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H.451

Introduced by Representatives Wright of Burlington, Aswad of Burlington,
Atkins of Winooski, Bissonnette of Winooski, Donovan of
Burlington, Larson of Burlington, Lorber of Burlington, Ram of
Burlington, Weston of Burlington, Wizowaty of Burlington and
Zuckerman of Burlington

Referred to Committee on

Date:

Subject: Municipal government; municipal charters; city of Burlington

Statement of purpose: This bill proposes to approve amendments to the charter of the city of Burlington that: (1) enable the board for registration of voters to add voters to the checklist at the last allowable opportunity as provided by state law; (2) increase the annual borrowing authority for school department working capital and capital improvements, additions, and replacements from \$750,000.00 to \$2,000,000.00; (3) allow the chief administrative officer to designate an assistant to be the presiding officer for elections; (4) authorize the appointment of a registered nurse to the board of health; and (5) provide that the board of health has the powers provided by the general laws of the state for a local board of health, subject to the orders and ordinances of the city council.

1 An act relating to the approval of amendments to the charter of the city of
2 Burlington

3 It is hereby enacted by the General Assembly of the State of Vermont:

4 Sec. 1. CHARTER APPROVAL

5 The general assembly approves the amendments to the charter of the city of
6 Burlington as provided in this act. Proposals of amendment were approved by
7 the voters on March 23, 2009.

8 Sec. 2. 24 V.S.A. App. chapter 3 § 16 is amended to read:

9 § 16. ADDITIONS OR CORRECTIONS PERMITTED

10 The board for registration of voters shall, pursuant to ~~such~~ the notice set
11 forth in section 15 of this chapter, meet to make additions to, or alterations and
12 corrections in, ~~said the list; and no meeting of said board for the correction of~~
13 ~~such list shall be held later than three days previous to the day on which such~~
14 ~~annual or special city or ward election shall be held~~ required by section 14 of
15 this chapter.

16 Sec. 3. 24 V.S.A. App. chapter 3 § 62(f)(3) is amended to read:

17 (3) The chief administrative officer, when authorized and directed by the
18 board of school commissioners and the city council, may pledge the credit of
19 the city by issuing negotiable orders, warrants, notes, or bonds in an amount
20 not to exceed in the aggregate ~~seven hundred fifty thousand dollars~~
21 ~~(\$750,000.00)~~ two million dollars (\$2,000,000.00) in any fiscal year for the
22 purpose of providing working capital and capital improvements, additions, and

1 replacements required for the efficient and economical operation of the school
2 department. If any of such annual borrowing authority is used to provide
3 working capital, notes shall be issued in anticipation of the receipt of school
4 revenue and shall mature within two (2) years from the date of issue, and may
5 be renewed or refunded by the issue of other notes maturing within a similar
6 period whenever such action is deemed expedient. If any of such annual
7 borrowing authority is used to provide capital improvements, additions, and
8 replacements, the negotiable orders, warrants, notes, or bonds issued for such
9 purposes shall be of such denominations, payable at such time or times, at such
10 rate of interest, and to be sold and registered in such manner and under such
11 terms and conditions as shall be established by resolution of the city council.
12 The funds raised in any such year from such borrowing shall be used for the
13 capital needs of the school district that qualify for the thirty percent (30%)
14 State of Vermont matching grant. The authorization provided for this addition
15 to the city charter shall be considered the voting of funds by the Burlington
16 School District as required by 16 V.S.A. § 3448, as the same may be amended
17 from time to time. The amortization of such borrowed funds shall be by means
18 of an annual tax on the education grand list in an amount sufficient for this
19 purpose, such tax to be in addition to the tax necessary to support the education
20 spending portion of the annual budget of the school department.

1 Sec. 4. 24 V.S.A. App. chapter 3 § 138(b) is amended to read:

2 (b) The chief administrative officer shall perform for ~~said~~ the city the same
3 duties devolving by the law of the state upon town clerks, except insofar as ~~the~~
4 ~~same~~ those duties are changed or modified by the provisions of this charter and
5 shall receive and collect for and on behalf of the city to be used for city
6 purposes all and the same fees to be paid to town clerks for the performance of
7 ~~such~~ those duties under the general laws of the state. The chief administrative
8 officer shall keep a full and complete record and account of all ~~such~~ fees as
9 received and as paid to the chief administrative officer in ~~such~~ a form and
10 manner as the board of finance and the city auditor may prescribe, and shall
11 give a proper receipt for every fee collected. The chief administrative officer
12 shall receive only ~~such~~ an annual salary or other compensation as shall be
13 determined by the city council. The chief administrative officer shall be ex
14 officio clerk of the city council with mayor presiding, city council, board of
15 civil authority, board for the abatement of taxes and liquor control
16 commissioners. The chief administrative officer shall have exclusive charge
17 and custody of the public records of ~~said~~ the city and of all records, papers, and
18 documents belonging to the Town of Burlington at the time the City of
19 Burlington was organized. The chief administrative officer shall be the
20 presiding officer for ward, city, and legislative district elections. An assistant
21 within the chief administrator's office may be designated by the chief

1 administrative officer to be the presiding officer for ward, city, and legislative
2 district elections.

3 Sec. 5. 24 V.S.A. App. chapter 3 § 277 is amended to read:

4 § 277. COMPOSITION

5 The board of health shall consist of five legal voters of ~~said~~ the city, one of
6 whom shall be a health practitioner who is either a physician, a physician's
7 assistant, or a ~~nurse practitioner~~ registered nurse.

8 Sec. 6. 24 V.S.A. App. chapter 3 § 279 is amended to read:

9 § 279. LOCAL BOARD TO BE IN LIEU OF STATUTORY BOARD;

10 GENERAL POWERS

11 The board of health created ~~as herein provided~~ in section 277 of this chapter
12 shall be for the ~~said~~ city in lieu of the local board of health provided for by the
13 general laws of this state, and the board shall have the powers conferred by
14 ~~said those laws upon the committee on health of the board of aldermen,~~ subject
15 to the orders and ordinances of the city council.

16 Sec. 7. EFFECTIVE DATE

17 This act shall take effect on passage.