

1 H.747

2 Introduced by Representatives Masland of Thetford and Anthony of Barre

3 City

4 Referred to Committee on

5 Date:

6 Subject: Municipal and regional planning; regional plans; Council of Regional

7 Commissions

8 Statement of purpose of bill as introduced: This bill proposes to establish the
9 Council of Regional Commissions to mediate disputes between municipalities
10 and regional planning commissions.

11 An act relating to the Council of Regional Commissions

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

13 Sec. 1. 24 V.S.A. § 4305 is added to read:

14 § 4305. COUNCIL OF REGIONAL COMMISSIONS

15 (a) There is created the Council of Regional Commissions. The Council
16 membership shall include a representative from each regional planning
17 commission established under section 4341 of this title, three members who
18 are State agency or department heads appointed by the Governor, and two
19 members representing the public appointed by the Governor. Each regional
20 planning commission shall appoint its representative, or replacement in case of

1 a vacancy, from among the commission's municipal representatives. The
2 Council shall annually elect one of its members as chair and another member
3 as vice chair. A majority of members shall constitute a quorum. Members of
4 the Council, other than State officials, are entitled to the per diem and expenses
5 authorized under 32 V.S.A. § 1010.

6 (b) The Council shall serve, on request, as an impartial mediator to help
7 resolve disagreements between and among municipalities and regional
8 planning commissions.

9 (c) If a municipality requests that a proposed regional plan or amendment
10 be reviewed for compatibility with an approved municipal plan, the Council
11 shall conduct that review.

12 (d) The Council shall review, after public notice, proposed regional plans
13 or amendments and determine the following:

14 (1) whether the plan, as amended, contains the elements required by
15 law;

16 (2) whether the plan is compatible with the plans of the municipalities
17 located in the region;

18 (3) whether the plan is compatible with the plans of adjoining regions;
19 and

20 (4) whether the plan, as amended, is consistent with the goals
21 established in section 4302 of this title.

1 (e) The Council shall establish, by rule adopted according to 3 V.S.A.
2 chapter 25, a process to conduct formal review of an adopted regional plan or
3 amendment. Formal review shall be conducted by a three-person regional
4 review panel composed of Council members, including at least two
5 representatives of regional planning commissions, all assigned by the Council
6 in a manner established by rule. A representative of a regional planning
7 commission shall not participate in formal review of the actions of the regional
8 planning commission that the person represents. Council members who
9 participate in the review of a regional plan under subsection (c) of this section
10 shall not participate in a formal regional review panel proceeding on the same
11 matter.

12 (f) The Council shall adopt rules, according to the provisions of 3 V.S.A.
13 chapter 25, that are necessary for the performance of its functions under this
14 chapter.

15 (g) The Council shall receive administrative support from the Department
16 of Housing and Community Development.

17 (h) An act or decision of the Council made pursuant to subsection (d) of
18 this section shall be appealable to the Environmental Division of the Superior
19 Court.

