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H.386

Introduced by Representatives Kornheiser of Brattleboro, Burke of
Brattleboro, and Toleno of Brattleboro

Referred to Committee on

Date:

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

Statement of purpose of bill as introduced: This bill proposes to approve
amendments to the charter of the Town of Brattleboro to allow youth voters to
vote in certain Town elections.

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

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

Sec. 1. CHARTER AMENDMENT APPROVAL

The General Assembly approves the amendments to the charter of the Town
of Brattleboro as set forth in this act. Voters approved proposals of
amendment on March 5, 2019.

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

CHAPTER 107. TOWN OF BRATTLEBORO

* * *

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 [Repealed.]~~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 [Repealed.]~~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.

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 * * *

15 § 2.4. REPRESENTATIVE TOWN MEETING

16 (a) Description:

17 * * *

18 (2) The Representative Town Meeting consists of up to 140 elected
19 voters and youth voters. It is a guiding body for the Town and a source of
20 ideas, proposals, and comments, elected by district as defined by the Board of
21 Civil Authority. It exercises exclusively all powers vested in the voters of the

1 Town. In addition to the elected members, the following shall be members ex
2 officio: the members of the Selectboard, the School Directors, the Treasurer,
3 the Clerk, the Moderator, and those State Senators and State Representatives
4 who reside in Brattleboro. Representative Town Meeting shall act upon all
5 articles on the Town meeting warning except those that relate to the election of
6 officers, referenda, and other matters voted upon by Australian ballot.

7 * * *

8 § 2.5. SELECTBOARD

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

12 * * *

13 § 2.11. ELECTED YOUTH VOTER; AUTHORITY

14 A youth voter who is elected to a Town office shall be capable of
15 performing all duties and exercising all powers of that office, including the
16 formation and execution of contracts relating to the office or official duties.

17 * * *

18 § 4.1. COMPOSITION; ELIGIBILITY; ELECTIONS; TERMS

19 (a) The Selectboard shall be elected at large by the voters and youth voters
20 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~~ the member is
6 chosen at the time of ~~his or her~~ the member's election.

7 * * *

8 Sec. 3. EFFECTIVE DATE

9 This act shall take effect on passage.