

1 S.100

2 Representatives Sheldon of Middlebury, Sibiliala of Dover, Bongartz of  
3 Manchester, Clifford of Rutland City, Logan of Burlington, Morris of  
4 Springfield, Patt of Worcester, Satcowitz of Randolph, Smith of Derby,  
5 Stebbins of Burlington, and Torre of Moretown move that the House propose  
6 to the Senate that the bill be amended as follows:

7 First: By striking out Sec. 19, 2022 Acts and Resolves No. 182, Sec. 41, in  
8 its entirety and inserting in lieu thereof the following:

9 Sec. 19. 2022 Acts and Resolves No. 182, Sec. 41 is amended to read:

10 Sec. 41. REPORT; NATURAL RESOURCES BOARD

11 (a) On or before December 31, 2023, the Chair of the Natural Resources  
12 Board shall report to the House Committees on ~~Natural Resources, Fish, and~~  
13 ~~Wildlife~~ Environment and Energy and on Ways and Means and the Senate  
14 Committees on Finance and on Natural Resources and Energy on necessary  
15 updates to the Act 250 program.

16 (b) The report shall include:

17 (1) How to transition to a system in which Act 250 jurisdiction is based  
18 on location, which shall encourage development in designated areas; the  
19 maintenance of intact rural working lands, ~~and~~; the protection of natural  
20 resources of statewide significance, including biodiversity, and the removal  
21 and reconstruction of critical infrastructure. Location-based jurisdiction would

1 adjust the threshold for Act 250 jurisdiction based on the characteristics of the  
2 location. This section of the report shall consider whether to develop  
3 thresholds and tiers of jurisdiction as recommended in the Commission on  
4 Act 250: the Next 50 Years Report.

5 (2) How to use the Capability and Development Plan to meet the  
6 statewide planning goals.

7 (3) An assessment of the current level of staffing of the Board and  
8 District Commissions, including whether there should be a district coordinator  
9 located in every district.

10 (4) Whether the permit fees are sufficient to cover the costs of the  
11 program and, if not, a recommendation for a source of revenue to supplement  
12 the fees.

13 (5) Whether the permit fees are effective in providing appropriate  
14 incentives.

15 (6) Whether the Board should be able to assess its costs on applicants.

16 (7) Whether increasing jurisdictional thresholds for housing  
17 development to 25 units under 10 V.S.A. § 6001(3)(A)(iv) would affect  
18 housing affordability, especially for primary homeownership, and what the  
19 potential impact of increasing those thresholds to 25 units would have on  
20 natural and community resources addressed under existing Act 250 criteria.

21 Second: By adding a Sec. 19b to read as follows:

1 Sec. 19b. 10 V.S.A. § 6081(y) is added to read:

2 (y) No permit or permit amendment is required for a retail electric  
3 distribution utility’s rebuilding of existing electrical distribution lines and  
4 related facilities to improve reliability and service to existing customers,  
5 through overhead or underground lines in an existing corridor, road, or State or  
6 town road right-of-way. Nothing in this section shall be interpreted to exempt  
7 projects under this subsection from other required permits or the conditions on  
8 lands subject to existing permits required by this section.

9 Third: By adding a Sec. 19c to read as follows:

10 Sec. 19c. EXEMPTION REPEAL

11 10 V.S.A. § 6081(y) is repealed on January 1, 2027.