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H.32

Introduced by Representatives Hubert of Milton, Bouchard of Colchester,  
Crawford of Burke, Fagan of Rutland City, Hebert of Vernon,  
Higley of Lowell, Howard of Cambridge, Komline of Dorset,  
Marcotte of Coventry, Pearce of Richford, Perley of Enosburgh,  
Reis of St. Johnsbury, Savage of Swanton, Stevens of  
Shoreham, Townsend of Randolph and Wright of Burlington

Referred to Committee on

Date:

Subject: County government; budget; process

Statement of purpose: This bill proposes to create a county budget committee  
to approve county budgets and set county compensation for assistant judges.

An act relating to providing oversight and control of county budgets

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

Sec. 1. 24 V.S.A. § 133a is added to read:

§ 133a. COUNTY BUDGET COMMITTEE

(a) In each county, there shall be a county budget committee comprising  
a delegate from each town and city within the county selected on or before  
January 10 of each year from among its legally qualified voters by the  
municipal legislative body. The delegate from the town with the smallest

1 number of resident population in the most recent U.S. decennial census shall  
2 have one vote at a meeting of the county budget committee. The delegate from  
3 each of the other towns and cities in the county shall have a number of votes at  
4 a meeting of the county budget committee rounded to the nearest whole  
5 number proportional to the resident population of that town or city relative to  
6 the resident population of the town with the smallest number of resident  
7 population.

8 (b) The county budget committee shall have the authority to:

9 (1) approve the county budget proposed by the assistant judges under  
10 section 133b of this title;

11 (2) fix the compensation to be paid to the assistant judges for their  
12 official county service; and

13 (3) fix a date or dates by which the county tax shall be paid to the  
14 county treasurer.

15 Sec. 2. 24 V.S.A. § 133b is added to read:

16 § 133b. COUNTY TAX AMOUNT; ASSESSMENT

17 (a) Annually, the assistant judges shall prepare a proposed budget of the  
18 county for the ensuing year. The budget shall contain appropriations necessary  
19 for the performance of the duties and responsibilities required of the county by  
20 statute not provided for through state appropriation.

1       (b) Before a budget to be proposed at the annual meeting of the county  
2       budget committee is finalized, the assistant judges shall hold a meeting to  
3       invite discussion of the preliminary proposed budget. The meeting to review  
4       the preliminary proposed budget shall take place at least 30 and not more than  
5       40 days prior to the annual meeting. Notice of this meeting shall be published  
6       in all daily newspapers having general circulation in the county at least 14 days  
7       before the meeting. If a daily newspaper of general circulation is not published  
8       in the county, the notice shall be published in a weekly newspaper of general  
9       circulation in the county. A copy of the notice shall be mailed to the  
10       legislative bodies of the towns located in the county.

11       (c) Annually, on or before January 31, the assistant judges shall call a  
12       meeting of the county budget committee for the purpose of adopting the  
13       proposed budget of the county for the ensuing year or an amended version  
14       thereof. The meeting shall be held at a place within the county and shall be  
15       warned by a notice posted in three public places in the county and published in  
16       all daily newspapers having general circulation in the county at least 15 and  
17       not more than 20 days prior to the meeting. If a daily newspaper of general  
18       circulation is not published in the county, the notice shall be published in a  
19       weekly newspaper of general circulation in the county. The warning shall  
20       include a summary of the expenditures being proposed for the various areas  
21       covered by the proposed budget and shall provide the public with information

1 about how a copy of the proposal may be obtained. Members of the county  
2 budget committee shall be notified of the meeting by mail. Copies of the  
3 proposed budget shall be available to the public during normal business hours  
4 in the county courthouse and in the office of the clerks of the towns located in  
5 the county.

6 (d) A county budget committee shall vote, by a majority of those present  
7 and voting, to approve the budget proposed by the assistant judges under this  
8 section or shall vote to approve an amount otherwise set by the committee. In  
9 no case shall the amount approved be in excess of that which can be funded  
10 subject to the tax limit set under subsection (e) of this section. If the county  
11 budget committee fails to approve a budget by February 1, the budget proposed  
12 by the assistant judges shall be deemed approved.

13 (e) Annually, not less than 14 nor more than 21 days following the  
14 adoption of a county budget provided in subsection (d) of this section, the  
15 assistant judges shall make and deliver to the county treasurer a written order  
16 directing the treasurer to issue, on or before March 1 following, the statements  
17 required by 32 V.S.A. § 4965, and warrants to the several treasurers of the  
18 towns for the collection of a tax sufficient to pay the indebtedness and  
19 estimated expense, but the whole amount of the tax shall not exceed in one  
20 year \$0.01 on a dollar of the equalized grand list of the county or the rate on a

1 dollar of the equalized grand list levied by the county in 2009, whichever is  
2 greater.

3 (f) The budget proposed under subsection (a) of this section shall contain  
4 any cost estimates and preliminary plans for capital construction in the county  
5 pursuant to subchapter 2 of chapter 3 of this title, estimates of the indebtedness  
6 of the county, estimates of the probable ordinary expenses of the county for the  
7 ensuing year, and any and all other expenses and obligations of the county.

8 The budget may contain provision for additions to a reserve fund and the  
9 accumulated total reserve fund shall not at any time exceed an amount equal to  
10 10 percent of the current budget presented. Pursuant to a capital program, as  
11 described in section 4426 of this title, the budget may also include a provision  
12 for a separate reserve fund for capital construction, reconstruction, remodeling,  
13 repairs, renovation, design, or redesign which shall not at any time exceed an  
14 amount equal to 50 percent of the current budget presented. However, if  
15 capital construction, reconstruction, remodeling, repairs, renovation, design, or  
16 redesign is necessitated by an insured loss or damage to a county building, the  
17 separate reserve fund may also include the amount of insurance proceeds  
18 received as a result of the loss or damage. All county budgets shall be  
19 presented on the form prescribed by the auditor of accounts, after consultation  
20 with the association of assistant judges, and shall include the amounts currently  
21 budgeted for each item included in the proposed budget.

1       (g) The amount of the tax shall be apportioned upon the towns,  
2       unorganized towns and gores according to the ratio of the equalized grand list,  
3       as defined in 16 V.S.A. § 3441, of the individual town, unorganized town or  
4       gore to the total equalized grand list of all the towns, unorganized towns and  
5       gores in the county.

6       (h) The assistant judges shall hold the meetings required by this section at  
7       times convenient to the public.

8       (i) The fiscal year of the county shall end on January 31, unless the county  
9       budget committee, after discussion of the issue at the annual meeting, votes to  
10       have a different fiscal year, in which case the fiscal year so voted shall remain  
11       in effect until amended.

12       Sec. 3. 24 V.S.A. § 134 is amended to read:

13       § 134. COUNTY TREASURER; WARRANT

14       The county treasurer shall issue warrants on or before March 1 requiring  
15       ~~such the tax to be paid on or before July 5 following~~ in four equal installments  
16       on July 5, September 5, November 5, and December 31, unless the county  
17       budget committee fixes a date or dates that the tax shall be paid.

18       Sec. 4. NOTICE OF COUNTY TAX SAVINGS FOR INCLUSION IN THE  
19               2010 MUNICIPAL TAX BILLS

20       The assistant judges of each county shall, with the written order directing  
21       the county treasurer to issue the warrants for the collection of the 2010 county

1 tax pursuant to subsection 24 V.S.A. § 133b(e) , provide to the several  
2 treasurers of the towns for distribution to taxpayers a report describing the  
3 amount of the savings and the actions taken by the assistant judges in their  
4 proposed county budget to save the \$1,500,000.00 in county taxes statewide  
5 annually in compliance with the legislative implementation of the  
6 Recommendations of the Vermont Commission on Judicial Operations.

7 Sec. 5. REPEAL

8 24 V.S.A. § 133 (county tax, amount, assessment) is repealed.