

1 TO THE HOUSE OF REPRESENTATIVES:

2 The Committee on Government Operations to which was referred House
3 Bill No. 249 entitled “An act relating to intermunicipal services and the
4 authority to create a regional council of governments” respectfully reports that
5 it has considered the same and recommends that the bill be amended by
6 striking out all after the enacting clause and inserting in lieu thereof the
7 following:

8 Sec. 1. 24 V.S.A. § 4345b is added to read:

9 § 4345b. INTERMUNICIPAL SERVICE AGREEMENTS

10 (a) A regional planning commission may exercise the authority under this
11 section only after an affirmative vote of at least 67 percent of both:

12 (1) the board of commissioners of the regional planning
13 commission; and

14 (2) the legislative branches of the regional planning commission’s
15 member municipalities.

16 (b) Prior to a vote under subsection (a) of this section, a regional planning
17 commission shall:

18 (1) draft updated bylaws to specify the process for entering into, method
19 of withdrawal from, and method of terminating service agreements with
20 member municipalities; and

1 (2) present the draft bylaws to each member municipality’s legislative
2 body.

3 (c) Upon an affirmative vote under subsection (a) of this section, a regional
4 planning commission may:

5 (1) promote cooperative arrangements and coordinate action among its
6 member municipalities, including arrangements and action with respect to
7 planning, community development, joint purchasing, intermunicipal services,
8 and infrastructure; and

9 (2) exercise any power, privilege, or authority, as defined within a
10 services agreement under subsection (d) of this section, capable of exercise by
11 a member municipality as necessary or desirable for dealing with problems of
12 local or regional concern.

13 (d)(1) In exercising the powers set forth in subsection (c) of this section, a
14 regional planning commission shall enter into a service agreement with one or
15 more member municipalities. Participation by a member municipality shall be
16 voluntary and only valid upon appropriate action by the legislative body of the
17 member municipality.

18 (2) A service agreement shall describe the services to be provided and
19 the amount of funds payable by each member municipality that is a party to the
20 service agreement. Service of personnel, use of equipment and office space,

1 and other necessary services may be accepted from member municipalities as
2 part of their financial support.

3 (e) A regional planning commission shall not have the following powers
4 under this section:

5 (1) essential legislative functions;

6 (2) taxing authority; or

7 (3) eminent domain.

8 (f)(1) Funds provided for regional planning under section 4341a or 4346 of
9 this chapter shall not be used to provide services under a service agreement
10 without prior written authorization from the state agency or other entity
11 providing the funds.

12 (2) A commission shall not use municipal funds or grants provided for
13 regional planning services under this chapter to cover the costs associated with
14 any service agreement under this section

15
16 (Committee vote: _____)

17 _____

18 Representative _____

19 FOR THE COMMITTEE