

1 S.94

2 Introduced by Senator White

3 Referred to Committee on Government Operations

4 Date: February 18, 2015

5 Subject: Elections; local elections; municipal clerk or treasurer; appointment

6 Statement of purpose of bill as introduced: This bill proposes to allow a

7 municipality to vote to authorize its legislative body to appoint its municipal

8 clerk or treasurer.

9 An act relating to appointing municipal clerks and treasurers

10 It is hereby enacted by the General Assembly of the State of Vermont:

11 Sec. 1. 17 V.S.A. § 2646 is amended to read:

12 § 2646. TOWN OFFICERS; QUALIFICATION; ELECTION

13 At the annual meeting, a town shall choose from among its registered voters

14 the following town officers, who shall serve until the next annual meeting and

15 until successors are chosen, unless otherwise provided by law:

16 (1) A moderator;

17 (2) A town clerk ~~for a~~, unless the town has voted to authorize the

18 selectboard to appoint the town clerk as provided in section 2651e of this

19 chapter. The term of office of a town clerk shall be for one year unless a town

20 votes that ~~a town~~ the clerk shall be elected for a term of three years. When a

1 town votes for a three-year term for the office of town clerk, that three-year
2 term shall remain in effect until the town rescinds it by the majority vote of the
3 legal voters present and voting at an annual meeting, duly warned for that
4 purpose;

5 (3) A town treasurer ~~for a~~, unless the town has voted to authorize the
6 selectboard to appoint the treasurer as provided in section 2651f of this
7 chapter. The term of office of a town treasurer shall be for one year unless a
8 town votes that a town treasurer shall be elected for a term of three years.

9 When a town votes for a three-year term for the office of town treasurer, that
10 three-year term shall remain in effect until the town rescinds it by the majority
11 vote of the legal voters present and voting at an annual meeting, duly warned
12 for that purpose;

13 * * *

14 Sec. 2. 17 V.S.A. § 2651e is added to read:

15 § 2651e. MUNICIPAL CLERK; APPOINTMENT; REMOVAL

16 (a) A municipality may vote at an annual meeting to authorize the
17 legislative body to appoint the municipal clerk. A municipal clerk so
18 appointed may be removed by the legislative body for just cause after notice
19 and hearing.

20 (b) A vote to authorize the legislative body to appoint the municipal clerk
21 shall remain in effect until rescinded by majority vote of the legal voters

1 present and voting at an annual or special meeting, duly warned for that
2 purpose.

3 (c) The term of office of a municipal clerk in office on the date a
4 municipality votes to allow the legislative body to appoint a municipal clerk
5 shall expire 45 calendar days after the vote or on the date upon which the
6 legislative body appoints a municipal clerk under this section, whichever
7 occurs first, unless a petition for reconsideration or rescission is filed in
8 accordance with section 2661 of this title.

9 (d) The authority to authorize the legislative body to appoint the municipal
10 clerk as provided in this section shall extend to all municipalities except those
11 that have a charter that specifically provides for the election or appointment of
12 the office of municipal clerk.

13 Sec. 3. 17 V.S.A. § 2651f is added to read:

14 § 2651f. MUNICIPAL TREASURER; APPOINTMENT; REMOVAL

15 (a) A municipality may vote at an annual meeting to authorize the
16 legislative body to appoint the municipal treasurer. A treasurer so appointed
17 may be removed by the legislative body for just cause after notice and hearing.

18 (b) A vote to authorize the legislative body to appoint the treasurer shall
19 remain in effect until rescinded by majority vote of the legal voters present and
20 voting at an annual or special meeting, duly warned for that purpose.

1 (c) The term of office of a treasurer in office on the date a municipality
2 votes to allow the legislative body to appoint a treasurer shall expire
3 45 calendar days after the vote or on the date upon which the legislative body
4 appoints a treasurer under this section, whichever occurs first, unless a petition
5 for reconsideration or rescission is filed in accordance with section 2661 of this
6 title.

7 (d) The authority to authorize the legislative body to appoint the treasurer
8 as provided in this section shall extend to all municipalities except those that
9 have a charter that specifically provides for the election or appointment of the
10 office of municipal treasurer.

11 Sec. 4. EFFECTIVE DATE

12 This act shall take effect on passage.