resulting status.

7 Sec. 2. 10 V.S.A. § 6081 is amended to read:

8 § 6081. PERMITS REQUIRED; EXEMPTIONS

9 \* \* \*

10 (y) No permit or permit amendment is required for any subdivision or  
11 development located in a smart growth designation area. If the smart growth  
12 designation is terminated, a development or subdivision within the designated  
13 center must receive a permit, if applicable.

14 Sec. 3. 24 V.S.A. § 2793f is added to read:

15 § 2793f. SMART GROWTH DESIGNATION

16 (a) Application and approval. A municipality, by resolution of its  
17 legislative body, may apply to the Natural Resources Board for a smart growth  
18 designation for any designated downtown development district or designated  
19 neighborhood development area. The Natural Resources Board shall issue an  
20 affirmative determination on finding that the municipality meets the  
21 requirements of subsection (b) of this section.

1           (b) Smart growth designation requirements.

2           (1) To obtain a smart growth designation under this section, a  
3           municipality must demonstrate that it has each of the following:

4                   (A) an approved designated downtown development district or  
5           designated neighborhood development area;

6                   (B) a municipal plan that is approved in accordance with section  
7           4350 of this title;

8                   (C) a housing element in its town plan in accordance with  
9           subdivision 4382(10) of this title that achieves the purposes of subdivision  
10           4302(11) of this title and that includes clear implementation steps for achieving  
11           mixed income housing, including affordable housing, a timeline for  
12           implementation, responsibility for each implementation step, and potential  
13           funding sources;

14                   (D) adopted one of the following to promote the availability of  
15           affordable housing opportunities in the municipality:

16                   (i) inclusionary zoning as provided in subdivision 4414(7) of this  
17           title;

18                   (ii) a restricted housing trust fund with designated revenue  
19           streams;

20                   (iii) a housing commission as provided in section 4433 of this  
21           title; or

1                   (iv) impact fee exemptions or reductions for affordable housing as  
2 provided in section 5205 of this title;

3                   (E) municipal flood hazard planning, applicable to the entire  
4 municipality, in accordance with subdivision 4382(12) of this title and the  
5 guidelines issued by the Department pursuant to subsection 2792(d) of this  
6 title;

7                   (F) flood hazard and river corridor bylaws, applicable to the entire  
8 municipality, that are consistent with the standards established pursuant to  
9 10 V.S.A §§ 755(b) (flood hazard) and 1428(b) (river corridor);

10                   (G) a capital budget and program pursuant to section 4430 of this title  
11 that make substantial investments in the ongoing development of the  
12 designated area, are consistent with the plan's implementation program, and  
13 are consistent with the smart growth principles defined in subdivision 2791(13)  
14 of this title;

15                   (H) municipal bylaws that do not include broad exemptions  
16 excluding significant private or public land development from requiring a  
17 municipal land use permit; and

18                   (I) adequate municipal staff to support coordinated comprehensive  
19 capital planning, development review, and zoning administration.

1           (2) Designated downtown development districts seeking enhanced  
2           designation shall, in addition to the requirements of subdivisions (c)(1)–(6) of  
3           this section, also have:

4                   (A) urban form bylaws for the enhanced designated center that  
5                   further the smart growth principles of this chapter and adequately regulate the  
6                   physical form and scale of development and conform to the guidelines  
7                   established by the Department; and

8                   (B) historic preservation bylaws for established design review  
9                   districts, historic districts, or historic landmarks pursuant to subdivisions  
10                  4414(1)(E) and (F) of this title for the enhanced designated center that meet  
11                  State historic preservation guidelines issued by the Department pursuant to  
12                  subsection 2792(d) of this title.

13                  (3) Designated neighborhood development areas seeking enhanced  
14                  designation shall have, in addition to the requirements of this subsection,  
15                  wildlife habitat planning bylaws for the enhanced designated center that  
16                  comply with standards established by the Department of Fish and Wildlife.

17                  (4) If any party entitled to notice under subdivision (4)(A) of subsection  
18                  (c) of this section or any resident of the municipality raises concerns about the  
19                  municipality’s compliance with the requirements for the underlying  
20                  designation, those concerns must be addressed as part of the municipality’s  
21                  application.

1           (c) Process for issuing smart growth designation.

2           (1) A preapplication meeting shall be held with Department staff to  
3 review the program requirements. The meeting shall be held in the  
4 municipality unless another location is agreed to by the municipality.

5           (2) An application by the municipality must include the information and  
6 analysis required by the Department’s guidelines established pursuant to  
7 section 2792 of this title on how to meet the requirements of subsection (b) of  
8 this section.

9           (3) The Department shall establish a procedure for submission of a draft  
10 application that involves review and comment by all the parties to be noticed in  
11 subdivision (4)(A) of this subsection and shall issue a preapplication memo  
12 incorporating the comments to the applicant after receipt of a draft preliminary  
13 application.

14           (4) After receipt of a complete final application, the Natural Resources  
15 Board shall convene a public hearing in the municipality to consider whether  
16 to issue a determination of smart growth designation under this section.

17           (A) Notice.

18           (i) At least 35 days in advance of the Board’s meeting, the  
19 Department shall provide notice to the municipality and post it on the  
20 Agency’s website.

1           (ii) The municipality shall publish notice of the meeting at least  
2           30 days in advance of the Board's meeting in a newspaper of general  
3           circulation in the municipality, and deliver physically or electronically, with  
4           proof of receipt or by certified mail, return receipt requested to the Agency of  
5           Natural Resources; the State Downtown Board; the Division for Historic  
6           Preservation; the Agency of Agriculture, Food and Markets; the Agency of  
7           Transportation; the regional planning commission; the regional development  
8           corporations; and the entities providing educational, police, and fire services to  
9           the municipality.

10           (iii) The notice shall also be posted by the municipality in or near  
11           the municipal clerk's office and in at least two other designated public places  
12           in the municipality and on the websites of the municipality and the Agency of  
13           Commerce and Community Development.

14           (iv) The municipality shall also certify in writing that the notice  
15           required by this subdivision (c)(4)(A) has been published, delivered, and  
16           posted within the specified time.

17           (B) No defect in the form or substance of any requirements of this  
18           subsection (c) shall invalidate the action of the Board where reasonable efforts  
19           are made to provide adequate posting and notice. However, the action shall be  
20           invalid when the defective posting or notice was materially misleading in  
21           content. If an action is ruled to be invalid by the Superior Court or by the

1 Board itself, the Department shall provide and the municipality shall issue new  
2 posting and notice, and the Board shall hold a new hearing and take a new  
3 action.

4 (5) The Board may recess the proceedings on any application pending  
5 submission of additional information. The Board shall close the proceedings  
6 promptly after all parties have submitted the requested information.

7 (6) The Board shall issue its determination in writing. The  
8 determination shall include explicit findings on each of the requirements in  
9 subsection (b) of this section.

10 (d) Review of smart growth designation status.

11 (1) Length of designation. Initial determination of a smart growth  
12 designation may be made at any time. Thereafter, review of the smart growth  
13 designation shall be concurrent with the next periodic review of the underlying  
14 designated downtown or neighborhood development area.

15 (2) The Board, on its motion, may review compliance with the smart  
16 growth designation requirements at more frequent intervals.

17 (3) If at any time the Board determines that the designated smart growth  
18 area no longer meets the standards for the designation, it shall take one of the  
19 following actions:

20 (A) require corrective action within a reasonable time frame; or

21 (B) terminate the smart growth designation.



1           (4) If the underlying designation is terminated, the smart growth  
2           designation also shall terminate.

3           (e) Appeal.

4           (1) An interested person may appeal any act or decision of the Board  
5           under this section to the Environmental Division of the Superior Court within  
6           30 days following the act or decision.

7           (2) As used in this section, an “interested person” means any one of the  
8           following:

9                   (A) A person owning a title to or occupying property within or  
10                  abutting the designated center.

11                  (B) The municipality making the application or a municipality that  
12                  adjoins the municipality making the application.

13                  (C) The regional planning commission for the region that includes  
14                  the designated center or a regional planning commission whose region adjoins  
15                  the municipality in which the designated center is located.

16                  (D) Any 20 persons who, by signed petition, allege that the decision  
17                  is not in accord with the requirements of this chapter and who own or occupy  
18                  real property located within the municipality in which the designated center is  
19                  located or an adjoining municipality. The petition must designate one person  
20                  to serve as the representative of the petitioners regarding all matters related to

1 the appeal. The designated representative must have participated in the public  
2 hearing described in subdivision (c)(4) of this section.

3 Sec. 4. 24 V.S.A. § 2792 is amended to read:

4 § 2792. Vermont Downtown Development Board

5 (a) A “Vermont Downtown Development Board,” also referred to as the  
6 “State Board,” is created to administer the provisions of this chapter. The State  
7 Board shall be composed of the following members or their designees:

8 \* \* \*

9 (12) The executive director of the Vermont Housing and Conservation  
10 Board or designee.

11 \* \* \*

12 Sec. 5. 24 V.S.A. § 4306 is amended to read:

13 § 4306. MUNICIPAL AND REGIONAL PLANNING FUND

14 (a)(1) The Municipal and Regional Planning Fund for the purpose of  
15 assisting municipal and regional planning commissions to carry out the intent  
16 of this chapter is hereby created in the State Treasury.

17 (2) The Fund shall be composed of 17 percent of the revenue from the  
18 property transfer tax under 32 V.S.A. chapter 231 and any monies from time to  
19 time appropriated to the Fund by the General Assembly or received from any  
20 other source, private or public. All balances at the end of any fiscal year shall

1 be carried forward and remain in the Fund. Interest earned by the Fund shall  
2 be deposited in the Fund.

3 (3) Of the revenues in the Fund, each year:

4 (A) 10 percent shall be disbursed to the Vermont Center for  
5 Geographic Information;

6 (B) 70 percent shall be disbursed to the Secretary of Commerce and  
7 Community Development for performance contracts with regional planning  
8 commissions to provide regional planning services pursuant to section 4341a  
9 of this title; and

10 (C) 20 percent shall be disbursed to municipalities.

11 \* \* \*

12 (d) New funds allocated to municipalities under this section may take the  
13 form of special purpose grants in accordance with section 4307 of this title.

14 Sec. 6. 24 V.S.A. § 4307 is added to read:

15 § 4307. MUNICIPAL SMART GROWTH DESIGNATION GRANTS

16 (a) There are created Municipal Bylaw Modernization Grants to assist  
17 municipalities in updating their land use and development bylaws to achieve a  
18 smart growth designation under section 2793f of this title. The Grants shall be  
19 funded by monies allocated from the municipality allocation of the Municipal  
20 and Regional Planning Fund established in subdivision 4306(a)(3)(C) of this  
21 title and any other monies appropriated for this purpose.

1       (b) A municipality that receives a grant shall use the funds for the adoption  
2       of bylaws that are required under section 2793f of this title to achieve the smart  
3       growth designation. Funding may be used for mapping, the cost of regional  
4       planning commission staff or consultant time, carrying out the provisions of  
5       subchapters 5–10 of this chapter, and any other purpose approved by the  
6       Department.

7       (c) Disbursement to municipalities shall be administered by the Department  
8       of Housing and Community Development through a competitive process,  
9       providing the opportunity for all regions and any eligible municipality to  
10       compete regardless of size. The Department shall, to the extent reasonably  
11       possible, ensure that grants are awarded with the intent of achieving  
12       geographic distribution across the State.

13       (d) On or before September 1, 2022, the Department shall adopt guidelines  
14       to assist municipalities applying for grants under this section.

15                   \* \* \* Municipal Response to Act 250 Requests \* \* \*

16       Sec. 7. 10 V.S.A. 6086(g) is added to read:

17       (g) If a municipality fails to respond to a request by the applicant within  
18       90 days as to the impacts related to subdivision (a)(6) or (7) of this section, the  
19       application will be presumed not to have an unreasonable burden on  
20       educational, municipal, or governmental services.

\* \* \* Forest Blocks \* \* \*

Sec. 8. 10 V.S.A. § 6001 is amended to read:

§ 6001. DEFINITIONS

As used in this chapter:

\* \* \*

(44) “Connecting habitat” means land or water, or both, that links patches of habitat within a landscape, allowing the movement, migration, and dispersal of wildlife and plants and the functioning of ecological processes. A connecting habitat may include features including recreational trails and improvements constructed for farming, logging, or forestry purposes.

(45) “Forest block” means a contiguous area of forest in any stage of succession and not currently developed for nonforest use. A forest block may include features including recreational trails, wetlands, or other natural features that do not themselves possess tree cover and improvements constructed for farming, logging, or forestry purposes.

(46) “Fragmentation” means the division or conversion of a forest block or connecting habitat by the separation of a parcel into two or more parcels; the construction, conversion, relocation, or enlargement of any building or other structure or of any mining, excavation, or landfill; and any change in the use of any building or other structure, or land, or extension of use of land. However, “fragmentation” does not include the division or conversion of a forest block

1 or connecting habitat by a recreational trail or by improvements constructed for  
2 farming, logging, or forestry purposes below the elevation of 2,500 feet.

3 (47) “Habitat” means the physical and biological environment in which  
4 a particular species of plant or wildlife lives.

5 Sec. 9. 10 V.S.A. § 6086(a)(8) is amended to read:

6 (8) Ecosystem protection; scenic beauty; historic sites.

7 (A) Aesthetics. Will not have an undue adverse effect on the scenic  
8 or natural beauty of the area, aesthetics, historic sites or rare and irreplaceable  
9 natural areas.

10 ~~(A)~~(B) Necessary wildlife habitat and endangered species. A permit  
11 will not be granted if it is demonstrated by any party opposing the applicant  
12 that a development or subdivision will destroy or significantly imperil  
13 necessary wildlife habitat or any endangered species; and;

14 (i) the economic, social, cultural, recreational, or other benefit to  
15 the public from the development or subdivision will not outweigh the  
16 economic, environmental, or recreational loss to the public from the  
17 destruction or imperilment of the habitat or species; ~~or~~

18 (ii) all feasible and reasonable means of preventing or lessening  
19 the destruction, diminution, or imperilment of the habitat or species have not  
20 been or will not continue to be applied; or

1           (iii) a reasonably acceptable alternative site is owned or controlled  
2 by the applicant ~~which~~ that would allow the development or subdivision to  
3 fulfill its intended purpose.

4           (C) Forest blocks and connecting habitat. Will not result in an undue  
5 adverse impact on forest blocks and connecting habitat. If a project as  
6 proposed would result in an undue adverse impact, a permit may only be  
7 granted if effects are avoided, minimized, and mitigated in accordance with  
8 rules adopted by the Board.

9       Sec. 10. CRITERION 8(C) RULEMAKING

10       (a) The Natural Resources Board (Board), in consultation with the Agency  
11 of Natural Resources, shall adopt rules to implement the requirements for the  
12 administration of 10 V.S.A. § 6086(a)(8)(C). Rules adopted by the Board shall  
13 include:

14           (1) How forest blocks and connecting habitat are further defined,  
15 including their size, location, and function, which may include:

16           (A) information that will be available to the public to determine  
17 where forest blocks and connecting habitat are located; or

18           (B) advisory mapping resources, how they will be made available,  
19 how they will be used, and how they will be updated.

20           (2) Standards establishing how impacts can be avoided, minimized, or  
21 mitigated, including how fragmentation of forest blocks or connecting habitat

1 is avoided or minimized, which may include steps to promote proactive site  
2 design of buildings, roadways and driveways, utility location, and location  
3 relative to existing features such as roads, tree lines, and fence lines.

4 (3) Criteria to identify when a forest block or connecting habitat is  
5 eligible for mitigation.

6 (4) Standards for how impacts to a forest block or connecting habitat  
7 may be mitigated. Standards may include:

8 (A) appropriate ratios for compensation;

9 (B) appropriate forms of compensation such as conservation  
10 easements, fee interests in land, and other forms of compensation; and

11 (C) appropriate uses of on-site and off-site mitigation.

12 (b) The Board shall convene a working group to provide input to the rule  
13 prior to pre-filing with the Interagency Committee on Administrative Rules.

14 The Board shall convene the working group on or before February 1, 2023.

15 (c) The Board shall file a final proposed rule with the Secretary of State  
16 and Legislative Committee on Administrative Rules on or before June 15,  
17 2023.

18 Sec. 11. 10 V.S.A. § 127 is amended to read:

19 § 127. RESOURCE MAPPING

20 (a) ~~On or before January 15, 2013, the~~ The Secretary of Natural Resources  
21 shall complete and maintain resource mapping based on the Geographic



1 Information System (GIS) or other technology. The mapping shall identify  
2 natural resources throughout the State, including forest blocks, that may be  
3 relevant to the consideration of energy projects and projects subject to chapter  
4 151 of this title. The Center for Geographic Information shall be available to  
5 provide assistance to the Secretary in carrying out the ~~GIS-based~~ resource  
6 mapping.

7 (b) The Secretary ~~of Natural Resources~~ shall consider the ~~GIS-based~~  
8 resource maps developed under subsection (a) of this section when providing  
9 evidence and recommendations to the Public Utility Commission under  
10 30 V.S.A. § 248(b)(5) and when commenting on or providing  
11 recommendations under chapter 151 of this title to District Commissions on  
12 other projects.

13 (c) The Secretary shall establish and maintain written procedures that  
14 include a process and science-based criteria for updating resource maps  
15 developed under subsection (a) of this section. Before establishing or revising  
16 these procedures, the Secretary shall provide opportunities for affected parties  
17 and the public to submit relevant information and recommendations.

18 \* \* \* Roads \* \* \*

19 Sec. 12. 10 V.S.A. § 6001 is amended to read:

20 § 6001. DEFINITIONS

21 As used in this chapter:

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\* \* \*

(3)(A) “Development” means each of the following:

\* \* \*

(xi) The construction of a road, roads, driveway, or driveways, which in combination is greater than 2,000 feet, to provide access to or within a tract or tracts of land of more than one acre owned or controlled by a person.

(I) For the purposes of determining jurisdiction under this subdivision (xi), any tract or tracts of land that will be provided access by the road or driveway is involved land.

(II) As used in this subdivision (xi), “road” shall include any new road or upgrade of a class 4 highway by a person other than a municipality, including a road that will be transferred to or maintained by a municipality after its construction or upgrade. For the purposes of this subdivision (II), routine maintenance of a class 4 highway or stormwater improvement required pursuant to section 1264 of this title shall not constitute an “upgrade.”

(aa) Routine maintenance shall include replacing a culvert or ditch, applying new stone, grading, or making repairs after adverse weather.

(bb) Routine maintenance shall not include changing the size of the road, changing the location or layout of the road, or adding pavement.

1                   (III) For the purpose of determining the length under this  
2                   subdivision (xi), the length of all roads and driveways within the tract or tracts  
3                   of land constructed within any continuous period of 10 years after October 1,  
4                   2020 shall be included.

5                   (IV) This subdivision (xi) shall not apply to:

6                   (aa) a road constructed for a municipal, county, or State  
7                   purpose; a utility corridor of an electric transmission or distribution company;  
8                   or a road located entirely within a designated downtown or neighborhood  
9                   development area; and

10                   (bb) a road used primarily for farming or forestry purposes  
11                   unless used for a residential purpose.

12   \* \* \*

13   \* \* \* Wood Products Manufacturers \* \* \*

14                   Sec. 13. 10 V.S.A. § 6001 is amended to read:

15                   § 6001. DEFINITIONS

16   \* \* \*

17                   (48) “Wood products manufacturer” means a manufacturer that  
18                   aggregates wood products from forestry operations and adds value through  
19                   processing or marketing in the wood products supply chain or directly to  
20                   consumers through retail sales. “Wood products manufacturer” includes  
21                   sawmills; veneer mills; pulp mills; pellet mills; producers of firewood,

1 woodchips, mulch, and fuel wood; and log and pulp concentration yards.

2 “Wood products manufacturer” does not include facilities that purchase,

3 market, and resell finished goods, such as wood furniture, wood pellets, and

4 milled lumber, without first receiving wood products from forestry operations.

5 (49) “Wood product” means logs, pulpwood, veneer wood, bolt wood,

6 wood chips, stud wood, poles, pilings, biomass, fuel wood, maple sap, and

7 bark.

8 Sec. 14. 10 V.S.A. § 6086(c) is amended to read:

9 (c)(1) Permit conditions. A permit may contain such requirements and  
10 conditions as are allowable proper exercise of the police power and ~~which~~ that  
11 are appropriate within the respect to subdivisions (a)(1) through (10) of this  
12 section, including those set forth in 24 V.S.A. §§ 4414(4), 4424(a)(2),  
13 4414(1)(D)(i), 4463(b), and 4464, the dedication of lands for public use, and  
14 the filing of bonds to ensure compliance. The requirements and conditions  
15 incorporated from Title 24 may be applied whether or not a local plan has been  
16 adopted. General requirements and conditions may be established by rule of  
17 the Natural Resources Board.

18 (2) Permit conditions on a wood products manufacturer.

19 (A) A permit condition that sets hours of operation for a wood  
20 products manufacturer shall only be imposed to mitigate an impact under  
21 subdivision (a)(1), (5), or (8) of this section.

1           (B) If an adverse impact under subdivision (a)(1), (5), or (8) of this  
2           section would result, a permit with conditions shall allow the manufacturer to  
3           operate while mitigating these impacts. A permit with conditions that mitigate  
4           these impacts shall allow for deliveries of wood products from forestry  
5           operations to the manufacturer outside permitted hours of operation, including  
6           nights, weekends, and holidays, for the number of days demonstrated by the  
7           manufacturer as necessary to enable business operations, not to exceed 90 days  
8           per year.

9           (3) Permit with conditions on the delivery of wood heat fuels. A permit  
10           with conditions issued to a wood products manufacturer that produces wood  
11           chips, pellets, cord wood, or other fuel wood used for heat shall allow  
12           shipment of that fuel wood from the manufacturer to the end user outside  
13           permitted hours of operation, including nights, weekends, and holidays, from  
14           October 1 through April 30 of each year. Permits with conditions shall  
15           mitigate the undue adverse impacts while enabling the operations of the  
16           manufacturer.

17           (4) Permit amendments. A wood products manufacturer holding a  
18           permit may request an amendment to existing permit conditions related to  
19           hours of operation and seasonal restrictions to be consistent with subdivisions  
20           (2) and (3) of this subsection. Requests for condition amendments under this  
21           subsection shall not be subject to Act 250 Rule 34(E).

1   \* \* \* One-acre towns \* \* \*

2       Sec. 15. 10 V.S.A. § 6001 is amended to read:

3       § 6001. DEFINITIONS

4   \* \* \*

5               (3)(A) “Development” means each of the following:

6                       (i) The construction of improvements on a tract or tracts of land,  
7                       owned or controlled by a person, involving more than 10 acres of land within a  
8                       radius of five miles of any point on any involved land, for commercial or  
9                       industrial purposes in a municipality that has adopted permanent zoning and  
10                      subdivision bylaws.

11                      (ii) The construction of improvements on a tract or tracts of land,  
12                      owned or controlled by a person, involving more than one acre of land within a  
13                      radius of five miles of any point on any involved land, for commercial or  
14                      industrial purposes ~~on more than one acre of land~~ within a municipality that  
15                      has not adopted permanent zoning and subdivision bylaws.

16   \* \* \*

17   \* \* \* Study Committee; Effective Date \* \* \*

18       Sec. 16. STUDY COMMITTEE; NATURAL RESOURCES BOARD

19   STRUCTURE

20                      (a) There is created a study committee on the structure and function of the  
21                      Natural Resources Board. The group shall consist of eight members, four

1 appointed by the Speaker of the House and four appointed by the Committee  
2 on Committees.

3 (b) The group shall hear from various stakeholder groups on how to  
4 enhance the administration of the Act 250 program, including considerations  
5 of:

6 (1) the membership of the Board;

7 (2) the appointment process;

8 (3) grounds for removing a member from the Board;

9 (4) the responsibilities and authorities of the Board and District

10 Commissions;

11 (5) funding of the operation of the Board, District Commissions, and the  
12 Act 250 program; and

13 (6) the handling of appeals issued by the District Commissions and the  
14 Board.

15 (c) On or before December 31, 2022, the group shall report back to the  
16 General Assembly with any proposed changes to the structure and function of  
17 the Natural Resources Board.

18 \* \* \* Effective Date \* \* \*

19 Sec. 17. EFFECTIVE DATE

20 This act shall take effect on July 1, 2022.