



## **REGIONAL PLAN COMMITTEE**

**Monday October 21, 2019**

**3:00 – 5:00 pm**

Central Vermont Regional Planning Commission  
29 Main Street, Suite 4, Montpelier, VT 05602

<b>page</b>	<b>AGENDA</b>
	<b>3:00<sup>1</sup></b> <b>Adjustments to the Agenda</b>
	<b>Public Comments</b>
<b>2-4</b>	<b>3:05</b> <b>Rules of Procedure</b> Review draft document and recommend approval by CVRPC Board of Commissioners.
<b>5</b>	<b>3:30</b> <b>Regional Plan Re-adoption Process</b> Discuss possible amendments and re-adoption process including: <ul style="list-style-type: none"><li>a. Purpose and Content</li><li>b. Process and Timeline</li></ul>
	<b>5:00</b> <b>Adjournment</b>

---

<sup>1</sup> Times are approximate unless otherwise advertised.



## REGIONAL PLAN COMMITTEE

### *RULES OF PROCEDURE*

09/17/18 DRAFT

**PURPOSE:** To recommend updates to the Central Vermont Regional Plan and to oversee its implementation.

#### **GENERAL ACTIVITIES:**

- ◆ Foster public and member municipality engagement in regional planning in the region.
- ◆ Encourage intergovernmental cooperation on regionally important planning issues.
- ◆ Conduct an annual review of the Central Vermont Regional Plan and recommend updates in accordance with Title 24 Chapter 117 and the needs of the region for consideration by the Board of Commissioners.
- ◆ Develop and annually review a Five Year Work Program for the Commission that assists to translate Regional Plan priorities into an annual work program.
- ◆ Monitor the Commission's progress in implementing the Regional Plan and Five Year Work Program, report progress to the Board of Commissioners at least annually, and recommend Regional Plan or Work Program modifications as needed.
- ◆ Assist the Executive Committee and Board of Commissioners to review and comment on proposed policies, plans, and capital improvements of State Agencies in regards to CVRPC policy, Regional Plan conformance, funding, and project prioritization.
- ◆ Participate in special studies conducted by the Commission.
- ◆ Provide input and policy recommendations to the Board of Commissioners regarding pertinent land use issues and legislation as time and resources permit.

**ADVISORY ROLE:** The Regional Plan Committee shall be advisory to the Board of Commissioners. The Regional Plan Committee will offer advice, input, and opinions to the Agency of Commerce and Community Development and other organizations and individuals as appropriate, provided it is compatible with plans, policies, positions or resolutions adopted by the Board of Commissioners. Regional Plan Committee advice, input, and opinions may be reviewed, confirmed or reversed by the Board of Commissioners at the Board's discretion. New or amended plans, policies, positions or resolutions shall be ratified/approved by the Board of Commissioners.

**MEMBERSHIP:** The Regional Plan Committee shall consist of five (5) representatives of the Board of Commissioners who serve two year terms. The terms shall be staggered to foster continuity of policy. The Committee members shall determine the initial staggering of seat terms.

**OFFICERS/ELECTIONS:** The Regional Plan Committee will elect a Chair and Vice-Chair annually at its first meeting of the fiscal year. The Chair will be responsible for running meetings, setting agendas in conjunction with staff, reviewing and signing correspondence on behalf of the Regional Plan Committee, and representing the Regional Plan Committee at various meetings as needed. The Vice-Chair will provide support to the Chair as needed. If the Chair or Vice-Chair should resign before term expiration, an interim election shall be held within two meetings or when regular elections are held, whichever is earlier.

**ATTENDANCE AND QUORUMS:** A quorum of the Committee shall consist of a majority of members, currently three. Members are encouraged to attend all regular meetings and special meetings as they arise. Members with three consecutive unexplained absences will be contacted by the Chair to determine if they still wish to serve on the Regional Plan Committee. The Regional Plan Committee shall meet at least four (4) times per year, or as determined by the Chair to be necessary to carry out the stated purpose.

**COMMUNICATION AND COORDINATION:**

- ◆ Meetings shall be noticed and held in accordance with Vermont Open Meeting Law.
- ◆ Draft policies and resolutions shall be forwarded to Regional Plan Committee members and interested/affected parties for comment before action by the Regional Plan Committee, or final action/approval by the Board of Commissioners.
- ◆ Minutes of all regular and special meetings will be prepared by staff, distributed to Regional Plan Committee members and interested parties, and made available to the public in accordance with open meeting and public records laws described in 1 V.S.A.
- ◆ Regional Plan Committee members are encouraged to offer input on all matters before the Committee, and are encouraged to bring up items of local or regional concern for Committee consideration.

**CONFLICT OF INTEREST:** In the event any Regional Plan Committee member has a personal or financial interest with any individual, partnership, firm or corporation seeking to contract with the CVRPC, or to provide materials or labor thereto, or has a personal or financial interest in any project being considered by the Regional Plan Committee, the member shall state on the record the nature of his or her interest. If the member feels this conflict interferes with his/her ability to be objective, the member shall not participate in any vote on any related motion. If the member is uncertain whether he/she should participate in the decision, the Regional Plan Committee shall determine by vote whether the member should participate.

The Committee may also make a determination of conflict of interest and disallow voting by a member if the majority of voting Committee members in attendance at the meeting determine a conflict of interest exists.

**ADOPTION OF ORGANIZATIONAL PROCEDURES:** The Regional Plan Committee may, at any time, vote to amend these procedures, upon 51% vote of the Regional Plan Committee membership (at least 3 votes in favor). Proposed amendments will be forwarded to Regional Plan Committee members and interested parties before consideration at a regular Regional Plan Committee meeting. Amendments will then be forwarded to the Board of Commissioners for ratification.

The Regional Plan Committee is not a standing or special committee of the Regional Planning Commission, and is therefore not subject to the Commission's bylaws. These Rules of Procedure, combined with Robert's Rules of Order, provide procedural and administrative guidance for the Regional Plan Committee.

Recommended by the Regional Plan Committee:

Adopted by the Board of Commissioners:

---

Laura Hill-Eubanks, Chair  
CVRPC Board of Commissioners



## MEMO

Date: October 16, 2019  
To: Regional Plan Committee  
From: Clare Rock, Senior Planner  
Re: Regional Plan Re-adoption process

---

**✉ ACTION REQUESTED: The Committee will be tasked with the following:**

- 1) Possible amendments** – Determining whether the Commission should make any immediate amendments to the current plan; and
- 2) Re-adoption process** - provide input and direction to staff on the following topics in regard to the development of new regional plan which will need to be adopted by 2024 (or sooner): a. Purpose and Content; and b. Process and Timeline.

### **REGIONAL PLAN BACKGROUND**

2008 CVRPC adopts its plan and it includes the *new* housing distribution plan.

The housing distribution plan requires municipalities to plan for new housing units in the region between 2000 and 2020. The distribution plan allocated housing targets for each municipality and requires them to identify and map areas of existing and proposed locations which can accommodate new housing growth based upon an Economic and Demographic Forecast which was commissioned by CVRPC in 2000. To read the Housing Distribution Plan section see page 6-16 of the current regional plan located [here](#).

2010 Regional Plans move from a 5-year planning cycle to an 8-year cycle.

2013 VAPDA works with ACCD to strengthen the depth of planning in Vermont and undertakes an assessment of Vermont regional plans. On June 11, 2013 the results of the assessment are shared with the CVRPC Board at their monthly meeting. Some of the comments and recommendations are relevant today and would be worth discussing at our meeting on Monday. See attachment titled *June 11, 2013 Minutes*.

Also at this meeting the CVRPC Board briefly discusses the development of the 2016 regional plan which is to be titled *Plan Central VT: Shaping Our Region from the Ground Up*.

During 2013 – 2014, a series of presentations and focus groups were organized and convened to gather input on the new regional plan. A variety of staff members were involved in drafting new *Plan Central Vermont* chapters. Some (most?) of these chapters were reviewed by the Board of Commissioners. Many Goals and Policies contained within these chapters are very similar to those contained within our current plan.

2015 CVRPC adopts amendments to the 2008 Regional Plan. Changes include changes to the following chapters: Economic; Utilities, Facilities and Services; and Land Use with the addition of a future land use map. Changes to these chapters were made to correct deficiencies identified in 2013 assessment of the plan. The Board agrees to re-adopt the plan, but retain the original expiration date (2016).

2016 CVRPC re-adopts the 2008 Plan. This 2016 plan will expire in 2024. The only change made to the plan is the reorganization of the Implementation Plan, all the goals and actions remain the same. Based upon the June 14, 2016 Board meeting minutes “Adopting the content of that Plan (w/change to Implementation Plan) as the 2016 Regional Plan will afford the Commission the time to complete *Plan Central Vermont*. *Plan Central Vermont* will be a new Regional Plan in its entirety and has been in the development process since 2013. Staff anticipates completing *Plan Central Vermont* within 2 years. This will include a Regional Energy Planning Project to be kicked off next month.”

### Plan Central Vermont

The following chapters were drafted during the Plan Central Vermont process:

- Introduction
- Energy
- Land Use
- Strong & Diverse Economy
- Environment & Natural Resource
- Utilities & Facilities
- Health & Community
- Safe & Affordable Housing
- Implementation Plan (31 pages long!)

They were drafted by different staff members and vary in completeness. The goals and policies are very similar to those contained within the 2008/2016 plan.

*Plan Central Vermont* efforts are put on hold due to staff turnover and staff attention is focused on the development of the *new* Regional Energy Plan.

2018 CVRPC re-adopts the 2016 plan with the inclusion of the *new* Regional Energy Plan and minor changes to the Land Use Chapter to address the new forest integrity requirements (in additional one new map is added to the plan to depict locations of forest blocks.) The Commission agrees to re-adopt the 2016 plan, but retain the 2024 expiration date. The title of the current plan is: *2016 Central Vermont Regional Plan, effective July 17, 2018*.

## REGIONAL PLAN RE-ADOPTION PROCESS

### 1) POSSIBLE AMENDMENTS

Staff has identified areas of the current plan which would benefit from immediate revisions. Those include:

- a. Removal of the Housing Distribution Plan – the Housing Distribution Plan requires municipalities to plan for future housing growth based upon outdated population forecasts. The Housing

Distribution Plan could easily be removed from the plan as it is limited to the Housing Chapter and isn't referenced in other sections of the plan. This would be a fairly easy process, yet it should be noted that the Housing distribution Plan was identified as a strength of our current plan during the 2013 assessment.

- b. Revision to the Future Land Use Map – the map was in part based upon municipal zoning boundaries. Montpelier has changed its zoning regulations and doesn't depict current conditions which has raised concern during conformance reviews of Montpelier's TIF Application, Municipal Plan, and Growth Center Renewal Application. This sounds like an easy process, but would likely require development of a new methodology with could be time consuming.
- c. Clarifications to the Energy Chapter regarding Preferred Sites – based upon recent conversations with the Regional Plan Committee in the last year, this is an area which has been considered for clarification. Could be medium effort, the committee has already developed some draft guidance which could be incorporated into the plan.

It would be beneficial for the Committee to consider whether it is prudent to make any of these changes in the immediate short term. A plan amendment would still need to go through the re-adoption process (with public hearings) but the Commission could decide to retain the 2016 date and 2024 expiration date.

## 2) RE- ADOPTION PROCESS

For the purpose of our discussion, the re-adoption process is the process of creating a new plan for adoption by (or before) the 2024 expiration of our current plan. As a basis for our discussion on Monday I understand the following:

- ☒ there is agreement that the current plan will NOT be used as the basis for the next plan;
- ☒ the *Plan Central Vermont* efforts should be used, recognized and integrated into a new plan (in some form or fashion); and
- ☒ we should be aiming to have a new plan adopted within the next one or two years (rather than three or four years).

For clarity and easy reference, I'd like to suggest we refer to this process simply as: THE NEW PLAN. And to build a solid foundation for our renewed efforts I think it would be helpful to discuss some of the elemental aspects of a new regional plan to help guide staff in undertaking this project.

## PURPOSE & CONTENT

Vermont State Statute [24 V.S.A. § 4347](#) identifies the purpose of the regional plan (see attached). Additionally, we are required to cover all the required elements (as listed within [24 V.S.A. § 4348a](#)) and demonstrate substantial progress toward achievement of the state planning goals (as listed within [24 V.S.A. § 4302](#).) With that said, we have flexibility as to how we present the required information.

Questions for committee discussion:

1. Why is important to develop a new plan before 2024? \_\_\_\_\_
2. Who should be the target audience of the plan? \_\_\_\_\_

3. How should the plan be used? \_\_\_\_\_
4. What should the theme or tone of the plan be:
  - a. visionary and inspiring – presenting a strong vision for the future of Central Vermont and containing innovative, creative and forward thinking strategies to emerging trends
  - b. technical and data-rich – serving as a repository for past studies, technical reports, inventories, and census info; containing specific strategies to targeted issues
  - c. guiding and helpful – providing informative and explanatory description and analysis; containing generalized strategies to common challenges
  - d. something else? \_\_\_\_\_

Staff recommendations for committee consideration:

- ☐ Assets Framing – present information within the plan in a positive light and frame topics by explaining the opportunities, resources, potentials and strengthens (vs problems, obstacles, challenges and criticism). This can be used as a format for each of the plan sections.
- ☐ Objective language – use non personal pronouns (no “I” “we” “our.”)
- ☐ Actionable statements – incorporate clear and realistic actions which can be completed and undertaken by CVRPC and others.

#### PROCESS & TIMELINE

The process and timeline will be dependent on our conversation about PURPOSE & CONTENT. It shall also be somewhat dependent on new staff abilities and work load to assist with the project. A new staff member is starting in early November.

Questions for the committee:

1. How involved do you want to be in the development of the new plan? in respect to:
  - a. Analysis of the information
  - b. Narrative content
  - c. Goals, Strategies and Actions
  - d. Format
2. Do you want to set a regular monthly meeting date? \_\_\_\_\_



**Central Vermont Regional Planning Commission  
June 11, 2013  
Minutes**

Present were:

Barre City: Michael Miller-absent	Plainfield: David Strong
	Robert Atchinson-absent
Barre Town: Byron Atwood	Roxbury: David McShane-absent
Mark Nicholson-absent	Waitsfield: Don La Haye
	Harrison Snapp-absent
Berlin: Bob Wernecke	Warren: Craig Klofach-absent
Cabot: Dick Payne	Dan Raddock - absent
Calais: Rolf Mueller	Washington:
Duxbury: Brian Fitzgerald	Waterbury: Gunner McCain-absent
East Montpelier: Tim Carver	Williamstown: Larry Hebert
Julie Potter-absent	Woodbury: Janet Shatney-absent
Fayston: Carol Chamberlin	Worcester: Bill Arrand
Marshfield: Faeterri Silver	
Middlesex: Ronald Krauth	
Montpelier: Tina Ruth	
Kim Cheney-absent	
Moretown: Deb Sargent-absent	
Northfield: Laura Hill-Eubanks	
Orange: George Malek	

Staff: S. Sinclair, L. Emery, J. Cassino, K. McKee

Others: Brandy Saxton, Consultant; Jeanne Danielle, alternate representative to the Northern VT Resource and Conservation Development Council.

The meeting was called to order at 7:02 p.m.

The minutes of the May 14, 2013 Commission meeting were accepted as written.

Staff Report Additions: S. Sinclair announced that Gary Gulka of the Cabot Planning Commission was recognized by the VT Planners Association as Citizen Planner of the Year and will be recommended to the Northern New England Planning Association, as well.

Town Plan Review Committee: The Orange Town Plan will be reviewed by the Committee for consideration of approval at the July 9 Commission meeting. The current members of the Committee are: R. Krauth, T. Carver, T. Ruth, B. Arrand, and G. Malek. B. Atwood and D. Strong were added to the Committee for the review of the Orange Town Plan.

T. Ruth also stated that she would like to have someone replace her on the Committee when the annual appointments are made in July.

Public Hearing on the Approval of the Middlesex Town Plan and Confirmation of the Town's Planning Process: The hearing was convened at 7:15 p.m. and staff distributed copies of the Plan review with the Committee's recommendation.

Conditions warranting approval include findings that the plan:

- Contains each of the **eleven** elements listed in section 4382 of Chapter 117;
- Is consistent with the **thirteen** goals established in Section 4302 of Chapter 117. (“Substantial progress toward attainment” of these goals is the standard by which consistency is evaluated); and
- Is **compatible** with the Regional Plan and the approved plans of other municipalities in the Region.

The previous Middlesex Town Plan was adopted in March 2008 and approved by CVRPC that same year. The 2013 Plan is not significantly different from the 2008 Plan, which is understandable considering that the 2008 Plan was a substantially different document from its predecessor, both in form and content. While the 2008 Plan was more comprehensive in scope and was arguably more in keeping with the standards of Chapter 117 than the previous plan, it did also display some weaknesses, particularly with regard to the transportation, energy, earth resources and child care goals. At that time, it was the opinion of the Committee that none of these deficiencies rose to the level of statutory non-conformance, and approval was recommended. The 2013 Middlesex Town Plan addresses past deficiencies and aptly represents the Town through an overall theme of citizen engagement, resource protection, and the preservation of rural character.

These themes specifically include natural resource conservation -- particularly in the context of preserving ridgelines and highlighting public lands, the preservation of development rights in the appropriately regulated areas, promoting affordable and workforce housing in appropriate areas through the use of regulatory strategies, and specific links to both regularity and non-regulatory implementation strategies. The Plan includes an Economic Development Element and addresses CVRPC's Housing Distribution Plan.

The Middlesex Plan meets all the statutory mandates of Chapter 117 required for “approval” of the document by CVRPC. The Plan is also in conformance with the 2008 Regional Plan. Future Plan updates would benefit from revisiting previous goals and objectives and noting completion and from developing specific implementation strategies and mandatory language where appropriate.

On May 23, 2013 the Town Plan Review Committee voted to recommend approval of the 2013 Middlesex Town Plan to the full Regional Commission. It should be noted that Ron Krauth abstained from voting.

Comments included: The planning commission did a very good job, and it is liked that the Town set aside an area for high density development, including small lot size which assists in making housing units affordable.

It was moved, seconded, and approved (12-0-1) to adopt the resolution approving the 2013 Middlesex Town Plan and confirming the Town's planning process. R. Krauth abstained.

Review of CVRPC's 2008 Regional Plan: The Vermont Association of Planning and Development Agencies (VAPDA) has been working to strengthen the depth of planning in Vermont and felt that the regional plans should be reviewed just as the municipal plans are. With support from the Agency of Commerce and Community Development, each Regional Planning Commission, and the High Meadows fund, a consultant, Brandy Saxton, was hired to do the reviews.

Brandy Saxton reviewed the 2008 Central Vermont Regional Plan pointing out there will be an executive summary provided of all the regional plans showing the plans as they align with one another.

She made the following points on the CVRPC Plan:

- The Land Use Element does not contain a land use map as required by statute. This makes it difficult to tie projects and natural resources to specific locations that are or are not appropriate for the project being proposed.

- Data on the region's energy use and supply is lacking.

- The Transportation Element could include listing the regional priorities.

- The Utilities and Facilities Element also lacks sufficient data regarding capacity and surrounding land use and the linkage to appropriate growth.

- The policies need more "actionable" statements rather than statements like "encourage."

- There could be broader outreach and more involvement of partner organizations which would help to develop stronger implementation measures.

- There should be more discussion on compatibility with the plans of adjoining regions.

- The Housing Element is the strongest among the 11 regional commissions. The Housing Distribution Plan assists the towns with a process for identifying and locating appropriate housing development.

- The Economic Development Element was not added to the statute until 2013. CVRPC's Plan was adopted in 2008 and the Commission should be applauded for including the economic development element ahead of its time.

- Regional significant resources could be more clearly defined.

- Substantial progress toward the goal is used to determine measureable or perceptible change. The Plan would be strengthened by stating policies more directly and identifying specific programs or projects that are needed to support a healthy economy in the Region.

- There are some policies that should be made "mandatory" in the Plan because of the role

regional and municipal plans have in Act 250 and Section 248 permit review.

-- The Plan's policies align with the goal of compact settlements, but the lack of a well-articulated land use plan limits the effectiveness of the Plan in guiding growth and development in a manner that would sustain compact centers segregated by rural countryside.

-- The Plan should identify brownfield sites and then recommend implementation strategies.

-- The Plan is user-friendly, has a consistent format, and is easily readable, but the goals and policies are listed throughout the Plan. All the goals and policies could be pulled together as one section at the end of the Plan.

Discussion raised the point that it would be fairer if the overall plan scoring at the end of the review was weighted to give more weight to the more important elements of the Plan.

It was also stated that it's difficult to support stronger land use goals and policies if there isn't sufficient infrastructure to support development. It was noted that the land use element could identify the needed infrastructure that would support the desired land use.

It was suggested that growth is not happening where there is excess water and sewer capacity, and we could try to identify why that is the case. It was further suggested that land use happens at the local level; how do regional plans support that in terms of the land use map/element?

Some regional commissions use zoning districts for their land use map, but not all zoning districts reflect the town plan vision. Instead, the land use map could reflect the intent of the town plans rather than their zoning districts. We need to think about who the regional plan audience is and how we want the plan used.

It was noted that not all of the directives in the statute are appropriate for the smaller towns. It was suggested that CVRPC could focus on what's important to the region rather than trying to meet everything in the statute when not all of it applies in terms of implementation.

The CVRPC Plan is read to educate which is particularly useful to those towns that do not have staff planners.

Regarding should's and shall's, CVRPC could list options; a list of what one could do, that would then provide guidance to towns for their plans.

It was noted that Act 250 wants plans to be more directive so the District Environmental Commission doesn't have to interpret what they think the towns or regions want.

Comment was made that our Plan says there are tradeoffs. However, those tradeoffs cannot be predicted 5 years in advance. Where a State agency provides permitting, that trumps the local and regional plans and is left to the State to determine any tradeoffs.

B. Saxton suggested that we target what is most important to the Region and focus on those areas rather than trying to provide mandatory or directive-type language on every issue.

It was suggested that there could be better guidance for property rights and the needs of future residents.

CVRPC staff provided the following information on the development of our 2016 Regional Plan and the committees that will be needed for input, review and outreach:

- The Plan would be entitled: ***Plan Central VT: Shaping Our Region from the Ground Up.***
- A regional plan committee would be established consisting of regional commissioners, and interested local officials and regional organizations.
- There would be working groups or subcommittees on specific topics for various elements of the Regional Plan that would work with staff on development of the elements of the Plan.
- Staff is aiming to include regional organizations as partners to get their input, insight, and involvement in the development of the Plan.
- The potential working groups would be:
  - outreach/public participation,
  - land use and economic development,
  - housing, transportation, and utilities, facilities and services,
  - energy and environmental issues, and
  - implementation.

Public outreach to gain greater involvement in the development of the Plan would include making use of the internet, email, video conferencing, social media, interactive activities such as meeting-in-a-box where residents serve as facilitators, youth groups and students, hosting a booth or display at farmers' markets, and using art-based projects as contests to draw attention to the regional planning effort.

CVRPC will be sponsoring an AmeriCorp Vista person to help organize and facilitate the outreach process. We are continuing to look for additional financial resources, as well.

Commissioners expressed interest in the time frame and how often issues and draft language would come to the Commission.

Thanks were expressed to Robert Wernecke for his chairmanship services over the past 2 years. R. Wernecke expressed his enjoyment of the process and that he is pleased with the achievements of the Commission.

The meeting was adjourned at 9:00 p.m.

Respectfully submitted,

Laurie Emery

# The Vermont Statutes Online

## Title 24 : Municipal And County Government

### Chapter 117 : Municipal And Regional Planning And Development

#### Subchapter 003 : Regional Planning Commissions

(Cite as: 24 V.S.A. § 4347)

#### § 4347. Purposes of regional plan

A regional plan shall be made with the general purpose of guiding and accomplishing a coordinated, efficient and economic development of the region which will, in accordance with the present and future needs and resources, best promote the health, safety, order, convenience, prosperity and welfare of the inhabitants as well as efficiency and economy in the process of development. This general purpose includes, but is not limited to recommending a distribution of population and of the uses of the land for urbanization, trade, industry, habitation, recreation, agriculture, forestry and other uses as will tend to:

(1) create conditions favorable to transportation, health, safety, civic activities and educational and cultural opportunities;

(2) reduce the wastes of financial, energy and human resources which result from either excessive congestion or excessive scattering of population;

(3) promote an efficient and economic utilization of drainage, energy, sanitary and other facilities and resources;

(4) promote the conservation of the supply of food, water, energy and minerals;

(5) promote the production of food and fiber resources and the reasonable use of mineral, water, and renewable energy resources; and

(6) promote the development of housing suitable to the needs of the region and its communities. (Added 1967, No. 334 (Adj. Sess.), § 1, eff. March 23, 1968; amended 1979, No. 174 (Adj. Sess.), § 6; 1987, No. 200 (Adj. Sess.), §§ 22, 23, eff. July 1, 1989.)