

1 TO THE HONORABLE SENATE:

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

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

8 § 4345b. INTERMUNICIPAL SERVICE AGREEMENTS

9 (a)(1) Prior to exercising the authority granted under this section, a regional  
10 planning commission shall:

11 (A) draft bylaws specifying the process for entering into, method of  
12 withdrawal from, and method of terminating service agreements with  
13 municipalities; and

14 (B) hold one or more public hearings within the region to hear from  
15 interested parties and citizens regarding the draft bylaws.

16 (2) At least 30 days prior to any hearing required under this subsection,  
17 notice of the time and place and a copy of the draft bylaws, with a request for  
18 comments, shall be delivered to the chair of the legislative body of each  
19 municipality within the region. The regional planning commission shall make  
20 copies available to any individual or organization requesting a copy.

1           (3) The regional planning commission may make revisions to the draft  
2           bylaws at any time prior to adoption of the bylaws. If revisions are made to the  
3           draft bylaws, the regional planning commission shall hold a final hearing and  
4           shall deliver notice as required in subdivision (2) of this subsection.

5           (b)(1) The draft bylaws required under subsection (a) of this section shall  
6           be adopted by a vote of at least 67 percent of the commissioners of the regional  
7           planning commission in accordance with the voting procedures of the regional  
8           planning commission.

9           (2) The draft bylaws shall be considered duly adopted and shall take  
10          effect 35 days after a vote required under this subsection, unless, within  
11          35 days of the date of adoption, the regional planning commission receives  
12          certification from the legislative bodies of a majority of the municipalities in  
13          the region vetoing the proposed bylaws. In such case, the bylaws shall be  
14          deemed repealed.

15          (c) Upon adoption of the bylaws under subsection (b) of this section, a  
16          regional planning commission may:

17               (1) promote cooperative arrangements and coordinate, implement, and  
18               administer service agreements among municipalities, including arrangements  
19               and action with respect to planning, community development, joint purchasing,  
20               intermunicipal services, infrastructure, and related activities; and

1           (2) exercise any power, privilege, or authority, as defined within a  
2           service agreement under subsection (d) of this section, capable of exercise by a  
3           municipality as necessary or desirable for dealing with problems of local or  
4           regional concern.

5           (d)(1) In exercising the powers set forth in subsection (c) of this section, a  
6           regional planning commission shall enter into a service agreement with one or  
7           more municipalities.

8           (2) Participation by a municipality shall be voluntary and only valid  
9           upon appropriate action by the legislative body of the municipality. To  
10          become effective, a service agreement shall be ratified by the regional planning  
11          commission and the legislative bodies of the municipalities who are a party to  
12          the service agreement.

13          (3) A service agreement shall describe the services to be provided and  
14          the amount of funds payable by each municipality that is a party to the service  
15          agreement. Service of personnel, use of equipment and office space, and other  
16          necessary services may be accepted from municipalities as part of their  
17          financial support.

18          (4) Any modification to a service agreement shall not become effective  
19          unless approved by the legislative body of the municipalities who are a party to  
20          the service agreement.

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

3               (1) essential legislative functions;

4               (2) taxing authority; or

5               (3) eminent domain.

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

10              (2) A commission shall not use municipal funds or grants provided for  
11              regional planning services under this chapter to cover the costs of providing  
12              services under any service agreement under this section.

13       Sec. 2. EFFECTIVE DATE

14              This act shall take effect on July 1, 2016.

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17       (Committee vote: \_\_\_\_\_)

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Senator \_\_\_\_\_

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FOR THE COMMITTEE