

1 TO THE HOUSE OF REPRESENTATIVES:

2 The Committee on Commerce and Economic Development to which was
3 referred House Bill No. 802 entitled “An act relating to rural economic
4 development infrastructure districts” respectfully reports that it has considered
5 the same and recommends that the bill be amended by striking out all after the
6 enacting clause and inserting in lieu thereof the following:

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

8 § 5704. GOVERNING BOARD; COMPOSITION; MEETINGS; REPORT

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

13 (b) Composition. The ~~first~~ governing board of the district shall consist of
14 ~~four to eight~~ **not more than eight** members appointed in equal numbers by the
15 legislative bodies of the underlying municipalities. ~~It~~ The board shall draft the
16 district’s bylaws specifying the size, composition, quorum requirements, and
17 manner of appointing members to the ~~permanent governing~~ board. The bylaws
18 shall require that ~~a majority of the board shall be appointed annually~~ by the
19 legislative bodies of the underlying municipalities appoint board members and
20 fill board member vacancies. Board members appointed by the underlying
21 municipalities may elect **up to six** additional, at-large board members and fill

1 at-large board member vacancies. Board members, including at-large
2 members, are not required to be residents of an underlying municipality.

3 Board members shall serve staggered, three-year terms, and shall be eligible to
4 serve successive terms. ~~The legislative bodies of the municipalities in which~~
5 ~~the district is located shall fill board vacancies, and may remove board~~
6 ~~members at will.~~ Any bylaws developed by the governing board under this
7 subsection shall be submitted for approval to the legislative bodies of the
8 municipalities within the district and shall be considered duly adopted 45 days
9 ~~from~~ after the date of submission, provided none of the legislative bodies
10 disapprove of the bylaws.

11 (c) First meeting. The first meeting of the district shall be called upon
12 30 days' posted and published notice by a presiding officer of a legislative
13 body in which the district is located. ~~Voters within a municipality in which the~~
14 ~~district is located are eligible to vote at annual and special district meetings. At~~
15 ~~the first meeting of the district, and at each subsequent annual meeting, there~~
16 ~~shall be elected from among board members a chair, vice chair, clerk, and~~
17 ~~treasurer who shall assume their respective offices upon election. At the first~~
18 ~~meeting, the fiscal year of the district shall be established and rules of~~
19 ~~parliamentary procedure shall be adopted.~~ The board shall elect from among
20 its members a chair, vice chair, clerk, and treasurer. The board shall establish
21 the fiscal year of the district and shall adopt rules of parliamentary procedure.

1 Prior to assuming their offices, officers may be required to post bond in such
2 amounts as determined by resolution of the board. The cost of such bond shall
3 be borne by the district.

4 (d) Annual and special meetings. Unless otherwise established by the
5 voters, the annual district meeting shall be held on the second Monday in
6 January and shall be warned by the clerk or, in the clerk's absence or neglect,
7 by a member of the board. Special meetings shall be warned in the same
8 manner on application in writing by five percent of the voters of the district.

9 A warning for a district meeting shall state the business to be transacted. The
10 time and place of holding the meeting shall be posted in two or more public
11 places in the district not more than 40 days nor less than 30 days before the
12 meeting and recorded in the office of the clerk before the same is posted.

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

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

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

2 § 5705. OFFICERS

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

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

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

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

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

19 Sec. 3. EFFECTIVE DATE

20 This act shall take effect on passage.

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(Committee vote: _____)

Representative _____

FOR THE COMMITTEE