

SENATE CHAMBER
PROPOSED AMENDMENT TO THE CONSTITUTION
OF THE STATE OF VERMONT

Offered by Senator Condos of Chittenden District

Subject: Municipal government; home rule authority

PROPOSAL 3

Sec. 1. PURPOSE

This proposal would amend the Vermont Constitution to allow cities, towns, and villages to adopt, amend, or repeal their respective charters and to provide cities, towns, and villages with all powers and authority to perform all functions their voters determine their respective municipalities need.

Sec. 2. Section 6 of Chapter II of the Vermont Constitution is amended to read:

§ 6. [Legislative powers]

The Senate and the House of Representatives shall be styled, The General Assembly of the State of Vermont. Each shall have and exercise the like powers in all acts of legislation; and no bill, resolution, or other thing, which shall have been passed by the one, shall have the effect of, or be declared to be, a law, without the concurrence of the other. Provided, That all Revenue bills shall originate in the House of Representatives; but the Senate may propose or concur in amendments, as on other bills. Neither House during the session of

the General Assembly, shall, without the consent of the other, adjourn for more than three days, nor to any other place than that in which the two Houses shall be sitting; and in case of disagreement between the two Houses with respect to adjournment, the Governor may adjourn them to such time as the Governor shall think proper. They may prepare bills and enact them into laws, redress grievances, grant charters of incorporation, subject to the provisions of section 69, ~~constitute towns, boroughs, cities and counties;~~ and they shall have all other powers necessary for the Legislature of a free and sovereign State; but they shall have no power to add to, alter, abolish, or infringe any part of this Constitution.

Sec. 3. Section 69 of Chapter II of the Vermont Constitution is amended to read:

§ 69. [Charters, limit on right to grant]

No charter of incorporation shall be granted, extended, changed or amended by special law, except for such ~~municipal~~, charitable, educational, penal or reformatory corporations as are to be and remain under the patronage or control of the State; but the General Assembly shall provide by general laws for the organization of all corporations hereafter to be created. A city, town, or village shall have the power, through approval by a majority of its voters, to adopt, amend, and repeal a charter of incorporation. A charter may authorize the municipality to exercise any legislative power or perform any function not

specifically prohibited by the Vermont Constitution or general law. The powers and functions granted to cities, towns, and villages under this section shall be liberally construed. All general laws passed pursuant to this section may be altered from time to time or repealed.

Sec. 4. EFFECTIVE DATE

Once ratified and adopted by the people of this state in accordance with the provisions of chapter 32 of Title 17, the provisions of this amendment shall become a part of the Vermont Constitution immediately.