

1 TO THE HOUSE OF REPRESENTATIVES:

2 The Committee on Government Operations to which was referred House  
3 Bill No. 143 entitled “An act relating to appointing town agents” respectfully  
4 reports that it has considered the same and recommends that the bill be  
5 amended by striking out all after the enacting clause and inserting in lieu  
6 thereof the following:

7 Sec. 1. 17 V.S.A. § 2646 is amended to read:

8 § 2646. TOWN OFFICERS; QUALIFICATION; ELECTION

9 At the annual meeting, a town shall choose from among its registered voters  
10 the following town officers, who shall serve until the next annual meeting and  
11 until successors are chosen, unless otherwise provided by law:

12 \* \* \*

13 (11) ~~A town agent to prosecute and defend suits in which the town or~~  
14 ~~town school district is interested. [Repealed.]~~

15 \* \* \*

16 Sec. 2. 24 V.S.A. § 1061 is amended to read:

17 § 1061. CONVEYANCE OF REAL ESTATE

18 \* \* \*

19 (d) Subject to the provisions of subsections (a) and (b) of this section, real  
20 estate owned by a city, town, village, or town school district may be conveyed  
21 by an agent ~~elected or appointed~~ designated by the legislative body for that

1 purpose, and the conveyance shall be under the hand and seal of ~~such~~ the  
2 agent. ~~When the municipality fails to elect an agent, or the office becomes~~  
3 ~~vacant or the municipality is not required by law to elect an agent, the~~  
4 ~~legislative body may appoint such an agent, and~~ The legislative body shall  
5 certify the designation of an agent and have the certificate of ~~appointment~~  
6 recorded by the clerk.

7 \* \* \*

8 Sec. 3. 32 V.S.A. § 4404 is amended to read:

9 § 4404. APPEALS FROM LISTERS AS TO GRAND LIST

10 \* \* \*

11 (b) The town clerk forthwith shall call a meeting of the board to hear and  
12 determine such appeals, which shall be held at such time, not later than 14 days  
13 after the last date allowed for notice of appeal, and at such place within the  
14 town as he or she shall designate. Notice of such time and place shall be given  
15 by posting a warning therefor in three or more public places in such town, and  
16 by mailing a copy of such warning, postage prepaid, to each member of the  
17 board, ~~the an agent of the town to prosecute and defend suits~~ designated by the  
18 legislative body, the chair of the board of listers, and to all persons so  
19 appealing.

20 \* \* \*

1 Sec. 4. 32 V.S.A. § 4461 is amended to read:

2 § 4461. TIME AND MANNER OF APPEAL

3 \* \* \*

4 (b) On or before the last day on which appeals may be taken from the  
5 decision of the board of civil authority, ~~the an agent of the town to prosecute~~  
6 ~~and defend suits in which the town is interested~~ designated by the legislative  
7 body of the town, in the name of the town, on written application of one or  
8 more taxpayers of the town whose combined grand list represents at least three  
9 percent of the grand list of the town for the preceding year, shall appeal to the  
10 Superior Court from any action of the board of civil authority not involving  
11 appeals of the applying taxpayers. However, the ~~town~~ agent designated by the  
12 legislative body shall, in any event, have at least six business days after receipt  
13 of such taxpayers' application for appeal in which to take the appeal, and the  
14 date for the taking of such appeal shall accordingly be extended, if necessary,  
15 until the six business days shall have elapsed. The \$70.00 entry fee shall be  
16 paid by the applicants with respect to each individual property thus being  
17 appealed ~~which~~ that is separately listed in the grand list.

18 \* \* \*

1 Sec. 5. 32 V.S.A. § 4463 is amended to read:

2 § 4463. OBJECTIONS TO APPEAL

3 When a taxpayer, ~~town~~ an agent designated by the legislative body of the  
4 town, or selectboard claims that an appeal to the Director is in any manner  
5 defective or was not lawfully taken, on or before 14 days after mailing of the  
6 notice of appeal by the clerk under Rule 74(b) of the Vermont Rules of Civil  
7 Procedure, the taxpayer, ~~town~~ agent, or selectboard shall file objections in  
8 writing with the Director, and furnish the appellant or appellant's attorney with  
9 a copy of the objections. When the taxpayer, ~~town~~ agent, or selectboard so  
10 requests, the Director shall thereupon fix a time and place for hearing the  
11 objections, and shall notify all parties thereof, by mail or otherwise. Upon  
12 hearing or otherwise, the Director shall pass upon the objections and make  
13 such order in relation thereto as is required by law. The order shall be  
14 recorded or attached in the town clerk's office in the book wherein the appeal  
15 is recorded.

16 Sec. 6. 24 App. V.S.A. chapter 13, § 301 is amended to read:

17 § 301. OFFICERS; GENERAL PROVISIONS

18 The officers of the City of South Burlington shall be those provided by law  
19 for towns, except as otherwise provided by this charter. The officers shall have  
20 all the powers and duties necessary to carry out the provisions of this charter as

1 well as those provided by law. The offices of Fence Viewer, Weigher of Coal,  
2 and Inspector of Lumber shall be abolished.

3 \* \* \*

4 (2) The Council by majority vote of all its members shall appoint  
5 annually the City Treasurer, whose office shall be no longer elective and the  
6 City Attorney, Zoning Administrator, Auditor, First and Second Constable,  
7 Grand Juror, ~~City Agent~~, and Trustee of Public Funds.

8 \* \* \*

9 Sec. 7. 24 App. V.S.A. chapter 123, § 302 is amended to read:

10 § 302. ELECTIVE OFFICERS

11 (a) The officers elected and their compensation fixed by the Town at its  
12 annual meeting shall be:

13 \* \* \*

14 (12) ~~A Town Agent~~ [Repealed.]

15 \* \* \*

16 Sec. 8. 24 App. V.S.A. chapter 129, § 306 is amended to read:

17 § 306. APPOINTED OFFICERS

18 \* \* \*

19 (e) The Selectboard shall appoint the following officers using the same  
20 procedure specified in the Town's administrative code for employees or  
21 vendors engaged by the Town on a contract basis.

1 \* \* \*

2 (3) ~~Town Attorney/Town Agent~~

3 \* \* \*

4 Sec. 9. 24 App. V.S.A. chapter 149, § 23 is amended to read:

5 § 23. LOCAL ELECTED OFFICIALS

6 (a) Local elective offices to be filled by the voters of the Town of  
7 Springfield shall be only those articulated by this charter and shall include:

8 \* \* \*

9 (6) ~~Town Agent~~; [Repealed.]

10 \* \* \*

11 Sec. 10. 24 App. V.S.A. chapter 155C, § 3 is amended to read:

12 § 3. APPOINTED OFFICERS

13 (a) In addition to all other offices which may be filled by appointment by  
14 the Selectboard pursuant to State law, the Selectboard shall appoint the  
15 following officers:

16 \* \* \*

17 (3) Delinquent Tax Collector; and

18 (4) cemetery commissioners; and

19 (5) ~~Town Agent~~; and [Repealed.]

20 (6) ~~Town Grand Juror~~; [Repealed.]

21 \* \* \*

1 Sec. 11. 24 App. V.S.A. chapter 245, § 6 is amended to read:

2 § 6. VILLAGE OFFICERS

3 (a) The officers of the corporation shall consist of a Moderator, five  
4 trustees, a Clerk, and a Treasurer, ~~and an agent to convey real estate~~. The  
5 officers shall be elected at the annual meeting of the corporation for the term of  
6 one year and until their successors are elected, except that trustees shall hold  
7 office for five years. One trustee shall be elected at each annual meeting,  
8 except that after the approval of this charter at the annual Village meeting, the  
9 voters shall elect five trustees, one for the term of one year, one for the term of  
10 two years, one for the term of three years, one for the term of four years, and  
11 one for the term of five years. The trustees and the Treasurer, at the time of  
12 their election, shall be legal voters of the Village of Morrisville or the Town of  
13 Morristown.

14 \* \* \*

15 Sec. 12. TRANSITIONAL PROVISIONS

16 Any elected town agent in office on the effective date of this act may serve  
17 the remainder of his or her term.

18 Sec. 13. EFFECTIVE DATE

19 This act shall take effect on July 1, 2019.

1 (Committee vote: \_\_\_\_\_)

2

\_\_\_\_\_

3

Representative \_\_\_\_\_

4

FOR THE COMMITTEE