

**FAIRFIELD CHARTER REVISION COMMISSION UPDATED ITEM #1:
BUDGET PROVISIONS IN CHARTER: ARTICLE XII (POST-4/25 MEETING)**

ARTICLE X - BUDGET PROCEDURE AND RELATED MATTERS

§10.1. The Budget Process¹.

A. Cooperation of Town Officials and Employees². The First Selectperson, Board of Selectpersons, Board of Finance, the Board of Education and RTM are required to work together, in good faith, throughout the year in order to develop and approve a Town budget which shall include all expected revenues and expenditures and, for the purposes of short- and long-term financial planning, include detailed estimates of revenues, capital expenses and operating expenses all as required by this Charter and any Ordinances pertaining thereto. Each of these Public Officials and employees of the Town are required to utilize best practices in the field of municipal and public finance, in order to comply with Law and with the generally accepted accounting principles (or such successor policies thereto) and shall embrace principles of accountability, transparency and outreach in order to expand public participation, engagement and trust in the budgetary process of the City.

Commented [CD1]: Neither the BOS, BOF or RTM has a “throughout the year” role in the budget creation task. That role is the responsibility of the First Selectperson, unless the CRC is recommending a change to that. The BOS & BOF has a role in the annual budget REVIEW process and the APPROVAL is the RTM. This needs to be clarified and rewritten.

B. Fiscal year³. The fiscal year of the Town shall commence on July 1 and conclude on June 30 unless otherwise set forth in the General Statutes.

C. Budget a public record: Public Inspection⁴. The entire budget, comprised of the general or operating budget and capital budget, shall be a public record in the office of the Town Clerk and shall be open to public inspection at other designated public facilities including libraries and schools, as may be determined by the First Selectperson, Board of Selectpersons, Board of Education or the RTM. Moreover, the First Selectperson shall provide access on-line through social media, the Town web-site and dashboards and email chains to community organizations and members of the public who request such information.

Commented [CD2]: Any reason the BOF why the BOF is not listed here?

D. Public Engagement⁵. The First Selectperson, Board of Selectpersons, Board of Finance, Board of Education and RTM shall develop procedures designed to encourage public participation in the budget process.

Commented [CD3]: The role of the BOF and the BOF budget committee is partially to discuss and encourage public participation. I do not understand why the CRC believes sharing this role with other bodies will make the process better.

¹ NEW (2022).

² NEW (2022).

³ NEW (2022).

⁴ NEW (2022).

⁵ NEW (2022).

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E. Budget Calendar⁶. Not later than the second (2nd) Meeting of the Board of Selectpersons, in January of each year, the Chief Fiscal Officer or equivalent official responsible for the management of the budget process shall, in accordance with section 10.1.A of this Charter, cause to be published a budget calendar in order to inform the public of the significant requirements of the budget process, including but not limited to:

- (1) Submission of Budget Estimated by Submitting Parties, as set forth in section 10.3.A;
- (2) Date(s) of the Joint Review of the First Selectperson's Initial Recommendations by the Board of Selectperson, Board of Finance and RTM, as set forth in Section 10.3.B;
- (3) Recommendation of the Proposed Executive Budget to the Board of Finance, as set forth in section 10.4.A;
- (4) Date of the Public Hearing of the Board of Finance as set forth in section 10.5.B of this Charter;
- (5) Date of Adoption of the Proposed Town Budget as set forth in section 10.5.C of this Charter;
- (6) Date of Board of Finance meeting with RTM as set forth in section 10.5.D of this Charter;
- (7) Date of the Annual Budget Meeting and Final RTM Action on the Approved Annual Town Budget, as set forth in sections 10.2 and 10.6.B of this Chapter;
- (8) Proposed date of Board of Finance, as shall be set by the Board of Finance, determination of property tax rate as set forth in sections 10.5.E and 10.7 of this Charter.

§10.2. Date of annual budget meeting⁷.

⁶ NEW (2022).

⁷ 2022 modification and recodification of current Article XII, §12.1 (2006). Derived from Article XII, §12.1 of the 1997 Charter; and, Chapter III, §6 (second sentence) and Chapter XVII, §4 of the 1947 and 1956 Acts and 1975 Charter.

Commented [CD4]: This will need to change if any of my recommendations are accepted. The role of creating the budget calendar today is assigned to the BOF budget committee and should remain that way.

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The RTM shall hold the annual budget meeting on the ~~first~~second (2nd) Monday in May of each year (“RTM Annual Budget Meeting”).

~~§10.2. Review and recommendation by Board of Selectmen.~~

§10.3. Annual Budget Estimates.

A. Submission of General Fund and Capital ~~budgets~~Budget Estimates to ~~Selectmen~~the First Selectperson⁸. All Town ~~officers, boards, commissions, authorities,~~Officers, Boards, Commissions, Authorities and ~~departments~~Departments of the Town ~~entrusted with the expenditure of Town funds~~, including the Board of Education, (“Submitting Parties”), shall submit to the First ~~Selectman~~the Selectperson⁹:

(1) such items and details of their respective general fund and capital budgets for the next fiscal year ~~on such forms~~¹⁰; and in a manner prescribed,

(2) any additional information which they possess (including, but not limited to, records, books, accounts, contracts, reports and other papers and documents as specified by the Board of Finance~~First Selectperson~~ (“Budget Estimates”). ~~These~~) all of which, in the judgment of the First Selectperson, are necessary to discharge the duties imposed upon the First Selectperson by this Charter.

Said Budget Estimates shall be submitted on or prior to a date designated by the First ~~Selectman~~Selectperson, which date shall be early enough for the ~~Board of Selectmen~~First Selectperson to review, revise, compile and ~~submit it~~transmit recommendations to the Board of ~~Selectpersons, Board of Finance~~ and RTM for purposes of a joint presentation with said Submitting Parties (“First Selectperson’s Recommendation”)¹¹.

Commented [CD5]: The submission of this data should be bound with a date that allows review and questioning before the budget process. I’d recommend a February date which had been the standard for many years.

⁸ 2022 modification and recodification of current Article XII, §12.2.A (2006). Derived from Article XII, §12.2 of the 1997 Charter.

⁹ 2022 modification and recodification of current Article XII, §12.2.A (2006)(First sentence). Derived from Article XII, §12.2 of the 1997 Charter.

¹⁰ 2022 modification and recodification of current Article XII, §12.2.A (2006)(First sentence) setting forth the definition of Budget Estimate”. Derived from Article XII, §12.2 of the 1997 Charter.

¹¹ 2022 modification and recodification of current Article XII, §12.2.A (2006)(Second sentence). Derived from Article XII, §12.2 of the 1997 Charter.

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B. Presentation before Joint Meetings of the Board of Selectpersons, Board of Finance and RTM¹².

Following transmittal of the First Selectperson's Recommendations, the Boards of Selectpersons, Board of Finance and RTM shall jointly meet with all Submitting Parties, including the Board of Education, in order to conduct a comprehensive review of the said Recommendations.

§10.4. Review and recommendation by Board of Selectpersons to the Board of Finance.

A. Proposed Executive Budget; Submission to Board of Finance¹³. Following the joint meetings, set forth in ~~Section~~section 10.23.B of this Charter, ~~although~~, the Board of Selectpersons shall make recommendation of a Proposed Executive Budget to the Board of Finance, not later than the third (3rd) Monday ~~in February~~ of March. The Proposed Executive Budget shall be in the form, and shall contain the details, required by the Board of Finance from time to time¹⁴.

~~**A. Recommendations to Board of Finance¹⁵.** The First Selectman shall review the Budget Estimates of all Town officers, boards, commissions, authorities, and departments of the Town required to submit such information, and shall submit the budgets with recommendations to the Board of Selectmen. The Selectmen shall make recommendations to the Board of Finance regarding each budget reviewed by them. The recommendations of the Selectmen shall be submitted to the Board of Finance not later than two (2) months before the RTM Annual Budget Meeting ("Proposed Executive Budget").~~

B. Variation of procedure¹⁶. The Board of ~~Selectmen~~Selectpersons, with the approval of the Board of Finance, may modify and vary the budget submission process in the interest of efficiency or in the event of special circumstances.

§10.35. Review and recommendation by Board of Finance.

~~**A. Submission of budgets to Board of Finance¹⁷.** Each budget shall be in the form, and shall contain the~~

¹² NEW (2022)

¹³ 2022 modification and recodification of current Article XII, §12.2.B (2006). Derived from Article XII, §12.2 of the 1997 Charter.

¹⁴ 2022 Recodification of current Article XII, §12.3.A (2006). Derived from Article XII, §12.3 of the 1997 Charter.

¹⁵ 2022 modification and recodification of current Article XII, §12.2.B (2006). Derived from Article XII, §12.2 of the 1997 Charter.

¹⁶ 2022 Recodification of current Article XII, §12.2.C (2006). Derived from Article XII, §12.2 of the 1997 Charter.

¹⁷ Recodification of current Article XII, §12.3.A (2006). Derived from Article XII, §12.3 of the 1997 Charter.

Commented [CD6]: Joint meetings with the BOS, BOF and RTM is ill-advised. The budget process in regards to the BOF is an intense scrutiny of facts and data that the BOF and its members are uniquely qualified to accomplish. No other body has the sole responsibility for major financial drivers in Fairfield such as fun balance, contingency, etc. Given the First Selectperson's role in the creation of the budget, it may be a process improvement to hold consolidated meetings between the remaining BOS members and the BOF. In the past this structure has worked well and would decrease meetings and I believe stimulate informative discussions.

Another process improvement, given our new virtual technologies, would be to require the RTM to listen to shared BOS/BOF meetings virtually and submit delta questions from those asked by the BOS/BOF. This would eliminate meetings and department head meeting time.

I would agree a single meeting of all Town Bodies for the First Selectperson to present their budget overview and recommendations would be a process improvement and a meeting and time saver.

Last, a single series of meetings with all Town bodies commenting would not only DELAY the overall process, I believe the level of data gleaned from said meetings would be sub-par from the data received today in the hearing process. The sheer number of participants at this type of proposed meeting would make it untenable and could likely foster an overall partisan environment.

Commented [CD7]: While delaying the budget submittal to as late as possible seems like a good thing based on level of information updates, it is ill advised to push the submittal of the budget to the BOF to the end of March.

The BOF reviews the budget long before our first meeting, any delay in the delivery compromises this part of the process. Delaying this release a month leaves less time for questioning and follow-up with department heads from the BOS, BOF and RTM.

The date of mil rate vote, is fixed, so reduction upfront leads to shorter analysis time.

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~~details, required by the Board of Finance from time to time.~~

A. Further examination¹⁸. The Board of Finance may hold meetings to review the Proposed Executive Budget as it determines necessary prior to the Public Hearing set forth in section 10.5.B of this Charter.

C.B. Public hearing by Board of Finance¹⁹. The Board of Finance shall hold a public hearing on the Proposed Executive Budget ~~during~~ prior to the month of March public meeting set forth in each year section 10.5.C of this Charter.

D.C. Publication of Board of Finance Revised Proposed Town Budget: Submission to RTM²⁰. After the public hearing ~~referred to as set forth in Paragraph B section 10.5.B of this Charter, above,~~ the Board of Finance shall hold a public meeting not later than ~~one (1) month before the RTM Annual Budget Meeting~~ the third (3rd) Monday in April at which time it shall ~~consider~~ act upon all matters relating to the Proposed Executive Budget ~~and shall provide public notice by publication as set forth in Section 1.4.C (—) of this Charter not later than five (5) days before the RTM Annual.~~ Thereafter, the Board of Finance's Proposed Town Budget Meetings shall be submitted to the RTM.

E.D. Recommendations Board of Finance recommendation of the Proposed Town Budget to RTM²¹. The Board of Finance shall ~~make its budget recommendations present~~ present the Proposed Town Budget to the RTM for consideration at the RTM Annual Budget Meeting ~~(“Proposed Town Budget”).~~

F.E. Determination of property tax rate²². After the RTM Annual Budget Meeting and receipt of the report on the grand list from the Board of Assessment Appeals, the Board of Finance shall determine the rate of property tax for the next fiscal year, taking into account the provisions of section 10.7, below.

§10.46. Review and determination by the RTM: Approved Annual Town Budget²³.

Commented [CD8]: Why would this be deleted? The BOF specifies the data required for the budget hearings, no other body. This should be restored.

Commented [CD9]: As stated above, the budget meetings, with the exception of the BOS & BOF merging, should remain the same as current charter. If the joint overall meetings were to occur along with the delivery of data to the BOF in late March, the process would be overly compressed and suffer in quality.

Commented [CD10]: The BOF should remain as the release agent for the budget to the RTM. Since the RTM cannot ADD to budgeted amounts, how would the overall process control this restriction. A budget must be amended with additions and deletions with an overall fiscal perspective before the RTM votes. This is not the purpose of the RTM.

Commented [CD11]: Not sure why you would have tow budget submissions to the RTM, see above. This can be deleted and replaced with data in 10.35C

Commented [CD12]: 10.7 not included here for comment

¹⁸ NEW (2022).

¹⁹ 2022 modification and recodification of current Article XII, §12.3.B (2006). Derived from Article XII, §12.3 of the 1997 Charter.

²⁰ 2022 modification and recodification of current Article XII, §12.3.C (2006). Derived from Article XII, §12.3 of the 1997 Charter.

²¹ 2022 modification and recodification of current Article XII, §12.3.D (2006). Derived from Article XII, §12.3 of the 1997 Charter.

²² 2022 modification and recodification of current Article XII, §12.3.E (2006). Derived from Article XII, §12.3 of the 1997 Charter.

²³ ~~2022 modification and recodification of current Article XII, §12.4 (2006). Derived from Article XII, §12.4 of the 1997 Charter.~~

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A. RTM Deliberations and Further Examination²⁴. The RTM may hold meetings ~~to review the Proposed Town Budget,~~ as it determines necessary before the ~~RTM Public Hearing set forth in section 10.6.C of this Charter and the Annual Budget Meeting.~~

A.B. The Approved Annual Town Budget²⁵. At ~~said meeting~~ the Annual Meeting, the RTM shall ~~determine and approve the annual appropriations~~ act upon the Annual Town Budget for the next fiscal year ~~(“Approved Annual Town Budget”);~~

§10.57. Effect of referendum on the budget²⁶.

Any item in the Approved Annual Town Budget referred to a referendum vote as provided in Article III, §3.7-~~16~~ of this Charter and disapproved shall be amended to accord with such vote. In the event of a referendum affecting any item contained in the annual Town budget, the time within which the Board of Finance shall determine the Town tax for the year following such appropriation shall be extended to five (5) days after the referendum vote.

§10.68. Appeals from the Board of Finance.

A. Appeals to RTM²⁷. Any Town officer, board, commission, authority, committee or department of the Town may appeal to the RTM from a vote of the Board of Finance to recommend a reduction in the amount of any request by said Town officer, board, commission, authority, committee, or department for an appropriation of Town funds as part of the annual budget process or at another time in the fiscal year, or for a budget transfer. The Town officer, board, commission, authority, committee, or department may appeal to restore the entire amount originally requested or any part of such amount specified in the appeal.

B. Method of appeal²⁸. The appeal shall be made in writing and shall be filed with the Town Clerk within ten (10) days after written notice of the vote of the Board of Finance shall have been received by the Town officer, board,

Commented [CD13]: See comments above. If the RTM could dedicate themselves to watching the budget hearings from the joint BOS/BOF boards, the RTM can submit delta questions and call in department heads for specific meetings with specific questions when required.

²⁴ 2022 modification and recodification of current Article XII, §12.4 (2006)(First sentence). Derived from Article XII, §12.4 of the 1997 Charter.

²⁵ 2022 modification and recodification of current Article XII, §12.4 (2006)(Second sentence). Derived from Article XII, §12.4 of the 1997 Charter.

²⁶ 2022 modification and recodification of current Article XII, §12.5 (2006). Derived from Article XII, §12.5 of the 1997 Charter.

²⁷ 2022 modification and recodification of current Article XII, §12.6.A (2006). Derived from Article XII, §12.6 of the 1997 Charter.

²⁸ Recodification of current Article XII, §12.6.B (2006). Derived from Article XII, §12.6 of the 1997 Charter.

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commission, authority, committee or department making the appeal.

C. RTM hearing²⁹. Not later than the date of the RTM Annual Budget Meeting if the appeal is from a budget request, or the next regular meeting of the RTM after receiving an appeal from a vote of the Board of Finance in any other case, the RTM shall:

- (1) Hold a hearing on such appeal, at which both the Board of Finance and the appellant shall be entitled to be heard;
- (2) At the conclusion of the hearing, put the question of sustaining the appeal to a vote.

D. Vote necessary to sustain appeal³⁰. If two-thirds or more of the total number of RTM members present and voting at such meeting shall vote to sustain the appeal, the requested appropriation or transfer shall be made without the recommendation of the Board of Finance, subject, with respect to the appropriation, to referendum as provided in this Charter.

§10.79. Expenditure in excess of appropriation forbidden³¹.

No Town officer, board, commission, authority, committee, or department shall expend any sum for any purpose in excess of the amount appropriated by the Town for such purpose unless such expenditure shall first be approved, and appropriate transfers in the budget made, by the Board of Finance.

§10.810. Purchasing authority³².

The First Selectman and the Purchasing Agent, acting in conjunction, shall be the general purchasing authority of the Town. All supplies, materials, equipment, other commodities, contracts for public works or services, other than professional

²⁹ 2022 modification and recodification of current Article XII, §12.6.C (2006). Derived from Article XII, §12.6 of the 1997 Charter.

³⁰ 2022 modification and recodification of current Article XII, §12.6.C (2006). Derived from Article XII, §12.6 of the 1997 Charter.

³¹ Recodification of current Article XII, §12.7 (2006). Derived from Article XII, §12.7 of the 1997 Charter.

³² Recodification of current Article XII, §12.8 (2006). Derived from Chapter XXI of the 1947 Act; and further amended by §20 of the 1951 Act and affirmed by Chapter XXI of the 1956 Act and Chapter XVIII of the 1975 Charter. Derived from Article XII, §12.8 of the 1997 Charter.

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services, required by any department, office, agency, board, authority, or commission of the Town, including the Board of Education, shall be purchased by the purchasing authority on a requisition, in such form as the ~~Selectmen~~Selectpersons may prescribe, signed by the head of the department, office, agency, or chairman of the authority, board, commission or committee. No purchase order shall be issued without the signature of the Purchasing Agent or, in the Purchasing Agent's absence, of the First Selectman.

§10.911. Bidding, requisition, and payment procedures³³.

The Board of Finance shall establish and may amend from time to time procedures and guidelines for bidding on purchases and contracts by the Town as well as procedures for departmental requisition and for payments.

³³ Recodification of current Article XII, §12.9 (2006). Derived from Chapter XVIII, §4 and §5 of the 1975 Charter and Article XII, §12.9 of the 1997 Charter.

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~~**ARTICLE III – LEGISLATIVE BRANCH**~~

~~**§3.6. Appeals from the Board of Finance**³⁴.~~

~~The RTM shall have the power to hear and determine appeals from decisions of the Board of Finance as provided in Section 40.6 of this Charter.~~

~~**ARTICLE VI – ELECTED BOARDS AND COMMISSIONS**~~

~~**§6.3. Board of Finance.**~~

~~**A. Composition**³⁵. The Board of Finance shall consist of nine (9) voting members, no more than six (6) of whom shall be registered with the same political party, and the Board of Selectmen and the Fiscal Officer, ex officio, without vote.~~

~~**B. Powers and duties**³⁶. The Board of Finance shall appoint the outside auditors and shall have all of the powers and duties conferred by this Charter, by ordinance, and upon boards of finance generally by Chapter 106 of the General Statutes.~~

~~**C. Clerk of the Board of Finance**³⁷. The Board of Finance shall appoint a clerk and fix the clerk's salary. The clerk shall hold office at the pleasure of the Board of Finance. The clerk may be part time. The clerk shall:~~

- ~~(1) Keep minutes of Board meetings and be the custodian of its books, papers, and data relating to the conduct of its business;~~

³⁴ 2022 modification and recodification of current Article IV, §4.6 (2006). Modification of Chapter III, §13 of the 1947 and 1956 Acts and Chapter III, §12 of the 1975; see also, Modification of Chapter XVII, §5 of the 1947 and 1956 Acts and 1975 Charter; and Article IV, §4.6 of the 1997 Charter.

³⁵ Recodification of current Article VIII, §8.3.A (2006). Derived from Chapter XVII, §1 of the 1947 and 1956 Acts and the 1975 Charter; and, Article VIII, §8.3.A of the 1997 Charter.

³⁶ Recodification of current Article VIII, §8.3.B (2006). Derived from Article VIII, §8.3.B of the 1997 Charter.

³⁷ Recodification of current Article VIII, §8.3.C (2006). Modification of Chapter XVII, §3 of the 1947 and 1956 Acts and the 1975 Charter; and Article VIII, §8.3.C of the 1997 Charter.

Commented [CD14]: Why are these being deleted, they are all still relevant

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~~(2) Be a certified or a licensed public accountant or otherwise have experience in the financial field; and~~

~~(3) Have the right to call upon all Town departments, boards, commissions, committees, authorities, and officers for such information as the clerk may reasonably require in connection with the duties of the clerk and responsibilities of the Board of Finance.~~

~~**D. Assessment system**³⁸. The Board of Finance shall monitor and oversee the administration of and technology associated with the assessment system in the town, in accordance with the provisions of the General Statutes pertaining to the method assessment. The system may provide for the preparation and upkeep of tax maps and land maps, in the discretion of the Board of Finance.~~

~~**E. Approval of budgets**³⁹. The Board of Finance shall approve the Town budget in the manner set forth in Article XII of this Charter.~~

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Commented [S15]: BASED UPON TESTIMONY RECEIVED BY CRC

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³⁸ 2022 Modification and Recodification of current Article VIII, §8.3.D (2006). Modification of Chapter XXII of the 1947 and 1956 Acts and Chapter XXIII of the 1975 Charter, which ratified Special Act No. 511 (1935); Special Act No. 270 (1939); and, Special Act No. 367 (1941); and, Article VIII, §8.3.D of the 1997 Charter.

³⁹ Recodification of current Article VIII, §8.3.E (2006). Modification of Chapter XVII, §4 of the 1947 and 1956 Acts and the 1975 Charter; and, Derived from Article VIII, §8.3.E of the 1997 Charter.