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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
legislative bodies of the underlying municipalities. ~~It~~ The board shall draft the

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

16 (c) First meeting. The first meeting of the district shall be called upon
17 30 days' posted and published notice by a presiding officer of a legislative
18 body in which the district is located. ~~Voters within a municipality in which the~~
19 ~~district is located are eligible to vote at annual and special district meetings. At~~
20 ~~the first meeting of the district, and at each subsequent annual meeting, there~~
21 ~~shall be elected from among board members a chair, vice chair, clerk, and~~

1 ~~treasurer who shall assume their respective offices upon election. At the first~~
2 ~~meeting, the fiscal year of the district shall be established and rules of~~
3 ~~parliamentary procedure shall be adopted. The board shall elect from among~~
4 ~~its members a chair, vice chair, clerk, and treasurer. The board shall establish~~
5 ~~the fiscal year of the district and shall adopt rules of parliamentary procedure.~~

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

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

18 (e) Annual report. The district shall report annually to the legislative
19 bodies and the citizens of the municipalities in which the district is located on
20 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

1 render or perform his or her duties or exercise his or her powers, the board
2 shall elect from among its members an acting vice chair who shall have the
3 powers and be subject to all the responsibilities given to or imposed upon the
4 vice chair.

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

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

1 office by virtue of removal or resignation, the treasurer shall immediately pay
2 over to his or her successor all of the funds belonging to the district and at the
3 same time deliver to the successor all official books and papers.

4 Sec. 3. EFFECTIVE DATE

5 This act shall take effect on passage.