

LOCAL CONTROL/HOME RULE: WORTH THE FIGHT? ***VLCT BOARD APPOINTS SUBCOMMITTEE TO EXAMINE THE ISSUE***

As many VLCT members know only too well, the Vermont Constitution is one of only 14 state constitutions that do not grant municipal “home rule” – i.e., local control over matters that are truly local in nature, *without state legislative oversight*. This means that, in Vermont, anything municipal voters want to do to govern and serve themselves must receive express permission to do so from the state. This must be done through either a general law allowing municipalities to do something – such as operate a police department – or through the municipality adopting a charter. All charters, and charter amendments, however, are subject to legislative approval, *even after they have been approved by local voters*.

This situation has historically placed local officials on the defensive at the State House, as we try to fend off further erosion of the limited local control that is currently granted to municipalities by state statute. Following the difficulty two, high-profile local charter changes are facing to gain legislative approval this year (Burlington’s telecommunications initiative and Montpelier’s loaded firearm prohibition), and the demise of yet another bill attempting to strengthen local control in Vermont, the VLCT Board has decided to assess where the League should go from here on home rule.

“The *Municipal Policy* of the League has been endorsing a home rule initiative since about the time water was invented,” Board member Charles Lusk recently commented, adding, “So far, the response of the Legislature has been bipartisan and underwhelming.” Deciding that it was time for a fresh look at the issue, last month VLCT Board President Burlington Mayor Peter Clavelle appointed a Board subcommittee to work on local control. Members of the subcommittee are: **Mayor Clavelle**, Stowe Selectperson **Charles Lusk**, South Burlington City Council Chair **James Condos** and Waterbury Municipal Manager **Bill Shepeluk**. The subcommittee is charged with determining the interest of the membership in proceeding with efforts to strengthen local control and recommending a set of actions for the full VLCT Board to consider.

“A recent [legislative] effort to allow municipal charter changes to automatically go into effect, unless rejected or modified by the Legislature, as opposed to requiring affirmative approval, was first watered down and then rejected,” Lusk noted. The question which Lusk and the subcommittee will be asking VLCT members in the near future is, he said, “Do we really care?”

Lusk continued, “Has home rule become merely symbolic, a catch-all phrase to express general unhappiness with the way the Legislature relates to local government? Is there an as-yet, unexpressed desire on the part of our local officials to have genuine autonomy over organizational, functional and fiscal policy? If this is something we really want, are we willing to put ourselves out to achieve it? Will local officials work collectively through the political process to bring home rule about?”

These are questions for VLCT members to ponder as the Board works out a future grassroots and legislative strategy for achieving home rule in Vermont. True home rule that empowers local governments and their citizens can only be accomplished by amending our state constitution, and that requires that the Legislature and the voters of the state be convinced that this is in Vermont’s best interest. As VLCT has noted before, this will take thorough education and much debate. The VLCT Board looks forward to this task. It is an essential part of reinvigorating local democracy for the 21st century.

WHAT WE CAN DO –

- Contact VLCT Board members and legislative staff with your opinions and ideas on home rule.
- Watch the mail and the *VLCT News* for formal requests for your input on the issue.
- Educate yourself - ask the VLCT legislative and membership services staff for background information on home rule and what it would mean for Vermont. We also have copies available of the 31 governance charters that have been enacted by Vermont towns and cities.

VLCT News, May 2000