

1 TO THE HOUSE OF REPRESENTATIVES:

2 The Committee on Government Operations to which was referred House  
3 Bill No. 42 entitled “An act relating to appointing municipal clerks and  
4 treasurers and to incompatible municipal offices” respectfully reports that it  
5 has considered the same and recommends that the bill be amended by striking  
6 out all after the enacting clause and inserting in lieu thereof the following:

7 \* \* \* Appointing Municipal Clerks and Treasurers \* \* \*

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

9 § 2646. TOWN OFFICERS; QUALIFICATION; ELECTION

10 At the annual meeting, a town shall choose from among its registered voters  
11 the following town officers, who shall serve until the next annual meeting and  
12 until successors are chosen, unless otherwise provided by law:

13 \* \* \*

14 (2) A town clerk ~~for a~~, unless the town has voted to authorize the  
15 selectboard to appoint the town clerk as provided in section 2651e of this  
16 chapter. The term of office for a town clerk shall be for one year, unless a  
17 town votes that ~~a town~~ the clerk shall be elected for a term of three years.  
18 When a town votes for a three-year term for the office of town clerk, that  
19 three-year term shall remain in effect until the town rescinds it by the majority  
20 vote of the legal voters present and voting at an annual meeting, duly warned  
21 for that purpose.



1 shall expire 45 calendar days after the vote or on the date upon which the  
2 legislative body appoints a municipal clerk under this section, whichever  
3 occurs first, unless a petition for reconsideration or rescission is filed in  
4 accordance with section 2661 of this title.

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

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

10 § 2651f. MUNICIPAL TREASURER; APPOINTMENT; REMOVAL

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

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15 remain in effect until rescinded by the majority vote of the legal voters present  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

17 (c) The term of office of a treasurer in office on the date a municipality  
18 votes to allow the legislative body to appoint a treasurer shall expire  
19 45 calendar days after the vote or on the date upon which the legislative body  
20 appoints a treasurer under this section, whichever occurs first, unless a petition

1 for reconsideration or rescission is filed in accordance with section 2661 of this  
2 title.

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

7 \* \* \* Municipal Audit Penalties \* \* \*

8 Sec. 4. 24 V.S.A. § 1686 is amended to read:

9 § 1686. PENALTY

10 (a) At any time in their discretion, town auditors may, and if requested by  
11 the selectboard, shall, examine and adjust the accounts of any town officer  
12 authorized by law to receive or disburse money belonging to the town.

13 (b) If the town has voted to eliminate the office of auditor, the public  
14 accountant employed by the selectboard shall perform the duties of the town  
15 auditors under subsection (a) of this section upon request of the selectboard.

16 (c) Any town officer who willfully refuses or neglects to submit his or her  
17 books, accounts, vouchers, or tax bills to the auditors or the public accountant  
18 upon request, or to furnish all necessary information in relation thereto, shall:

19 (1) be personally liable for a civil penalty in the amount of \$100.00 per  
20 day until he or she submits or furnishes the requested materials or information;

21 (2) be ineligible to reelection for the year ensuing; and

