

1 H.361

2 Introduced by Representatives Burke of Brattleboro, Kornheiser of

3 Brattleboro, and Toleno of Brattleboro

4 Referred to Committee on

5 Date:

6 Subject: Municipal government; municipal charters; Town of Brattleboro;

7 amendments

8 Statement of purpose of bill as introduced: This bill proposes to approve

9 amendments to the charter of the Town of Brattleboro to allow youth voters to

10 vote in certain Town elections.

11 An act relating to approval of amendments to the charter of the Town of  
12 Brattleboro

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

14 Sec. 1. CHARTER AMENDMENT APPROVAL

15 The General Assembly approves the amendments to the charter of the Town

16 of Brattleboro as set forth in this act. Voters approved proposals of

17 amendment on March 5, 2019.

18 Sec. 2. 24 App. V.S.A. chapter 107 is amended to read:

19 CHAPTER 107. TOWN OF BRATTLEBORO

20 \* \* \*

1 § 2.1. DEFINITIONS

2 \* \* \*

3 (c) “Youth voter” means any person who is 16 to 18 years of age and is  
4 otherwise qualified to vote in Town elections pursuant to 17 V.S.A. chapter 43,  
5 subchapter 1.

6 § 2.2. ELECTED OFFICERS

7 On the first Tuesday in March, the voters and youth voters of the Town  
8 shall elect by Australian ballot the following:

9 \* \* \*

10 (3) ~~A Board of five school directors, elected at large, of whom two shall~~  
11 ~~serve for one year and three shall serve for three years. [Repealed.]~~

12 (4) ~~Union High School directors, who shall be elected for terms and in~~  
13 ~~numbers as required by State law. [Repealed.]~~

14 \* \* \*

15 § 2.3. MANNER OF ELECTION

16 (a) Representative Town Meeting members: Representative Town Meeting  
17 members shall be elected by Australian ballot on the first Tuesday in March of  
18 each year. Voters and youth voters in each district shall elect, for staggered  
19 terms, three members for every 180 voters or major fraction thereof. Members  
20 shall serve for three years, except that a member elected to fill a vacancy shall

1 serve for the remainder of the term. The manner of elections is fully  
2 prescribed in 1959 Acts and Resolves No. 302 of the Acts of 1959.

3 \* \* \*

4 § 2.3a. EARLY VOTING

5 (a)(1) A voter choosing to vote early by Australian ballot in the Town  
6 Clerk's office shall vote in the same manner as those voting on election day  
7 provided that the voter completes a "Request for Early Voter Absentee Ballot  
8 and Certification" form stating the following:

9 \* \* \*

10 ~~(4) As authorized for certain Town elections pursuant to this charter, a~~  
11 ~~youth voter choosing to vote early shall vote in the same manner as a youth~~  
12 ~~voter on election day provided that the voter completes an early voting form~~  
13 ~~required by the Town Clerk.~~

14 *(4) As authorized for certain Town elections pursuant to this charter, a*  
15 *youth voter who will be at least 16 years of age on the day of the Town election*  
16 *and chooses to vote early shall vote in the same manner as a youth voter on*  
17 *election day, provided that the youth voter completes an early voting form*  
18 *required by the Town Clerk.*

19 \* \* \*

20 § 2.4. REPRESENTATIVE TOWN MEETING

21 (a) Description:

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\* \* \*

(2) The Representative Town Meeting consists of up to 140 elected voters and youth voters. It is a guiding body for the Town and a source of ideas, proposals, and comments, elected by district as defined by the Board of Civil Authority. It exercises exclusively all powers vested in the voters of the Town. In addition to the elected members, the following shall be members ex officio: the members of the Selectboard, the School Directors, the Treasurer, the Clerk, the Moderator, and those State Senators and State Representatives who reside in Brattleboro. Representative Town Meeting shall act upon all articles on the Town meeting warning except those ~~which~~ that relate to the election of officers, referenda, and other matters voted upon by Australian ballot.

\* \* \*

#### § 2.5. SELECTBOARD

The Selectboard is a legislative body of five persons elected at large by the voters and youth voters of the Town. The Selectboard directs the affairs of the Town within areas specified in subchapter 4 of this charter.

\* \* \*

#### § 4.1. COMPOSITION; ELIGIBILITY; ELECTIONS; TERMS

(a) The Selectboard shall be elected at large by the voters and youth voters of the Town from among their number, and newly elected Selectboard

1 members' terms shall begin on the first Monday following the final  
2 adjournment of the annual Representative Town Meeting.

3 \* \* \*

4 § 10.3. ELECTION OF TOWN MEETING MEMBERS; CERTIFICATION  
5 OF VOTERS; TOWN MEETING MEMBERSHIP; NOTICE;  
6 QUALIFICATION; RESPONSIBILITIES

7 (a)(1) At the first election of Town Meeting members to be held on the first  
8 Tuesday in March after the acceptance of this subchapter, the qualified voters  
9 of each district shall elect three Town Meeting members for every 180 voters  
10 or major fraction thereof, subject to the provisions of subsection (c) of this  
11 section. The first one-third elected in each district, in order of the number of  
12 votes received, shall serve for three years; the second one-third in ~~such~~ the  
13 order of election shall serve for two years; and the remaining one-third in ~~such~~  
14 the order of election shall be elected to serve for one year. In the event of a tie  
15 vote the term of such members shall be designated by lot, and the presiding  
16 officer of the district shall certify ~~such~~ the designation. All Town Meeting  
17 members shall serve for terms commencing on the day of their election.

18 (2) Annually thereafter, on the first Tuesday in March, the voters and  
19 youth voters of each district shall in like manner elect for the term of three  
20 years one Town Meeting member for every 180 voters or major fraction  
21 thereof, and shall also in like manner fill for the unexpired term or terms any

1 vacancy or vacancies then existing in the number of Town Meeting members  
2 in such district, subject to the provisions of subsection (c) of this section.

3 \* \* \*

4 (e) Every Town Meeting member shall be a qualified voter or youth voter  
5 in the Town and living in the district from which he or she is chosen at the  
6 time of his or her election.

7 \* \* \*

8 Sec. 3. EFFECTIVE DATE

9 This act shall take effect on passage.