

1 **DRAFT FOR DISCUSSION**

2 Sec. X. 1 V.S.A. § 312a is added to read:

3 § 312a. MEETINGS OF PUBLIC BODIES; STATE OF EMERGENCY

4 (a) For purposes of this section:

5 (1) “Affected public body” means a public body:

6 (A) whose regular meeting location is located in an area affected by a
7 hazard; and

8 (B) that cannot meet in a designated physical meeting location due to
9 a declared state of emergency pursuant to 20 V.S.A. chapter 1.

10 (2) “Hazard” means an “all-hazards” as defined in 20 V.S.A. § 2(1).

11 (b) Notwithstanding 1 V.S.A. § 312, during a declared state of emergency
12 under 20 V.S.A. chapter 1:

13 (1) a quorum or more of an affected public body may attend a regular,
14 special, or emergency meeting by electronic or other means without
15 designating a physical meeting location where the public may attend;

16 (2) the members and staff of an affected public body shall not be
17 required to be physically present at a designated meeting location;

18 (3) an affected public body of a municipality may post any meeting
19 agenda or notice of a special meeting in two designated electronic locations in
20 lieu of the two designated public places in the municipality, or in a

1 combination of a designated electronic location and a designated public place;

2 and

3 (4) in the event of a staffing shortage, an affected public body may
4 extend the deadline for the posting of minutes under 1 V.S.A. § 312(b)(2) to
5 not more than 10 days from the date of the meeting.

6 (c) When an affected public body meets electronically under subsection (b)
7 of this section, the affected public body shall:

8 (1) use technology that permits the attendance of the public through
9 electronic or other means;

10 (2) whenever feasible, allow the public to access the meeting by
11 telephone; and

12 (3) post information on how the public may access meetings
13 electronically and shall include this information in the published agenda for
14 each meeting.

15 (d) Unless unusual circumstances make it impossible for them to do so, the
16 legislative body of each municipality and each school board shall record any
17 meetings held pursuant to this section.

18 (e) An affected public body of a municipality shall continue to post notices
19 and agendas in or near the municipal clerk's office pursuant to 1 V.S.A.
20 § 312(c)(2) and shall provide a copy of each notice or agenda to the
21 newspapers of general circulation for the municipality.

1 Sec. Y. 32 V.S.A. § 4404 is amended to read:

2 § 4404. APPEALS FROM LISTERS AS TO GRAND LIST

3 * * *

4 (c)(1) The Board shall meet at the time and place so designated, and on that
5 day and from day to day thereafter shall hear and determine such appeals until
6 all questions and objections are heard and decided. Each property, the
7 appraisal of which is being appealed, shall be inspected by a committee of not
8 less than three members of the board who shall report to the board within 30
9 days from the hearing on the appeal and before the final decision pertaining to
10 the property is given. If, after notice, the appellant refuses to allow an
11 inspection of the property as required under this subsection, including the
12 interior and exterior of any structure on the property, the appeal shall be
13 deemed withdrawn. The board shall, within 15 days from the time of the
14 report, certify in writing its notice of decision, with reasons, in the premises,
15 and shall file ~~such~~ the notice with the town clerk who shall thereupon record
16 the same in the book wherein the appeal was recorded and forthwith notify the
17 appellant in writing of the action of such board, by certified mail. If the board
18 does not substantially comply with the requirements of this subsection and if
19 the appeal is not withdrawn by filing written notice of withdrawal with the
20 board or deemed withdrawn as provided in this subsection, the grand list of the
21 appellant for the year for which appeal is being made shall remain at the

1 amount set before the appealed change was made by the listers; except, if there
2 has been a complete reappraisal, the grand list of the appellant for the year for
3 which appeal is being made shall be set at a value which will produce a tax
4 liability equal to the tax liability for the preceding year. The town clerk shall
5 immediately record the same in the book wherein the appeal was recorded and
6 forthwith notify the appellant in writing of ~~such~~ the action, by certified mail.
7 Thereupon the appraisal so determined pursuant to this subsection shall
8 become a part of the grand list of ~~such~~ the person.

9 (2) During a declared state of emergency under 20 V.S.A. chapter 1, a
10 board of civil authority within a municipality affected by the hazard shall not
11 be required to physically inspect any property that is the subject of an appeal.
12 If the appellant requests in writing that the property be inspected for purposes
13 of the appeal, a member or members of the Board shall conduct the inspection
14 through electronic means. If the appellant does not facilitate the inspection
15 through electronic means, then the appeal shall be deemed withdrawn.

16 (3) As used in this subsection, “electronic means” means the transmittal
17 of video or photographic evidence by the appellant at the direction of the
18 Board members conducting the inspection.

19 * * *

20 Sec. Z. 32 V.S.A. § 4467 is amended to read:

21 § 4467. DETERMINATION OF APPEAL

1 (a) Upon appeal to the Director or the Court, the hearing officer or Court
2 shall proceed de novo and determine the correct valuation of the property as
3 promptly as practicable and to determine a homestead and a housesite value if
4 a homestead has been declared with respect to the property for the year in
5 which the appeal is taken. The hearing officer or Court shall take into account
6 the requirements of law as to valuation, and the provisions of Chapter I, Article
7 9 of the Constitution of Vermont and the 14th Amendment to the Constitution
8 of the United States.

9 (b) If the hearing officer or Court finds that the listed value of the property
10 subject to appeal does not correspond to the listed value of comparable
11 properties within the town, the hearing officer or Court shall set ~~said~~ the
12 property in the list at a corresponding value. The findings and determinations
13 of the hearing officer shall be made in writing and shall be available to the
14 appellant.

15 (c)(1) If the appeal is taken to the Director, the hearing officer may inspect
16 the property prior to making a determination, unless one of the parties requests
17 an inspection, in which case the hearing officer shall inspect the property prior
18 to making a determination. Within 10 days of the appeal being filed with the
19 Director, the Director shall notify the property owner in writing of his or her
20 option to request an inspection under this section.

1 (2) During a declared state of emergency under 20 V.S.A. chapter 1, a
2 hearing officer shall not be required to physically inspect any property that is
3 the subject of an appeal. If the appellant requests in writing that the property
4 be inspected for purposes of the appeal, the hearing officer shall conduct the
5 inspection through electronic means. If the appellant does not facilitate the
6 inspection through electronic means, then the appeal shall be deemed
7 withdrawn.

8 (3) As used in this subsection, “electronic means” means the transmittal
9 of video or photographic evidence by the appellant at the direction of the
10 hearing officer conducting the inspection.

11 Sec. XY. 24 V.S.A. § 5152 is added to read:

12 § 5152. DISCONNECTIONS PROHIBITED; STATE OF EMERGENCY

13 (a) Notwithstanding this chapter, a municipality shall be prohibited from
14 disconnecting a person from water or sewer services during a declared state of
15 emergency under 20 V.S.A. chapter 1.

16 (b) Notwithstanding any provision of law to the contrary, a person who is
17 permitted as a public water system pursuant to 10 V.S.A. chapter 56 and who
18 provides another person water as a part of the operation of that public water
19 system shall be prohibited from disconnecting any person from the public
20 water system during a declared state of emergency under 20 V.S.A. chapter 1.

1 (c) Notwithstanding any provision of law to the contrary, a company
2 engaged in the collecting, sale, and distribution of water for domestic,
3 industrial, business, or fire protection purposes that is regulated by the Public
4 Utility Commission under 30 V.S.A. §203(3) shall be prohibited from
5 disconnecting any person from services **during a declared state of emergency**
6 **under 20 V.S.A. chapter 1.**

7 (d) A violation of subsection (a) or (b) of this section may be enforced by
8 the Agency of Natural Resources pursuant to 10 V.S.A. chapter 201. A
9 violation of subsection (c) of this section may be enforced by the Public Utility
10 Commission under 30 V.S.A. §30.

11 Sec. XYZ. 20 V.S.A. § 47 is added to read:

12 § 47. MUNICIPAL DEADLINES, PLANS, AND LICENSES; EXTENSION

13 (a) During a declared state of emergency under 20 V.S.A. chapter 1, a
14 municipal corporation may:

15 (1) extend any statutory deadline applicable to municipal corporations,
16 provided that the deadline does not relate to a license, permit, program, or plan
17 issued or administered by the State or federal government; and

18 (2) extend or waive deadlines applicable to licenses, permits, programs,
19 or plans that are issued by the municipal corporation.

20 (b) During a declared state of emergency under 20 V.S.A. chapter 1, any
21 expiring license, permit, program, or plan issued by a municipal corporation

1 that is due for renewal or review shall remain valid for 90 days after the date
2 that the declared state of emergency ends.

3 Sec. YYZ. REPEAL

4 19 V.S.A. § 312 (use of town highway funds) is repealed.

5 Sec. ZZZ. EFFECTIVE DATES

6 (a) Secs. X, Y, Z, and this section shall take effect on January 1, 2021.

7 (b) Sec. XY shall take effect on July 1, 2021.