

No. 39. An act relating to approval of the dissolution of Duxbury-Moretown Fire District No. 1 and to deputy State's Attorneys.

(H.517)

It is hereby enacted by the General Assembly of the State of Vermont:

Sec. 1. APPROVAL; DUXBURY-MORETOWN FIRE DISTRICT NO. 1;

DISSOLUTION

(a) The General Assembly approves the dissolution of Duxbury-Moretown Fire District No. 1 as set forth in this act. The voters of the Fire District approved the dissolution of the Fire District on August 6, 2022.

(b) On the effective date of this act, Duxbury-Moretown Fire District No. 1 shall cease to exist as a political entity or body corporate.

(c) All assets, liabilities, property, and claims belonging to the Fire District shall be transferred to the Edward Farrar Utility District pursuant to the vote of the Fire District on August 6, 2022. The Edward Farrar Utility District shall have authority to collect any debts or other amounts due that have resulted from services provided to customers of the Fire District.

Sec. 1a. 24 V.S.A. § 363 is amended to read:

§ 363. DEPUTY STATE'S ATTORNEYS

(a) A State's Attorney may appoint as many deputy State's Attorneys as necessary for the proper and efficient performance of ~~his or her~~ the State's Attorney's office and may remove them at pleasure. The Executive Committee of the Department of State's Attorneys and Sheriffs may authorize or direct the Department's Executive Director to appoint deputy State's

Attorneys who shall have all of the same powers and duties of any other deputy State's Attorney except that such deputies may prosecute cases in any county of the State. The Executive Committee shall have the authority to limit the term and scope of any such appointments and may remove such deputies at the Committee's pleasure.

(b) The pay for deputy State's Attorneys shall be fixed by the Executive Director of the Department of State's Attorneys and Sheriffs or through collective bargaining pursuant to 3 V.S.A. chapter 27, but it shall not exceed the pay of the State's Attorney making the appointment or other appointing authority. Deputy State's Attorneys shall be compensated only for periods of actual performance of the duties of the office. Deputy State's Attorneys shall be reimbursed for their necessary expenses incurred in connection with their official duties when approved by the State's Attorneys and the Commissioner of Finance and Management.

(c) Deputy State's Attorneys shall exercise all the powers and duties of the State's Attorneys except the power to designate someone to act in the event of their own disqualification.

(d) Deputy State's Attorneys may not enter upon the duties of the office until they have taken the oath or affirmation of allegiance to the State and the oath of office required by the Constitution, and until the oath together with their appointment is filed for record with the county clerk. If appointed and under oath, a deputy State's Attorney appointed by a State's attorney may

prosecute cases in another county if the State's Attorney in the other county files the deputy's appointment in the other county clerk's office. In case of a vacancy in the office of State's Attorney, the appointment of the deputy, except for a deputy appointed by the Executive Committee or Executive Director, shall expire upon the appointment of a new State's Attorney.

Sec. 2. EFFECTIVE DATE

This act shall take effect on passage.

Date Governor signed bill: June 1, 2023