

Greetings, Evan.

Thank you very much for sharing your concerns regarding language in the proposed Ferrisburgh Charter. Yesterday, the Committee took testimony on the charter bill and had a walkthrough of each section by our Office of Legislative Council. Your concerns were discussed at length with the Representatives from Ferrisburgh, the Selectboard Chair, and attorneys from the Office of Legislative Council and the Vermont League of Cities and Towns. While all parties agreed that the language is written in a complicated, potentially confusing manner, the consensus was that the language did not grant additional powers or authority to the town. The language you highlighted is a restatement of general principles of law, and has been used in other charters. VLCT indicated that these general provisions are often used as "belts and suspenders" to avoid losing powers that are granted to municipalities by general law.

Ultimately, the Committee decided not to amend the language that was approved by the voters.

We carefully considered your concerns about how the provision would be interpreted. Because the Committee and witnesses agreed that the language is complicated, I have asked Representative Gannon, a member of the committee, to work with VLCT regarding such "preamble" language that they might recommend to municipalities in the future. The goal is to recommend language expressed in "plain English" that achieves the same ends for municipalities.

Please know that we will be looking at the Ferrisburgh Charter bill again next week. You are most welcome to come talk with us at that time about your concerns. Our committee assistant will get word to you once we have finalized next week's schedule.

Best,  
Maida  
Maida F. Townsend  
Chair, House Government Operations

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**From:** [vtguns@aol.com](mailto:vtguns@aol.com) <[vtguns@aol.com](mailto:vtguns@aol.com)>  
**Sent:** Tuesday, January 9, 2018 11:46 AM  
**To:** Maida Townsend; Rob LaClair; Patti Lewis; Dennis Devereux; Denise Diehl  
**Subject:** Proposed language change to H.552 Charter of Ferrisburgh

Greetings,

Tomorrow the House Government Operations Committee is scheduled to take up H.552, a charter bill for Ferrisburgh. The language of (c)(d) are confusing and lack clarity. The Vermont Federation of Sportsmen's Clubs offers the following:

Bill H.552, the Ferrisburgh charter bill, has language that is complicated and confusing.

2(d) is not concise and that restates, though muddling while restating, what comes before it, it does not add anything except potential confusion of the bounds of authority of municipal officials.

For a cleaner contrast that says/ does the same thing in a concise manner, one example is

<https://legislature.vermont.gov/statutes/section/24APPENDIX/114E/00001>

To clarify strike H.552's Sec 2 subsections (c) and (d) and replace with the following new 2(c):

(c) In this chapter, no mention of a particular power shall be construed to be exclusive or to restrict the scope of the powers which the Town, or any of its elected or appointed officers or officials, would have if the particular powers were not mentioned, unless this chapter otherwise provides.

The above is from the E. Mont. language but with "or any of its elected or appointed officers or officials" added for some of what Ferrisburgh seems to want in its "d" but while not giving anyone any new authority, or impression of new authority.

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