

1 H.42

2 Introduced by Committee on Government Operations and Military Affairs

3 Date:

4 Subject: Elections; local elections; annual municipal meetings; alternative  
5 procedures

6 Statement of purpose of bill as introduced: This bill proposes to provide  
7 temporary authority until July 1, 2024 that:

8 (1) permits a municipal legislative body to move the date of the annual  
9 municipal meeting, apply the Australian ballot system to annual and special  
10 meetings, and hold electronic informational meetings in the days preceding the  
11 annual meeting;

12 (2) authorizes alternative procedures for the Representative Town  
13 Meeting of the Town of Brattleboro and the budget vote for the Northeast  
14 Kingdom Waste Management District; and

15 (3) permits a public body to hold electronic meetings without  
16 designating a physical location and without requiring staff to be physically  
17 present at that location.

18 An act relating to temporary alternative procedures for annual municipal  
19 meetings and electronic meetings of public bodies

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

2 Sec. 1. ANNUAL MUNICIPAL MEETINGS; ALTERNATIVE

3 PROCEDURES FOR 2023 AND 2024

4 (a) Change of annual meeting date. Notwithstanding any provision of law  
5 to the contrary, until July 1, 2024, a municipal legislative body may vote to  
6 move the date of the municipality's annual meeting to a date later in the same  
7 year. In any municipality that moves the date of ~~the 2024~~*an* annual meeting  
8 pursuant to this subsection, municipal officers shall serve until the annual  
9 meeting and until successors are chosen.

10 (b) Authority to apply Australian ballot system. Notwithstanding the  
11 provisions of 17 V.S.A. § 2680(a) and 16 V.S.A. § ~~711(c)~~*723(a)* that require  
12 the voters of a municipality to vote to apply the provisions of the Australian  
13 ballot system to the annual or special meeting of the municipality, until July 1,  
14 2024, any municipality may apply the Australian ballot system to its annual  
15 municipal meeting ~~held~~ by vote of its legislative body. Any such vote shall  
16 also apply the Australian ballot method of voting to any vote that occurs as a  
17 result of the annual meeting, such as a budget revote under 17 V.S.A.  
18 § 2680(c)(2) or a reconsideration vote pursuant to 17 V.S.A. § 2661.

19 (c) Electronic public information hearings. Until July 1, 2024, a  
20 municipality may use electronic means, without designating a physical  
21 location, to conduct a public informational hearing held pursuant to 17 V.S.A.

1     § 2680(h) in advance of the municipality’s annual meeting. A public  
2     informational hearing that is held electronically under this subsection shall  
3     comply with all of the provisions for electronic meetings under Sec. 2 of this  
4     act.

5         (d) Town of Brattleboro. Until July 1, 2024, the Town of Brattleboro may  
6     hold its annual Representative Town Meeting by electronic means.

7         (e) Northeast Kingdom Waste Management District. Until July 1, 2024,  
8     the Board of Supervisors of the Northeast Kingdom Waste Management  
9     District may vote to adopt the District’s annual budget for the ensuing fiscal  
10    year.

11    Sec. 2. OPEN MEETING LAW; TEMPORARY SUSPENSION OF  
12            DESIGNATED PHYSICAL MEETING LOCATION  
13            REQUIREMENTS

14         (a) Notwithstanding 1 V.S.A. § 312(a), until July 1, 2024:

15            (1) a quorum or more of the members of a public body may attend a  
16     regular, special, or emergency meeting by electronic or other means without  
17     being physically present at a designated meeting location;

18            (2) the public body shall not be required to designate a physical meeting  
19     location where the public may attend; and

20            (3) the members and staff of the public body shall not be required to be  
21     physically present at a designated meeting location.

1        (b) When the public body meets electronically under subsection (a) of this  
2        section, the public body shall:

3            (1) use technology that permits the attendance of the public through  
4        electronic or other means;

5            (2) allow the public to access the meeting by telephone; and

6            (3) post information that enables the public to directly access and  
7        participate in meetings electronically and include this information in the  
8        published agenda for each meeting.

9        (c) Unless unusual circumstances make it impossible for it to do so, the  
10       legislative body of each municipality and each school board shall record its  
11       meetings held pursuant to this section.

12       (d) Notwithstanding 1 V.S.A. § 312(c)(2) and (d)(1)(B), until July 1, 2024,  
13       a municipal public body may post any meeting agenda or notice of a special  
14       meeting in two designated electronic locations in lieu of the two designated  
15       public places in the municipality or in a combination of a designated electronic  
16       location and a designated public place. A municipal public body shall post the  
17       notice or agenda in or near the municipal clerk's office and shall provide a  
18       copy of each notice or agenda to the newspapers of general circulation for the  
19       municipality.

1       Sec. 3. SUSPENSION OF SCHOOL BUDGET BALLOT LANGUAGE  
2                   REQUIREMENT

3               Notwithstanding 16 V.S.A. § 563(11)(D), which requires a school board to  
4       use specified language for a school budget ballot, the ballot language  
5       requirement is suspended during ~~fiscal year~~ *the years 2023 and 2024.*

6       Sec. 4. EXPIRATION OF TEMPORARY AUTHORITY

7               The authority granted by Secs. 1 and 2 of this act shall expire on July 1,  
8       2024.

9       Sec. 5. EFFECTIVE DATE

10              This act shall take effect on passage.