

***Does this change the quorum requirements for voting from a majority of the total commission membership to a quorum of only those members present and voting?***

No. Because the PC is still a 'public body' (1 V.S.A. §310(3)), the general quorum laws apply to it even though it might not act on quasi-judicial matters. That means that in order for the PC to hold a meeting, a majority of the members of the commission must be present. Further, in order to make any binding decision, the concurrence of the majority of the *total membership* is required. 1 V.S.A. §172. Should there be a situation where there is an even number of members present and the commission wants to take binding action on a matter, a majority of the members (of the total board membership, not just those present) is necessary. For example, if eight members of a nine-member board were present, five would need to vote the same way. The effect of a 4-4 vote would be that there is no binding action. Therefore, our recommendation is to recess the matter until the full board is present to vote.

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