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H.802

Introduced by Representative Conquest of Newbury

Referred to Committee on

Date:

Subject: Economic development; rural economic development infrastructure
districts

Statement of purpose of bill as introduced: This bill proposes to amend
Vermont law as it pertains to rural economic development infrastructure
districts.

An act relating to rural economic development infrastructure districts

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

~~Sec. 1, 24 V.S.A. § 5704 is amended to read:~~

~~§ 5704. GOVERNING BOARD; COMPOSITION; MEETINGS; REPORT~~

~~(a) Governing board. The legislative power and authority of a district and
the administration and the general supervision of all fiscal, prudential, and
governmental affairs of a district shall be vested in a governing board, except
as otherwise specifically provided in this chapter.~~

~~(b) Composition. The first governing board of the district shall consist of
four to eight a minimum of four members appointed in equal numbers by the~~

1 ~~legislative bodies of the underlying municipalities. It The board shall draft the~~
2 ~~district's bylaws specifying the size, composition, quorum requirements, and~~
3 ~~manner of appointing members to the permanent governing board. The~~
4 ~~bylaws shall require that a majority of the board shall be appointed annually by~~
5 ~~the legislative bodies of the underlying municipalities appoint board members~~
6 ~~and fill board member vacancies. Board members appointed by the underlying~~
7 ~~municipalities may elect additional, at-large board members and fill at-large~~
8 ~~board member vacancies. Board members, including at-large members, are~~
9 ~~not required to be residents of an underlying municipality. Board members~~
10 ~~shall serve staggered, three-year terms, and shall be eligible to serve successive~~
11 ~~terms. The legislative bodies of the municipalities in which the district is~~
12 ~~located shall fill board vacancies, and may remove board members at will.~~
13 Any bylaws developed by the governing board under this subsection shall be
14 submitted for approval to the legislative bodies of the municipalities within the
15 district and shall be considered duly adopted 45 days ~~from~~ after the date of
16 submission, provided none of the legislative bodies disapprove of the bylaws.

17 (c) First meeting. The first meeting of the district shall be called upon
18 30 days' posted and published notice by a presiding officer of a legislative
19 body in which the district is located. ~~Voters within a municipality in which the~~
20 ~~district is located are eligible to vote at annual and special district meetings.~~

21 ~~At the first meeting of the district, and at each subsequent annual meeting,~~

1 ~~there shall be elected from among board members a chair, vice chair, clerk,~~
2 ~~and treasurer who shall assume their respective offices upon election. At the~~
3 ~~first meeting, the fiscal year of the district shall be established and rules of~~
4 ~~parliamentary procedure shall be adopted. The board shall elect from among~~
5 ~~its members a chair, vice chair, clerk, and treasurer. The board shall establish~~
6 ~~the fiscal year of the district and shall adopt rules of parliamentary procedure.~~
7 Prior to assuming their offices, officers may be required to post bond in such
8 amounts as determined by resolution of the board. The cost of such bond shall
9 be borne by the district.

10 (d) Annual and special meetings. Unless otherwise established by the
11 voters, the annual district meeting shall be held on the second Monday in
12 January and shall be warned by the clerk or, in the clerk's absence or neglect,
13 by a member of the board. Special meetings shall be warned in the same
14 manner on application in writing by five percent of the voters of the district.
15 A warning for a district meeting shall state the business to be transacted. The
16 time and place of holding the meeting shall be posted in two or more public
17 places in the district not more than 40 days nor less than 30 days before the
18 meeting and recorded in the office of the clerk before the same is posted.

19 (e) Annual report. The district shall report annually to the legislative
20 bodies and the citizens of the municipalities in which the district is located on
21 ~~the results of its activities in support of economic growth, job creation,~~

1 ~~improved community efficiency, and any other benefits incident to its~~
2 ~~activities.~~

3 (f) Definition. For purposes of this section and section 5709 of this
4 chapter, after a district has been established pursuant to section 5702 of this
5 chapter, “voter” means a board member or subscriber or customer of a service
6 provided by the district.

7 Sec. 2. 24 V.S.A. § 5705 is amended to read:

8 § 5705. OFFICERS

9 (a) Generally. The ~~district~~ board shall elect at its first meeting and at each
10 annual meeting thereafter a chair, vice chair, clerk, and treasurer, who shall
11 hold office until the next annual meeting and until others are elected. The
12 board may fill a vacancy in any office.

13 (b) Chair. The chair shall preside at all meetings of the board and make
14 and sign all contracts on behalf of the district upon approval by the board. The
15 chair shall perform all duties incident to the position and office as required by
16 the general laws of the State.

17 (c) Vice chair. During the absence of or inability of the chair to render or
18 perform his or her duties or exercise his or her powers, the same shall be
19 performed and exercised by the vice chair, and when so acting, the vice chair
20 shall have all the powers and be subject to all the responsibilities given to or
21 imposed upon the chair. During the absence or inability of the vice chair to
22 ~~render or perform his or her duties or exercise his or her powers, the board~~

1 ~~shall elect from among its members an acting vice chair who shall have the~~
2 powers and be subject to all the responsibilities given to or imposed upon the
3 vice chair.

4 (d) Clerk. The clerk shall keep a record of the meetings, votes, and
5 proceedings of the district for the inspection of its inhabitants.

6 (e) Treasurer. The treasurer of the district shall be ~~appointed~~ elected by the
7 board, and shall serve at its pleasure. The treasurer shall have the exclusive
8 charge and custody of the funds of the district and shall be the disbursing
9 officer of the district. When warrants are authorized by the board, the
10 treasurer may sign, make, or endorse in the name of the district all checks and
11 orders for the payment of money and pay out and disburse the same and
12 receipt therefor. The treasurer shall keep a record of every obligation issued
13 and contract entered into by the district and of every payment made. The
14 treasurer shall keep correct books of account of all the business and
15 transactions of the district and such other books and accounts as the board may
16 require. The treasurer shall render a statement of the condition of the finances
17 of the district at each regular meeting of the board and at such other times as
18 required of the treasurer. The treasurer shall prepare the annual financial
19 statement and the budget of the district for distribution, upon approval of the
20 board, to the legislative bodies of district members. Upon the treasurer's
21 ~~termination from office by virtue of removal or resignation, the treasurer shall~~

1 ~~immediately pay over to his or her successor all of the funds belonging to the~~
2 ~~district and at the same time deliver to the successor all official books and~~
3 ~~papers.~~

4 Sec. 3. EFFECTIVE DATE

5 ~~This act shall take effect on passage.~~

Sec. 1. 24 V.S.A. § 5704 is amended to read:

§ 5704. GOVERNING BOARD; COMPOSITION; MEETINGS; REPORT

(a) Governing board. The legislative power and authority of a district and the administration and the general supervision of all fiscal, prudential, and governmental affairs of a district shall be vested in a governing board, except as otherwise specifically provided in this chapter.

(b) Composition. The ~~first~~ governing board of the district shall consist of ~~four to eight~~ members appointed in equal numbers by the legislative bodies of the underlying municipalities. ~~It~~ The board shall draft the district's bylaws specifying the size, composition, quorum requirements, and manner of appointing and removing members to the ~~permanent governing board~~, including nonvoting, at-large board members. The bylaws shall require that ~~a majority of the board shall be appointed annually by the legislative bodies of the underlying municipalities~~ appoint board members and fill board member vacancies. Board members appointed by the underlying municipalities may appoint additional, nonvoting, at-large board members and fill at-large board

~~member vacancies. Board members, including at-large members, are not required to be residents of an underlying municipality. However, a majority of the board shall be residents of an underlying municipality. Board members shall serve staggered, three-year terms, and shall be eligible to serve successive terms. The legislative bodies of the municipalities in which the district is located shall fill board vacancies, and may remove board members at will. At-large board members shall serve one-year terms, and shall be eligible to serve successive terms. Any bylaws developed by the governing board under this subsection shall be submitted for approval to the legislative bodies of the municipalities within the district and shall be considered duly adopted 45 days from after the date of submission, provided none of the legislative bodies disapprove of the bylaws.~~

~~(c) First meeting. The first meeting of the district shall be called upon 30 days' posted and published notice by a presiding officer of a legislative body in which the district is located. Voters within a municipality in which the district is located are eligible to vote at annual and special district meetings. At the first meeting of the district, and at each subsequent annual meeting, there shall be elected from among board members a chair, vice chair, clerk, and treasurer who shall assume their respective offices upon election. At the first meeting, the fiscal year of the district shall be established and rules of parliamentary procedure shall be adopted. The board shall elect from among~~

its members a chair, vice chair, clerk, and treasurer. The board shall establish the fiscal year of the district and shall adopt rules of parliamentary procedure. Prior to assuming their offices, officers may be required to post bond in such amounts as determined by resolution of the board. The cost of such bond shall be borne by the district.

(d) *Annual and special meetings.* Unless otherwise established by the voters, the annual district meeting shall be held on the second Monday in January and shall be warned by the clerk or, in the clerk's absence or neglect, by a member of the board. Special meetings shall be warned in the same manner on application in writing by five percent of the voters of the district. A warning for a district meeting shall state the business to be transacted. The time and place of holding the meeting shall be posted in two or more public places in the district not more than 40 days nor less than 30 days before the meeting and recorded in the office of the clerk before the same is posted.

(e) *Annual report.* The district shall report annually to the legislative bodies and the citizens of the municipalities in which the district is located on the results of its activities in support of economic growth, job creation, improved community efficiency, and any other benefits incident to its activities.

(f) Definition. For purposes of this section and section 5709 of this chapter, after a district has been established pursuant to section 5702 of this chapter, "voter" means a board member or subscriber or customer of a service

provided by the district. "Voter" does not mean an at-large board member unless the vote is taken at an annual or special meeting and the at-large board member is a subscriber or customer of a service provided by the district.

Sec. 2. 24 V.S.A. § 5705 is amended to read:

§ 5705. OFFICERS

(a) Generally. The ~~district~~ board shall elect at its first meeting and at each annual meeting thereafter a chair, vice chair, clerk, and treasurer, who shall hold office until the next annual meeting and until others are elected. The board may fill a vacancy in any office.

(b) Chair. The chair shall preside at all meetings of the board and make and sign all contracts on behalf of the district upon approval by the board. The chair shall perform all duties incident to the position and office as required by the general laws of the State.

(c) Vice chair. During the absence of or inability of the chair to render or perform his or her duties or exercise his or her powers, the same shall be performed and exercised by the vice chair, and when so acting, the vice chair shall have all the powers and be subject to all the responsibilities given to or imposed upon the chair. During the absence or inability of the vice chair to render or perform his or her duties or exercise his or her powers, the board shall elect from among its members an acting vice chair who shall have the powers and be subject to all the responsibilities given to or imposed upon the

vice chair.

(d) Clerk. The clerk shall keep a record of the meetings, votes, and proceedings of the district for the inspection of its inhabitants.

(e) Treasurer. The treasurer of the district shall be ~~appointed~~ elected by the board, and shall serve at its pleasure. The treasurer shall have the exclusive charge and custody of the funds of the district and shall be the disbursing officer of the district. When warrants are authorized by the board, the treasurer may sign, make, or endorse in the name of the district all checks and orders for the payment of money and pay out and disburse the same and receipt therefor. The treasurer shall keep a record of every obligation issued and contract entered into by the district and of every payment made. The treasurer shall keep correct books of account of all the business and transactions of the district and such other books and accounts as the board may require. The treasurer shall render a statement of the condition of the finances of the district at each regular meeting of the board and at such other times as required of the treasurer. The treasurer shall prepare the annual financial statement and the budget of the district for distribution, upon approval of the board, to the legislative bodies of district members. Upon the treasurer's termination from office by virtue of removal or resignation, the treasurer shall immediately pay over to his or her successor all of the funds belonging to the district and at the same time deliver to the successor all

official books and papers.

Sec. 3. EFFECTIVE DATE

This act shall take effect on passage.