

1 TO THE HOUSE OF REPRESENTATIVES:

2 The Committee on Government Operations to which was referred House  
3 Bill No. 48 entitled “An act relating to authorizing alternative procedures for  
4 2021 annual municipal meetings in response to COVID-19” respectfully  
5 reports that it has considered the same and recommends that the bill be  
6 amended by striking out all after the enacting clause and inserting in lieu  
7 thereof the following:

8 Sec. 1. LEGISLATIVE FINDINGS, INTENT, AND PURPOSE

9 (a) Findings.

10 (1) The General Assembly finds that the continued spread of COVID-19  
11 in the State of Vermont has the potential to jeopardize the health, safety, and  
12 welfare of Vermonters voting in their 2021 annual municipal meetings. These  
13 meetings include annual town meetings, which are required by general law to  
14 be held on the first Tuesday of March; annual school district meetings, which  
15 are generally required to be held between the months of February and June;  
16 and other municipal annual meetings with meeting dates controlled by charter.

17 (2) While the General Assembly enacted 2020 Acts and Resolves  
18 No. 162 to permit municipal legislative bodies to vote to apply the Australian  
19 ballot system to their municipal meetings in the year 2021, the General  
20 Assembly finds that COVID-19 concerns persist regarding 2021 annual  
21 municipal meetings because:

1           (A) in municipalities applying the Australian ballot system to these  
2           meetings, general law requires voters to apply for an early voter absentee  
3           ballot, and a polling place is required for any voters who do not vote absentee;  
4           and

5           (B) many municipalities want to continue their custom of conducting  
6           annual meetings using floor votes.

7           (b) Intent and purpose. It is the intent of the General Assembly that the  
8           citizens of Vermont should be able to protect their health, safety, and welfare  
9           while also continuing to exercise their right to participate in annual municipal  
10          meetings. Accordingly, the purpose of this act is to:

11           (1) permit municipalities to move the date of their 2021 annual meeting  
12          to a potentially safer date later in the year;

13           (2) permit municipalities to mail out 2021 annual meeting early voter  
14          absentee Australian ballots to all active registered municipal voters to  
15          encourage absentee voting and thereby reduce exposure to COVID-19; and

16           (3) authorize the Secretary of State to order or permit supplemental  
17          elections procedures related to these 2021 annual municipal meeting  
18          provisions.

19           (c) Intent for the cooperation of municipalities. It is the intent of the  
20          General Assembly that municipal officials, including boards of civil authority  
21          and municipal clerks, shall cooperate with and assist school districts and other

1 incorporated districts with the administration of annual district meetings and  
2 budget votes.

3 Sec. 2. ANNUAL MUNICIPAL MEETINGS IN THE YEAR 2021;

4 ALTERNATIVE PROCEDURES

5 (a) Notwithstanding any provision of law to the contrary, in the year 2021:

6 (1) a municipal legislative body may vote to move the date of the  
7 municipality's 2021 annual meeting to a date later in the year 2021;

8 (2) a municipal legislative body may require the municipal clerk to mail  
9 to all of the active registered voters in the municipality the Australian ballot to  
10 be used at the 2021 annual municipal meeting;

11 (3) the Town of Brattleboro may hold its annual Representative Town  
12 Meeting by electronic means;

13 (4) the Board of Supervisors of the Northeast Kingdom Waste  
14 Management District may vote to adopt the District's annual budget for the  
15 ensuing fiscal year; and

16 (5) the Secretary of State is authorized to order or permit, as applicable,  
17 appropriate elections procedures that supplement and relate to any municipal  
18 authority exercised under the provisions of this subsection in order to protect  
19 the health, safety, and welfare of voters, elections workers, and candidates in  
20 carrying out those meetings.

1        (b) In any municipality that moves the date of the 2021 annual meeting  
2        pursuant to subdivision (a)(1) of this section, municipal officers shall serve  
3        until the annual meeting and until successors are chosen.

4        (c) For any election procedure the Secretary of State orders or permits  
5        under this section, the Secretary shall adopt any necessary corresponding  
6        procedures that ensure the public can monitor polling places and the counting  
7        of votes.

8        Sec. 3. EFFECTIVE DATE

9        This act shall take effect on passage.

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11        (Committee vote: \_\_\_\_\_)

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\_\_\_\_\_

13

Representative \_\_\_\_\_

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FOR THE COMMITTEE