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TO: House Committee on Government Operations and Military Affairs
FROM: Catherine Dimitruk, VAPDA Chair and Executive Director Northwest Regional Planning Commission
Devon Neary, Executive Director Rutland Regional Planning Commission
DATE: April 30, 2024
RE: S. 55

VAPDA supports many provisions of this bill but believes there is still ambiguity around some of the definitions and procedures and urges the committee to consider extending the COVID-era flexibility for an additional year while the Working Group has time to investigate and develop recommendations. These recommendations should be developed by working closely with our towns to consider the real-world implementation of the statutory provisions for all towns. In the interim, the COVID-era flexibility has proven to effectively balance accessibility while considering local capacity and funding needs.

Specific Comments on S. 55

Section 2, Definitions

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The definition for “advisory body” is still unclear and could be interpreted to include only a very small portion of the public bodies that operate under Open Meeting Law.

Accommodations Requests

Page 5: (j) Request for access.

VAPDA supports the ability of the public to make an accommodation request, but the request process needs more definition. The process should be clear and consistent across all towns. Moreover, the two-day request period, reduced from three-day, may also be difficult for towns without full-time municipal staff or logistically challenging for towns with end of week meeting warnings.

Recording of Meetings and Posting Recordings

Page 5: (6) Meetings of local public bodies; recordings

VAPDA does not believe this requirement is necessary, given the requirement to post minutes within 5 days. If this provision remains in the bill, we recommend more time to prepare for this requirement; a July 1, 2024 effective date is not attainable for many municipalities. Moreover, some small towns may need to budget for the technology necessary to meet this requirement. The bill could include funding for our small towns

Training

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If training is required, funding must be provided. Rather than requiring training, one option to help with compliance is to include a training requirement in 1 V.S.A. § 314 (curing a violation) or for new appointments. The training should also be developed in collaboration with municipal and state partners.

Strengthening the Capability of Governments