

# The Vermont Statutes Online

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## **Title 10: Conservation And Development**

### **Chapter 45: Connecticut River Flood Control Compact**

#### ***Subchapter 1: Connecticut River Flood Control Compact***

##### **§ 1151. Preamble**

Whereas, the federal government exercises jurisdiction over the nation's navigable rivers and their tributaries through passage of the Flood Control Act of nineteen hundred and thirty-six and various other acts amendatory thereto; and

Whereas, these acts provide for construction by the United States of dams for flood control and, where feasible, in addition to flood control for storage of water to be used for irrigation, recreation or hydroelectric power or for any of these purposes; and

Whereas, the Connecticut is an interstate river and control of major floods on it can be obtained only by the construction of dams by the United States under authorization of the above mentioned acts; and

Whereas, the Commonwealth of Massachusetts and the States of Connecticut, New Hampshire and Vermont recognize that it is in the interest of their general welfare that the United States construct in the Connecticut River Valley a comprehensive system of local protection works and dams and reservoirs to control floods and prevent loss of life and property, the disruption of orderly processes and the impairment of commerce between the aforesaid states; and

Whereas, the United States has constructed dikes, flood walls and other local protection works at Hartford and East Hartford in the State of Connecticut and at Springfield, Riverdale, West Springfield, Chicopee, Northampton, Holyoke, and Springdale, in the Commonwealth of Massachusetts and dams and reservoirs for the storage of flood waters at Knightville, Birch Hill and Tully in the Commonwealth of Massachusetts, at Surry Mountain in the State of New Hampshire and at Union Village in the State of Vermont and has reached agreements with the state wherein located for construction of dams and reservoirs for the storage of flood waters at Barre Falls in the Commonwealth of Massachusetts and at Ball Mountain and at Townshend in the State of Vermont; and

Whereas, the Congress has at various times authorized construction by the United States of other dams and reservoirs for the storage of flood waters in the Commonwealth of Massachusetts and in the States of New Hampshire and Vermont and has more recently instructed the corps of engineers to determine what additional local protection works and dams and reservoirs are required for a comprehensive system to control floods in the Connecticut River and its tributaries; and

Whereas, it is believed that such a comprehensive flood control system should include dams and reservoirs controlling flood run-off from approximately twenty-five (25) percent of the total drainage area of the Connecticut River above Hartford, Connecticut, and strategically located in reference to characteristics of tributaries and to damage centers; and

Whereas, construction by the United States of additional dams and reservoirs in the Commonwealth of Massachusetts and in the States of New Hampshire and Vermont, to complete such a comprehensive flood control system, will remove from the tax rolls of local governments of those states such property as is acquired by the United States and may work other hardships against the people of Massachusetts, New Hampshire and Vermont; and

Whereas, it is highly desirable that any flood control dam and reservoir constructed by the United States in the Connecticut River Valley have the approval of the state wherein it is located and that states benefiting from construction of such dam and reservoir make reimbursement for such loss of taxes and for such hardships; and

Whereas, a comprehensive system for the prevention of destructive floods and for water resources utilization in the Connecticut River Valley can best be accomplished by cooperation between the several states in the valley and by and through a common and joint agency of said several states;

Now, therefore, the said Commonwealth of Massachusetts and States of Connecticut, New Hampshire and Vermont do hereby enter into the following compact, to-wit:

#### **§ 1152. Purposes-Article I**

The principal purposes of this compact are: (a) to promote interstate comity among and between the signatory states; (b) to assure adequate storage capacity for impounding the waters of the Connecticut River and its tributaries for the protection of life and property from flood; (c) to provide a joint or common agency through which the signatory states, while promoting, protecting and preserving to each the local interest and sovereignty of the respective signatory states, may more effectively cooperate in accomplishing the object of flood control and water resources utilization in the basin of the Connecticut River and its tributaries.

#### **§ 1153. Creation of Commission-Article II**

There is hereby created "The Connecticut River Valley Flood Control Commission," hereinafter referred to as the "Commission," which shall consist of 12 members, three of whom shall be residents of the Commonwealth of Massachusetts; three of whom shall be residents of the State of Connecticut; three of whom shall be residents of the State of New Hampshire; and three of whom shall be residents of the State of Vermont.

The members of the Commission shall be chosen by their respective states in such manner and for such term as may be fixed and determined from time to time by the law of each of said states respectively by which they are appointed. A member of the Commission

may be removed or suspended from office as provided by the law of the state for which he or she shall be appointed, and any vacancy occurring in the Commission shall be filled in accordance with the laws of the state wherein such vacancy exists.

A majority of the members from each state shall constitute a quorum for the transaction of business, the exercise of any of its powers or the performance of any of its duties, but no action of the Commission shall be binding unless at least two of the members from each state shall vote in favor thereof.

The compensation of members of the Commission shall be fixed, determined, and paid by the state which they respectively represent. All necessary expenses incurred in the performance of their duties shall be paid from the funds of the Commission.

The Commission shall elect from its members a Chair, Vice Chair, Clerk and Treasurer. Such treasurer shall furnish to the Commission, at its expense, a bond with corporate surety, to be approved by the Commission, in such amount as the Commission may determine, conditioned for the faithful performance of his or her duties.

The Commission shall adopt suitable bylaws and shall make such rules and regulations as it may deem advisable not inconsistent with laws of the United States, of the signatory states or with any rules or regulations lawfully promulgated thereunder.

The Commission shall make an annual report to the governor and legislature of each of the signatory states, setting forth in detail the operations and transactions conducted by it pursuant to this compact.

The Commission shall keep a record of all its meetings and proceedings, contracts and accounts, and shall maintain a suitable office, where its maps, plans, documents, records and accounts shall be kept, subject to public inspection at such times and under such regulations as the Commission shall determine.

### **§ 1154. Powers of Commission-Article III**

The Commission shall constitute a body, both corporate and politic, with full power and authority: (1) to sue and be sued; (2) to have a seal and alter the same at pleasure; (3) to appoint and employ such agents and employees as may be required in the proper performance of the duties hereby committed to it and to fix and determine their qualifications, duties and compensation; (4) to enter into such contracts and agreements and to do and perform any and all other acts, matters and things as may be necessary and essential to the full and complete performance of the powers and duties hereby committed to and imposed upon it and as may be incidental thereto; (5) to have such additional powers and duties as may hereafter be delegated to or imposed upon it from time to time by the action of the legislature of any of said states, concurred in by the legislatures of the other states and by the Congress of the United States.

The Commission shall make, or cause to be made, such studies as it may deem necessary, in cooperation with the corps of engineers and other federal agencies, for the development of a comprehensive plan for flood control and for utilization of the water resources of the Connecticut River Valley.

The Commission shall not pledge the credit of the signatory states or any of them.

#### **§ 1155. Construction of dams; agreements-Article IV**

The signatory state wherein is located the site of each of the following dams and reservoirs agrees to the construction by the United States of each such dam and reservoir in accordance with authorization by the Congress:

In the Commonwealth of Massachusetts, At Barre Falls on the Ware River controlling a drainage area of approximately fifty-seven (57) square miles and providing flood storage of approximately eight (8) inches of run-off from said drainage area.

In the State of Vermont, (1) At West Townshend on the West River controlling a new drainage area of approximately one hundred six (106) square miles and providing flood control storage of approximately six (6) inches of run-off from said drainage area.

(2) At Ball Mountain on the West River controlling a net drainage area of approximately one hundred thirty-two (132) square miles and providing flood control storage of approximately six (6) inches of run-off from said drainage area.

(3) At North Hartland on the Ottauquechee River controlling a drainage area of approximately two hundred twenty-two (222) square miles and providing flood control storage for approximately six (6) inches of run-off from said drainage area.

(4) At Groton Pond on the Wells River controlling a drainage area of approximately seventeen and three tenths (17.3) square miles and providing flood control storage for approximately eight (8) inches of run-off from said drainage area.

(5) At Victory on the Moose River controlling a drainage area of approximately sixty-six (66) square miles and providing flood control storage for approximately seven (7) inches of run-off from said drainage area.

(6) In Bloomfield on the Nulhegan River controlling a drainage area of approximately seventy (70) square miles and providing flood control storage for approximately nine (9) inches of run-off from said drainage area.

In the State of New Hampshire, (1) At South Keene on the Otter Brook, tributary of the Ashuelot River, controlling a drainage area of approximately forty-seven (47) square miles and providing flood control storage for approximately seven (7) inches of run-off from said drainage area.

(2) At Walpole on the Cold River controlling a drainage area of approximately one hundred one (101) square miles and providing flood control storage for approximately eight (8) inches of run-off from said drainage area.

(3) At Bethlehem Junction on the Ammonoosuc River controlling a drainage area of approximately ninety (90) square miles and providing flood control storage for approximately six (6) inches of run-off from said drainage area.

(4) At Franconia on the Ammonoosuc River controlling a drainage area of approximately thirty (30) square miles and providing flood control storage for approximately eight (8) inches of run-off from said drainage area.

(5) At Swiftwater on the Wild Ammonoosuc River controlling a drainage area of approximately fifty-seven (57) square miles and providing flood control storage for approximately ten (10) inches of run-off from said drainage area.

#### **§ 1156. Reimbursement for economic losses-Article V**

The Commonwealth of Massachusetts agrees to reimburse the State of New Hampshire fifty (50) percent and the State of Vermont fifty (50) percent of the amount of taxes lost to their political subdivisions by reason of ownership by the United States of lands, rights or other property therein for the flood control dams and reservoirs at Surry Mountain in New Hampshire and at Union Village in Vermont.

The State of Connecticut agrees to reimburse the Commonwealth of Massachusetts forty (40) percent, the State of New Hampshire forty (40) percent and the State of Vermont forty (40) percent of the amount of taxes lost to their political subdivisions by reason of ownership by the United States of lands, rights or other property therein for the flood control dams and reservoirs at Tully, at Knightville and at Birch Hill in Massachusetts, at Surry Mountain in New Hampshire and at Union Village in Vermont.

The Commonwealth of Massachusetts agrees to reimburse the State of New Hampshire fifty (50) percent and the State of Vermont fifty (50) percent of the amount of taxes lost to their political subdivisions by reason of acquisition and ownership by the United States of lands, rights or other property therein for construction in the future of any flood control dam and reservoir specified in Article IV (section 1155 of this title) and also for any other flood control dam and reservoir hereafter constructed by the United States in the Connecticut River Valley.

The State of Connecticut agrees to reimburse the Commonwealth of Massachusetts forty (40) percent, the State of New Hampshire forty (40) percent and the State of Vermont forty (40) percent of the amount of taxes lost to their political subdivisions by reason of acquisition and ownership by the United States of lands, rights or other property therein for construction in the future of any flood control dam and reservoir specified in Article IV and also for any other flood control dam and reservoir hereafter constructed by the United States in the Connecticut River Valley.

Annually, not later than November first of each year, the Commission shall determine the loss of taxes resulting to political subdivisions of each signatory state by reason of acquisition and ownership therein by the United States of lands, rights or other property in connection with each flood control dam and reservoir for which provision for tax reimbursement has been made in the four paragraphs next above. Such losses of taxes as determined by the Commission shall be based on the tax rate then current in each such political subdivision and on the average assessed valuation for a period of five years prior to the acquisition by the United States of such property, provided that whenever a political subdivision wherein a flood control dam and reservoir or portion thereof is located shall have made a general revaluation of property subject to the annual municipal taxes of such subdivision, the Commission may use such revaluation for the purpose of determining the amount of taxes for which reimbursement shall be made. Using the percentage of payment agreed to in said four paragraphs, the Commission shall then compute the sum, if any, due

from each signatory state to each other signatory state and shall send a notice to the Treasurer of each signatory state setting forth in detail the sums, if any, each is to pay to and to receive from each other signatory state in reimbursement of tax losses.

Each signatory state on receipt of formal notification from the Commission of the sum which it is to pay in reimbursement for tax losses shall, not later than July first of the following year, make its payment for such tax losses to the signatory state wherein such loss or losses occur, except that in case of the first annual payment for tax losses at any dam or reservoir such payment shall be made by payor states not later than July first of the year in which the next regular session of its legislature is held.

Payment by a signatory state of its share of reimbursement for taxes in accordance with formal notification received from the Commission shall be a complete and final discharge of all liability by the payor state to the payee state for each flood control dam and reservoir within the payee state for the time specified in such formal notification. Each payee signatory state shall have full responsibility for distributing or expending all such sums received, and no agency or political subdivision shall have any claim against any signatory state other than the payee state, nor against the Commission relative to tax losses covered by such payments.

Whenever a state which makes reimbursement for tax losses and a state which received such reimbursement from it shall agree, through the Commission, on a lump sum payment in lieu of annual payments and such lump sum payment has been made and received, the requirement that the Commission annually shall determine the tax losses, compute sums due from each state and send notice thereof to the treasurer of each state shall no longer apply to the aforesaid states with respect to any flood control dam and reservoir for which lump sum payment has been made and received.

The Commonwealth of Massachusetts and the State of Connecticut each agrees to pay its respective share in reimbursement, as determined by the Commission under the procedure following, for economic losses and damages occurring by reason of ownership of property by the United States for construction and operation of a flood control dam and reservoir at any site specified in Article IV, and for any other flood control dam and reservoir constructed hereafter by the United States in the Connecticut River Valley, provided, however, that no reimbursement shall be made for speculative losses and damages or losses or damages for which the United States is liable.

On receipt of information from the Chief of Engineers that request is to be made for funds for the purpose of preparing detailed plans and specifications for any flood control dam and reservoir proposed to be constructed in the Connecticut River Valley, including those specified in Article IV, the Commission shall make an estimate of the amount of taxes which would be lost to and of economic losses and damages which would occur in political subdivisions of the signatory state wherein such dam and reservoir would be located, wholly or in part, by reason of acquisition and ownership by the United States of lands, rights or other property for the construction and operation of such flood control dam and reservoir and shall decide whether the flood control benefits to be derived in the signatory states from such flood control dam and reservoir, both by itself and as a unit of a

comprehensive flood control plan, justifies, in the opinion of the Commission, the assumption by signatory states of the obligation to make reimbursement for loss of taxes and for economic losses and damages. Such estimate and decision shall thereafter be reviewed by the Commission at five-year intervals until such time as the United States shall have acquired title to the site of such flood control dam or plans for its construction are abandoned. The Commission shall notify the governor, the members of the United States Senate and the members of the United States House of Representatives from each signatory state and the Chief of Engineers as to the Commission's decision and as to any change in such decision.

On receipt of information from the Chief of Engineers that any flood control dam and reservoir is to be constructed, reconstructed, altered or used for any purpose in addition to flood control, including those flood control dams and reservoirs heretofore constructed and those specified in Article IV, the Commission shall make a separate estimate of the amount of taxes which would be lost to and of economic losses and damages which would occur in political subdivisions of the signatory state wherein such dam and reservoir would be located, wholly or in part, by reason of acquisition and ownership by the United States of lands, rights or other property for the construction and operation of such dam and reservoir in excess of the estimated amount of taxes which would be lost and of the economic losses and damages which would occur if the dam were constructed and operated for flood control only and the Commission shall decide the extent to which, in its opinion, the signatory states would be justified in making reimbursement for loss of taxes and for economic losses and damages in addition to reimbursement for such dam and reservoir if constructed and used for flood control only. Such estimate and decision shall thereafter be reviewed by the Commission at five-year intervals until such time as such dam and reservoir shall be so constructed, reconstructed, altered or used or plans for such construction, reconstruction, alteration or use are abandoned. The Commission shall notify the governor, the members of the U.S. Senate and the members of the U.S. House of Representatives from each signatory state as to the Commission's decision and as to any change in such decision.

Within thirty days after acquisition by the United States of the site of any flood control dam the Commission shall proceed to make a final determination of economic losses and damages occasioned by such dam and reservoir. The Commission shall not include in such determination either speculative losses and damages or losses and damages for which the United States is liable.

The Commission shall compute the share the Commonwealth of Massachusetts and the State of Connecticut shall each pay to the state wherein such dam and reservoir is located by multiplying the percentage of flood and damages, as previously determined, by the percentage of flood control benefits which the Commonwealth of Massachusetts and the State of Connecticut each receives, in the allocation by states, of the flood control benefits resulting from the dam and reservoir.

The Commission shall send a notice to the Treasurer of the Commonwealth of Massachusetts and to the Treasurer of the State of Connecticut setting forth in detail the sum, if any, each is to pay to the state wherein such dam and reservoir is located in reimbursement for economic losses and damages and shall also send such notice to the Treasurer of the state wherein such dam and reservoir is located.

The Commonwealth of Massachusetts and the State of Connecticut on receipt of such formal notification by the Commission shall each pay its share of such economic losses or damages to the signatory states wherein such losses or damages occur. Full payment by either state of the sum specified in such formal notification from the Commission as to the amount of economic losses and damages for which such state is to make reimbursement shall be a complete and final discharge of all liability by the payor state to the payee state for economic losses and damages for each flood control dam and reservoir within the payee state designated in such formal notification. Each payee signatory state shall have full responsibility for distributing or expending all such sums received and no agency, political subdivision, private person, partnership, firm, association or corporation shall have any claim against any signatory state other than the payee state, nor against the Commission relative to such economic losses and damages.

A signatory state may, in agreement with the Commission and the Chief of Engineers, acquire title or option to acquire title to any or all lands, rights or other property required for any flood control dam and reservoir within its boundaries and transfer such titles or options to the United States. Whenever the fair cost to said signatory state for such titles or options, as determined by the Commission, is greater than the amount received therefor from the United States, the Commonwealth of Massachusetts and the State of Connecticut shall each pay its share of such excess cost to said signatory state, such share to be determined by the Commission in accordance with procedure herein contained for determining reimbursement for economic losses and damages.

Whenever the Commission shall not agree, within a reasonable time or within sixty days after a formal request from the governor of any signatory state, concerning reimbursement for loss of taxes or for economic losses and damages at any flood control dam and reservoir heretofore or hereafter constructed by the United States in the Connecticut River Valley, or concerning the extent, if any, to which reimbursement shall be made for additional loss of taxes and for additional economic losses and damages caused by construction, reconstruction, alteration or use of any such dam for purposes other than flood control, the governor of each signatory state shall designate a person from his state as a member of a Board of Arbitration, hereinafter called the Board, and the members so designated shall choose one additional member who shall be Chair of such Board. Whenever the members appointed by the governors to such Board shall not agree within sixty days on such additional member of the Board, the governors of such signatory states shall jointly designate the additional member. The Board shall by majority vote decide the question referred to it and shall do so in accordance with the provisions of this compact concerning such reimbursement. The decision of the Board on each question referred to it

concerning reimbursement for loss of taxes and for economic losses and damages shall be binding on the Commission and on each signatory state, notwithstanding any other provision of this compact.

#### **§ 1157. Authority of United States-Article VI**

Nothing contained in this compact shall be construed as a limitation upon the authority of the United States.

#### **§ 1158. Expenses of Commission-Article VII**

The signatory states agree to appropriate for compensation of agents and employees of the Commission and for office, administrative, travel and other expenses on recommendation of the Commission subject to limitations as follows: The Commonwealth of Massachusetts obligates itself to not more than seventy-five hundred (\$7500) dollars in any one year, the State of New Hampshire obligates itself to not more than one thousand (\$1000) dollars in any one year, the State of Vermont obligates itself to not more than two thousand (\$2000) dollars in any one year and the State of Connecticut obligates itself to not more than sixty-five hundred (\$6500) dollars in any one year. (Amended 1989, No. 210 (Adj. Sess.), § 196; 1991, No. 5, § 63, eff. March 13, 1991.)

#### **§ 1159. Separability of provisions-Article VIII**

Should any part of this compact be held to be contrary to the constitution of any signatory state or of the United States, all other parts thereof shall continue to be in full force and effect.

#### **§ 1160. Compact effective, when; notice of ratification-Article IX**

This compact shall become operative and effective when ratified by the Commonwealth of Massachusetts and the States of New Hampshire, Vermont and Connecticut and approved by the Congress of the United States. Notice of ratification shall be given by the governor of each state to the governors of other states and to the President of the United States, and the President of the United States is requested to give notice to the governors of each of the signatory states of approval by the Congress of the United States.

### ***Subchapter 2: Provisions Relating To Flood Control Compact***

#### **§ 1171. Connecticut River Valley Flood Control Commission; appointment; term of office**

The Connecticut River Valley Flood Control Commission shall consist of three members. Biennially, in the month of February, the Governor, by and with the advice and consent of the Senate, shall appoint one member of the Commission whose term of office shall be six years from and after March 1 of the year in which he or she is appointed.

#### **§ 1172. Vacancies in Commission membership; power of removal**

The provisions of 3 V.S.A. §§ 257-259 shall apply to vacancies that may occur in the membership of said Commission from this State, and to the power of removal of any such commissioner; except that if a vacancy occurs among such membership, either by death, resignation, removal, or otherwise, between sessions of the General Assembly, the Governor shall have power to fill such vacancy by appointment until March 1 of the next biennial year.

#### **§ 1173. Expenses of members of Commission**

The members of said Commission appointed by the State of Vermont shall each receive as compensation for their services the sum of \$30.00 a day for each day's service performed in connection with the duties of such office.

#### **§ 1174. Expenditure for support of the Connecticut Commission**

The Department of Environmental Conservation shall make an expenditure for the purpose of carrying out the provisions of Article VII of the Compact, section 1158 of this title, relating to payment by the State to the Connecticut Commission of the proportionate share of the State in the expenses of said Commission. This expenditure is conditioned upon payment by the other compacting states of their proportionate amounts. (Amended 2011, No. 162 (Adj. Sess.), § E.709.)

#### **§ 1175. Notification of funds received; tax and economic loss**

(a) The State Treasurer shall notify the Commissioner of Finance and Management when he or she receives funds from either the State of Connecticut or the Commonwealth of Massachusetts, as provided in the Connecticut River Flood Control Compact, sections 1151-1160 of this title, in reimbursement for loss of taxes and for economic losses and damages for any tax year in a town or towns of this State occasioned by ownership therein by the United States of lands, rights or other property in a flood control dam and reservoir.

(b) At the same time the State Treasurer shall transmit to the Secretary of the Agency of Natural Resources the official notification he or she has received from the Connecticut River Valley Flood Control Commission setting forth the tax loss or the economic losses and damages, as determined by the Commission according to the terms of said Compact, or as otherwise determined by the Commission, together with the part of each such loss the State of Connecticut and the Commonwealth of Massachusetts are obligated to pay.

(c) Funds received pursuant to subsection (a) of this section shall be credited to a special fund, established and managed pursuant to 32 V.S.A. chapter 7, subchapter 5, from which payments shall be made in accordance with section 1176 of this title. (Amended 1959, No. 108, § 1; 1959, No. 328 (Adj. Sess.), § 8; 1961, No. 100, § 2; 1981, No. 222 (Adj. Sess.), § 5; 1983, No. 195 (Adj. Sess.), § 5; 1987, No. 76, § 18; 2011, No. 162 (Adj. Sess.), § E.709.1.)

#### **§ 1176. Certifications of sums due towns; warrants**

On receipt of information from the State Treasurer under section 1175 of this title, the Secretary of Natural Resources shall certify to the Commissioner of Finance and Management the sums due under the terms of the compact payable by the Commonwealth of Massachusetts and the State of Connecticut and the name of each person, partnership, corporation, or municipality to whom the sums are due. The Commissioner of Finance and Management shall issue his or her warrants accordingly. (Amended 1959, No. 108, § 2; 1959, No. 328 (Adj. Sess.), § 8; 1961, No. 100, § 2; 1981, No. 222 (Adj. Sess.), § 6; 1983, No. 195 (Adj. Sess.), § 5(b); 1987, No. 76, § 18.)

#### **§ 1177. Maintenance of records by Secretary of Natural Resources**

It shall be the sole responsibility of the Secretary of Natural Resources to keep and maintain all records, except records of warrants issued by the Commissioner of Finance and Management, in connection with and compiled as a result of sections 1175 and 1176 of this title. All departments or agencies of the State maintaining these records shall forthwith deliver the same to the Secretary of Natural Resources. (Amended 1959, No. 328 Adj. Sess.), § 8; 1961, No. 100, § 2; 1981, No. 222 (Adj. Sess.), § 7; 1983, No. 195 (Adj. Sess.), § 5(b); 1987, No. 76, § 18.)

#### **§ 1178. Reimbursement for tax losses not covered by Compact**

(a) The State of Vermont shall annually reimburse its political subdivisions for the ten percent of the amount of real property, personal property is lost to them by reason of acquisition and ownership by the United States of land, rights or other property acquired by the United States for flood control dams and reservoirs, and not reimbursed by the Commonwealth of Massachusetts and the State of Connecticut under the terms of the Connecticut River Flood Control Compact, sections 1151-1160 of this title. Such total annual reimbursement by the State of Vermont under the terms of this section shall equal one-ninth of the aggregate amount determined by the Connecticut River Flood Control Commission as being due by the State of Connecticut and the Commonwealth of Massachusetts to the State of Vermont solely for the aforesaid tax losses under the terms of said compact.

(b) The Commissioner of Finance and Management shall annually issue his or her warrants in favor of those political subdivisions upon vouchers issued by the Secretary of Natural Resources at the same time as vouchers are issued for payments of reimbursement of the loss of that political subdivision by the State of Connecticut and Commonwealth of Massachusetts. (Amended 1959, No. 328 (Adj. Sess.), § 8; 1961, No. 100, § 2; 1981, No. 222 (Adj. Sess.), § 8; 1983, No. 195 (Adj. Sess.), § 5(b); 1987, No. 76, § 18.)

### ***Subchapter 3: Connecticut River Watershed Advisory Commission***

#### **§ 1191. Purpose**

The purpose of this subchapter is to provide a mechanism for a cooperative effort with the State of New Hampshire to guide any development that may occur, in a way that maximizes the conservation of the visual, ecological, and agricultural integrity of the Connecticut River watershed. (Added 1987, No. 208 (Adj. Sess.), § 2.)

#### **§ 1192. Policy**

It is the policy of this State to join with the State of New Hampshire in a common effort to ensure that development within the Connecticut River watershed proceeds in ways that protect its outstanding ecological, scenic, recreational, historic, cultural, agricultural, fish, and wildlife values. (Added 1987, No. 208 (Adj. Sess.), § 2.)

#### **§ 1193. Connecticut River Watershed Advisory Commission established**

(a) A Connecticut River Watershed Advisory Commission is established to develop ways to cooperate, and to initiate and encourage interstate cooperation and coordination with and between the appropriate officers of the State of Vermont and the State of New Hampshire to achieve the purpose of this subchapter. In a manner consistent with New Hampshire law, the Advisory Commission may designate citizens from Vermont municipalities bordering the Connecticut River to serve on, or coordinate with, local river management advisory groups established pursuant to New Hampshire law.

(b) The Advisory Commission shall consist of 15 members: the Secretary of Natural Resources; one member selected by each of the five regional planning commissions bordering the Connecticut River and nine at-large members appointed by the Governor who shall be residents of the Connecticut River watershed. The at-large members may include persons who are members of the General Assembly and shall include others who represent diverse interests such as forestry, tourism, fishing, boating, and land preservation and historic preservation. One or more members shall be actively farming land they own bordering the Connecticut River or its tributaries.

(c) The Secretary of Natural Resources shall promptly convene the first meeting of the Advisory Commission at which time a chairperson will be elected by the members. The chairperson shall serve for one year or until his or her successor is elected.

(d) A majority of the members of the Commission shall constitute a quorum.

(e) Members shall be entitled to compensation in accordance with the provisions of 32 V.S.A. § 1010.

(f) In the event of a vacancy occurring in the membership of the Commission, the vacancy shall be filled in the same manner as the original appointment. (Added 1987, No. 208 (Adj. Sess.), § 2; amended 1991, No. 224 (Adj. Sess.), § 2.)

#### **§ 1194. Support services**

The Secretary of Natural Resources shall provide supportive services to the Advisory Commission. (Added 1987, No. 208 (Adj. Sess.), § 2.)

#### **§ 1195. Acceptance of grants and contributions**

The Commission may receive and accept grants, aid, or contributions of money, property, labor, or other things of value, to be expended to carry out the purposes of this subchapter. (Added 1987, No. 208 (Adj. Sess.), § 2.)

#### **§ 1196. Report**

Beginning in 1989 and annually thereafter, the Advisory Commission shall file a report on its activities under this subchapter. The report shall be filed with the Agency of Natural Resources, the Governor, and the General Assembly on or before July 15. (Added 1987, No. 208 (Adj. Sess.), § 2; amended 2017, No. 113 (Adj. Sess.), § 44b.)

**§ 1197. [Reserved for future use.]**

**§ 1198. Recodified. 1987, No. 208 (Adj. Sess.), § 1.**