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Contact: Scott Milne
802 233 1895
scott@scottmilne.org

CHANGING FUNDAMENTAL GOVERNANCE
Scott Milne

North Pomfret, Vt (April 7, 2016) -House Bill 249, a bill entitled “an act relating to intermunicipal services” has passed the Vermont House of Representatives, and is now being considered in the Senate. It is a direct assault on the independence of Vermont towns and an insult to voters.

Regional planning commissions have lobbied successfully in one chamber of the legislature to be given more power—the power to provide essential services to municipalities. They won’t have the power to tax, condemn property, or adopt ordinances, but everything else—from road maintenance to zoning administration to law enforcement—might become the business of regional, rather than local government.

A valid criticism leveled at educational reformers who rushed to create ACT 46 last year is that government is becoming more centralized, eliminating local boards’ authority, and moving power further away from the voters. In this regard, H. 249 is an illustration of much of what is bad in ACT 46. However, where ACT 46 at least offered *regional democratic representation*, H. 249 removes representation entirely. If this bill passes our legislature, unelected bureaucrats would be making regional governance decisions.

This “act relating to intermunicipal services” wrongly claims the road to better government includes taking power away from the voters and local boards and giving it to unelected bureaucrats. Bureaucrats who answer to no one.

Regional planning commissions are not organized on a one-person one-vote basis. One-town one-vote is the general rule. Although I believe Vermont should re-consider this structure, one-town one-vote for regional planning commissions has been upheld as constitutional in Vermont—as long as the commissions’ power remains limited. This bill should cause regional planning commissions to be reapportioned by population, increasing the power of the largest municipalities at the expense of smaller towns with little thought of what unintended consequences will follow.

But, regardless of other consequences, if this bill becomes law, it will open a door that Vermonters have resisted since the days of the Republic—regional governance with remote, unresponsive, and unelected control of town affairs. This would be a tragedy.

Defenders of the bill will say it is entirely voluntary, a mere improvement in the relative power of the regional planning commissions. But it is a camel's nose peaking under the tent.

Vermont never had much county government, aside from the courts and the sheriff. That was a fundamental choice, designed to keep towns as the basic unit of government. It meant that voters had control and influence over important local decisions. It meant accessible officials, who could answer for their decisions and seek the support of the voters in close calls.

We don't have that same connection with the taxpayer-funded unelected civil servants at regional planning commissions. They appear from time to time to exercise their powers, sometimes opposing local decision-making, sometimes supporting it. They don't have to stand for reelection and they are beyond the reach of the voters, unlike locally elected officials.

We aren't going to improve the cohesiveness of town life by exporting powers to regional planning commissions. Voters will likely not feel engaged when local decisions are made by an unelected official in a regional planning office. The bill doesn't even leave any place for voters to approve these fundamental changes in the way services are delivered. If a regional planning commission can convince a selectboard to cede power, voters have no voice in the process.

There are bad ideas and there are worse ideas, and some wind up as law. Vermont, the home of direct democracy, where the people rule, is under assault from centralism. This should be resisted. Our independence, identity, and sense of community are at stake.