

## Ask The League, November 2013

### **Our town would like to hire an assessor. Can we eliminate the office of lister?**

Yes. Towns and cities can adopt a charter provision to eliminate the office of lister and allow the appointment of an assessor. Last session, under Act 21, the Vermont Legislature gave municipalities another option to replace the board of listers with a “professionally qualified assessor” without adopting a charter. To do so, a town must approve an article at the annual town meeting to eliminate the office. A vote to eliminate the office of lister will remain in place until a municipality votes otherwise. Forty-five days later – or once the selectboard appoints an assessor, whichever comes first – the term of any existing elected listers will end. An appointed assessor can be a contractor or an employee of the municipality and need not be a resident of the town. When a municipality’s charter requires the election or appointment of listers, it must continue to do so until the charter amendment process is used to take advantage of this new statutory authority. 17 V.S.A. § 2651c.

Appointed assessors have the same responsibility as a board of listers. He or she will carry out all property assessment responsibilities, set the grand list, and hear grievances. Also, his or her decisions are appealable to the board of civil authority. 17 V.S.A. § 2651c (b)(1).

If your town wants to take advantage of this authority, it can use the following sample article for the annual town meeting warning:

“Shall the voters authorize the elimination of the Office of Lister and replace it with a professionally qualified assessor appointed by the selectboard who shall have the same powers, discharge the same duties, proceed in the discharge thereof in the same manner, and be subject to the same liabilities as are prescribed for listers or the board of listers under the provisions of Title 32?”

(Note: this vote requires a ballot vote.) 17 V.S.A. § 2651c (b)(1).

Stephanie Smith, AICP, Senior Associate  
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