

TO: House Committee on Government Operations
FROM: Charlie Baker and Catherine Dimitruk
Vermont Association of Planning and Development Agencies
DATE: 4/17/2025
RE: Comments on S. 59 as passed the Senate

Thank you for the opportunity to comment on S. 59. Regional Planning Commissions follow the Open Meeting Law in our daily operations, and provide advice and training to local public bodies as they work to adhere to the requirements. These comments are offered based on this experience.

Recording of Meetings- Page 3, line 9

Local nonadvisory public bodies; meeting recordings.

Add to the end of the paragraph in 1 V.S.A. § 312(a)(6)(A): This shall not apply to gatherings of a public body for purposes of a site inspection or field visit.

Executive Session- Page 4, line 4

(3) A meeting agenda shall contain sufficient details concerning the specific matters to be discussed by the public body. Whenever a public body includes an executive session as an item on a posted meeting agenda, the public body shall list the agenda item as “proposed executive session” and include the general topic of discussion.

Additional Items, not in S. 59

VAPDA supports several items identified as priorities by VLCT. Specifically (from a 1/17/2025 VLCT memo):

- Create provisions to exempt “working groups”, or meetings of the members of non-advisory bodies to undertake advisory work. A “working group” is commonly used to describe situations when less than a quorum gathers to perform some delegated, time-limited work including research, outreach, or policy development to later be considered and acted on by the full body.
- Allow executive sessions for the discussion of cyber security and public safety: Amend 1 V.S.A. § 313(a)(10) to read, “security, including cyber, or emergency response measures, the disclosure of which could jeopardize public safety” as a basis for public bodies to enter executive session.
- Address pornographic content in recorded municipal materials: Amend 1 V.S.A. § 312(a)(6)(A) to empower municipalities to edit obscene content from recordings prior to posting, so long as the original record is maintained in its unaltered state.