

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~~ **members** appointed in equal numbers by the legislative bodies
15 of the underlying municipalities. ~~It~~ The board shall draft the district’s bylaws
16 specifying the size, composition, quorum requirements, and manner of
17 appointing members to the ~~permanent governing~~ board. The bylaws shall
18 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 **appoint** up to six additional, at-large board members and

1 fill 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.~~ **At-large board members shall serve one-year terms, and**

7 **shall be eligible to serve successive terms.** Any bylaws developed by the
8 governing board under this subsection shall be submitted for approval to the
9 legislative bodies of the municipalities within the district and shall be
10 considered duly adopted 45 days ~~from~~ after the date of submission, provided
11 none of the legislative bodies disapprove of the bylaws.

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

1 the fiscal year of the district and shall adopt rules of parliamentary procedure.

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

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

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

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

19 (f) Definition. For purposes of this section and section 5709 of this
20 chapter, after a district has been established pursuant to section 5702 of this

1 chapter, “voter” means a board member or subscriber or customer of a service
2 provided by the district.

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

4 § 5705. OFFICERS

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

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

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

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

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

1 Sec. 3. EFFECTIVE DATE

2 This act shall take effect on passage.

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5 (Committee vote: _____)

6

7

Representative _____

8

FOR THE COMMITTEE