



Self-Governance Initiative E. Montpelier Selectboard, September 9, 2019

“In a society in which people are becoming increasingly alienated from the political process, local government remains the most realistic opportunity for participation, but you can’t create that if a city has no power” – Bernie Sanders, Mayor of Burlington, VT., New York Times, Nov. 1, 1987.

The Senate passed S. 106 in April on a vote of 21 – 8*. The chair of the Senate Government Operations Committee, Jeanette White said to the full Senate:

“Local officials focus on building civic infrastructure at the local level—strong, resilient communities with vision and active networks of experts, volunteers and citizens who want their cities and towns to thrive. Our laws in the 21st century need to foster the freedom for them to exercise leadership, to develop new, creative and successful solutions to problems particular to themselves. As states are the laboratories of democracy and often lead the federal government, so often are the towns leading the state in innovation—think plastic bags, climate change ballot items, energy and sustainability coordinators and more.”

Fifty-seven cities and towns and 24 incorporated villages have enacted municipal governance charters with legislative approval. In 2019, more than half of Vermont’s population resides in cities and towns with governance charters. The charter change process is slow, produces unpredictable results in the legislature and adds local work to legislators’ plates distracting from statewide issues only the legislature can address.

Local officials focus on building civic infrastructure at the local level – strong resilient communities with vision and active networks of experts, volunteers and citizens who want their cities and towns to thrive. Vermont’s laws in the 21st century must foster the freedom for local leaders to govern, to develop new, creative, and successful solutions to local problems.

S. 106 would support decision-making at the government level closest to the people, recognizing the capacity of local officials and voters to govern themselves. The bill *does not* affect the current process for proposing charter changes. It would:

- establish a Self-Governance Commission to determine subject areas appropriate for municipal decision-making
- aggregate information about successful innovations, best approaches for tackling local challenges, and approaches that build an effective state-local partnership for the long term

- provide opportunities to revisit issues, amend approaches as ordinances are enacted and apply lessons learned to evolving circumstances
- enable responsiveness and innovation particularly with respect to economic growth
- locally agreed upon solutions to locally identified needs with transparent results will promote greater accountability
- offer best practices and lessons learned that could be enacted into state law for the benefit of all cities and towns.

The process in S. 106 is robust. It would:

- establish a five-year pilot program to allow up to ten cities or towns to propose self-governance within the territorial boundaries of their municipalities
- enable the new 12-member Municipal-Self Governance Commission to recommend participating towns and cities representing a range of populations, geographic locations, and governance structures, for the self-governance pilot
- allow applicant cities and towns to develop proposals that do not conflict with the U.S. or Vermont constitutions, federal or state laws, and that provide for the health, safety, and welfare of the applicant's population. Unfortunately, as it passed the Senate, S. 106 included a long list of subject areas that municipalities would be prohibited from addressing, effectively neutralizing much of the bill's promise.

Some examples of areas ripe for self-governance:

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| <ul style="list-style-type: none"> • Adopt Local Option Taxes • Ordinances regulating installation of sidewalks, storm-drains and public improvements • Use of cemetery funds for property improvements • On street parking, speed limits, crosswalks, and other traffic regulations • Blighted properties/Property Management Standards • Protect Municipal Environmental Assets (forests, carbon sequestration) • Provide broadband service and borrow for its extension to last mile • Enact ordinances specific to one or more limited areas of town | <ul style="list-style-type: none"> • Health, safety and rental housing codes • Number of selectboard/city council members • Recall of local officials • Declare office vacant if selectperson fails to attend at least X% of meetings • Appointment of office of tree warden • Eliminate archaic offices • Establish and assess license fees, fines, and apportion revenues • Remove abandoned, leaking boats from waters of the state • Incentivize right sized economic growth • Address drivers of climate change • Prepare for Global Warming Impacts • Increase borrowing authority before a town-wide vote is required |
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Several municipalities have adopted the following resolution to support the self-governance effort:
To express strong support for the Vermont League of Cities and Towns proposal to the Vermont State Legislature to create a limited self-governance pilot program for Vermont municipalities.

Adopted in Brattleboro, Cambridge, Enosburg Falls, Fair Haven, Fayston, Ludlow, Springfield, Vernon

* Those Senators who voted to pass S. 106 were: Balint, Benning, Bray, Champion, Clarkson, Collamore, Cummings, Hooker, Ingram, Kitchel, Lyons, Mazza, McCormack, Nitka, Perchlik, Pollina, Rodgers, Sears, Starr, Westman, White. Those Senators who voted in the negative were: Baruth, Brock, Hardy, MacDonald, McNeil, Parent, Pearson, Sirotkin. The Senator absent and not voting was: Ashe.

House Government Operations Committee: Copeland-Hanzas, Gannon (Wilmington selectboard), LaClair (Barre Town selectboard), Brownell (Pownal selectboard), Colston (Winooski City Council), Gardner (Richmond former selectboard), Harrison, Hooper, Kitzmiller (Montpelier former city council), Mrowicki, Palasik (Milton selectboard)