



Opinions

Office of the Vermont Secretary of State

Vol. 10, #5

May 2008

2008 Election Procedures Workshops

Secretary of State Deb Markowitz and Director of Elections Kathy DeWolfe will be presenting workshops focusing on election day procedures: from opening the polls through reporting election results to the Secretary of State's Office.

See page 9 for full schedule and registration information.

Quote of the Month

You cannot prevent the birds of sorrow from flying over your head, but you can prevent them from building a nest in your hair.

Chinese Proverb

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A Message from the Secretary

It's barely May and I am already tired of the presidential campaign. I am tired of debates with pointless questions and barbed remarks. I am tired of hearing pundits analyzing every word, every step, every outfit of the candidates; and I find it appalling that the focus is not on the candidates' ideas but on who said what when, and whether it will matter to the voters. And of course, we have much more to come. Indeed, the Democrats haven't yet settled on a candidate. Only then will the real race begin.



It's no wonder that voters get sick of it all and stay home on Election Day.

But there is a reason that, although it is barely springtime, it seems like the campaign has been going on forever. It's because it has! The first primary and caucuses were held in early January, so campaigning has been hot and heavy since last fall.

There is no question that our presidential primary system is broken. The race among states to hold early primaries and caucuses means that we are now in the middle of the longest and most expensive campaigns in our history, and I am afraid that it will result in voter fatigue and lower voter turnout in November. We should not let this happen again.

Over a decade ago the National Association of Secretaries of States developed a bipartisan proposal for rotating regional primaries. Under the NASS plan, the country would be divided into regions and a lottery would be held to determine which region would be the first to hold its primaries. The next presidential election year, the region that held the first position would move to the end of the sequence, and the other regions would move forward. Primaries would begin in March and would proceed monthly region by region. Iowa and New Hampshire would be able to continue to go first.

This year the political parties are finally beginning to take seriously the need to reform our primary system. In addition to the NASS plan, other proposals are on the table. Some permit Iowa and New Hampshire to retain their first in the nation status, and others do not. Some let small states go first, and larger states go later. Others require every state to hold their election on the same day. No matter what plan the parties settle on and then bring to our state legislatures for consideration, there is no question that what is needed is a plan. The candidates, the political parties, and indeed, our democracy, cannot afford to suffer through another presidential primary schedule like the one we are experiencing today.

Deborah L. Markowitz, Secretary of State

State Archives and Records Administration: An Odyssey

Odysseus famously took ten years to complete his journey home from the Trojan War. With the passage of Act 96 (S. 351) the State Archives and the Public Records Division within Buildings and General Services recently reached home after their own odyssey. I wish I could say it only took ten years, but that is a story for another day.

Under Act 96 the functions, staff, budgets, and equipment of Public Records will be integrated with the State Archives on July 1st to create a new division of State Archives and Records Administration (SARA) within the Secretary of State's Office. This will create better opportunities for providing professional advice and guidance for managing public records from point of creation to final disposition, whether that means destruction or transfer to the Archives.

Part of the vision that led to Act 96 was to allow agencies to manage their records and information as key business assets for informing decision making and measuring program outcomes. The mission includes providing effective guidance so that records are retained only as they have a legal or administrative purpose. This in turn will reduce the risk of litigation, including the costs of legal discovery, while improving government's ability to efficiently respond to public records requests. Underlying all of this is the ability to manage records and information at the enterprise level so that related records, and the mandates governing them, can be viewed across bureaucratic boundaries.

All of which sounds good, but how will this be achieved? Partnerships with agencies and the Enterprise Project Management Office (EPMO) within the Department of Information and Innovation will be important components of the program. Through a Targeted Assistance Program (TAP), modeled after a federal program, agencies can contact SARA for assistance on records management projects. Each project will have a defined scope, schedules, milestones, and outcomes and will be conducted by agency teams working with SARA. See: <http://vermont-archives.org/records/tap/index.htm>.

The partnership with EPMO is important to implementing an enterprise approach. EPMO business analysts do process mapping to create a graphical depiction of agency business processes. SARA record analysts will work with the business analysts, and the participating agencies, to identify and manage the records produced by these business processes. The partnership among business and records analysts will

allow some pooling of resources, sharing of information, and using of common terminologies for describing business processes and the records they produce. This, in turn, creates a consistency that supports the identification of related or similar processes and records across agency boundaries. This ongoing collaboration is known as iSTART (for more on iSTART see: <http://vermont-archives.org/records/iSTART/newsletter/index.htm>).

This more proactive approach will positively impact the other record services. The ability to identify related or similar business processes and the records they produce will allow SARA to develop general record schedules so, where appropriate, similar records can be managed similarly. This replaces the long-

standing practice of viewing each agency request to store, reformat (microfilm or scan), or dispose of records as unique and assigning retention requirements in an ad hoc manner. For example, identifying all permitting processes and their associated records should help breakdown traditional agency information "silos" so permitting activities and records can be viewed across agencies, enhancing access.

Beyond improved accessibility, managing records from the point of creation will allow agencies to better identify which records need to be

retained for how long. This can reduce storage and reformatting costs. An analysis of one group of records found that stored or reformatted files could be reduced by at least 40% simply by weeding out duplicate or transitory records from long term files.

So what does this mean for you, whether you use the current programs to store your records or you need to research in those records? Initially you will see little change as we work on the immediate issues of transition and refine strategies for achieving our vision. For the near term the Archives will remain at the Secretary's 26 Terrace St. Office in Montpelier and the record center services will remain in Middlesex, though there may be some limited movement of personnel or records. The ultimate goal is to physically unite SARA in Middlesex once a proposed archival and research center is built (if the current capital construction request is approved, construction could start as early as this fall).

As changes are implemented we will keep you informed. I started by talking about our odyssey toward integration. Where we have arrived is not home, but a new, better embarkation point. We look forward to working with you as we start our new journey.



Greg Sanford, Sec. Markowitz, and Gov. Douglas at bill signing.

Vermont Secretary of State Poster and Essay Contest

Each spring, Secretary Markowitz sponsors a Vermont Poster and Essay contest. There are four different age categories. The winner in each category receives a check for \$100, awarded to her/his classroom for the purchase of Vermont history and/or civic education materials or field trips. Additionally, the winners and honorable mentions, as well as their class or family (respectively) are invited to a very special celebration day in Montpelier, where they will tour the State House, the Vermont Historical Society Museum, and enjoy a rare viewing of the Vermont Constitution.

The youngest group, Grades K-2, created beautiful posters of official Vermont state symbols. The Grades 3-5 students focused their artwork on aspects of Vermont history, usually commemorating a noteworthy figure or historic event. Older students wrote essays responding to an issue taken from the Vermont Constitution. Middle schoolers were asked to write about whether they thought the mandatory Vermont Voters' Oath leads to better election results, and high school students reflected on the fact that in Vermont prisoners retain the right to vote, unless they have been convicted of some kind of election fraud. The winners and honorable mentions will be displayed at the Secretary of State's Office at 26 Terrace Street in Montpelier for the next year. Posters and essays can also be viewed online at http://www.sec.state.vt.us/kids/contest/2008_winners.html.

It was exciting to receive hundreds of entries for this year's contest! We had so many participants it felt like a special holiday, with packages filling up my office for the past few weeks. But the waiting is over. Our sincere thanks go out to all of the Vermont students and teachers who took the time to be a part of our contest. We very much appreciate your efforts. It is a very difficult task to judge from among so many fabulous entries. Congratulations to the following people:

Grades K-2: Vermont Symbols Poster

Winner: Tom Young's Waitsfield Elementary School Grade 2 class of pointillism pieces, including five outstanding entries.

Class Honorable Mention: Brad Bender's Rutland Northeast Grade 2 Sugar Maples.

Individual Honorable Mention: Enrique Rodriguez's Hermit Thrush, Mrs. Mille's Art class, St. Johnsbury School.

Individual Honorable Mention: Lauren Allen's Vermont Symbol Scene, Mrs. Plante's Kindergarten class, Barre Town Elementary.

Grades 3-5: Vermont History Poster

Winner: Allison Babbitt's Horatio's Drive, Ms. Senning's Grade 3 class, Underhill Central School.

Class Honorable Mention: Mrs. Martin's Grade 5 class, Gilman Middle School.

Individual Honorable Mention: Juliet Walsh's Coach Barn, Mrs. Davenport's Grade 5 class, Shelburne Community School.

Individual Honorable Mention: Claire Armstrong's Vermont and the Civil War, Mrs. Giles Grade 4 class, Cornwall Elementary.

Grades 6-8: Vermont Constitution – Vermont Voters Oath Essay

Winner: Erin Connor, Ms. Fox's Grade 7 class, St. Mary's School.

Honorable Mention: Will Adkisson, Mrs. Babbitt's Grade 7 class, Brown's River Middle School.

Grade 9-12: Vermont Constitution – Voter Disenfranchisement Essay

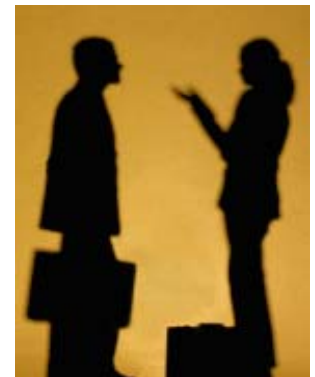
Winner: Brooke Connor, Mr. Mooney's Grade 10 class, Middlebury High School.



1. Entrance checklist is public record. The law provides that the entrance checklist from each election must be kept for five years following the election and a copy shall be made available upon request at cost to the public. 17 V.S.A. §2590. Although the ballots and tally sheets may be destroyed 90 days after a local election, and 22 months after an election including federal offices, the entrance checklist must be retained for five years.

2. Clerk may not reject documents based on a neighbor's complaint. A town clerk must record properly submitted deed and survey (conforms to statutory requirements in 27 V.S.A. §341) even if an abutter objects that it contains incorrect information. The recording function is a ministerial duty that allows the documents to provide notice to others. If a correction needs to be made, a new corrected deed or survey must be submitted for recording.

3. Board should take care not to discuss business outside public meeting. In one town a public board was reported to “recess” its meeting for a brief time in order for board members to leave the room to continue to discuss board business in private. This violates the open meeting law. All board business must be discussed in public unless it meets one of the two exceptions to the open meeting law: executive session or deliberative session. It is perfectly appropriate for a board to take a brief recess to allow members to use the facilities, take a stretch, or return an important telephone call. However, the recess should not be a ruse so that board members can discuss board business outside of the hearing of the attending public.



4. Record custodian can require records to be reviewed in the presence of a town employee. A public agency may make reasonable rules to preserve the security of public records or documents, and to protect them from damage. 1 V.S.A. §316. It is not unreasonable for the custodian of public records to require the presence of a town employee when records are being reviewed to ensure that no papers are removed from the office.

5. Custodians of records are not required to find and fax. The public records law does not require the custodians of records to fax copies of documents to anyone, or require that the custodian conduct research to find documents. While each custodian can establish additional office practices, we caution clerks and others to be aware of potential risks of liability for the town if a requested document is missed or the wrong document is sent. 1 V.S.A. § 316(a).

6. Clerk is not the custodian of all town records. Although the clerk controls the town vault, and is responsible for many of the records of the town, the clerk is not the custodian of all town records. For example, the clerk is the custodian of town meeting minutes (24 V.S.A. § 1152), oaths of office, (24 V.S.A. § 831), the land records for the town (Vt. Const. Article 62); but not selectboard minutes (1 V.S.A. § 312 (b)(2)), listers cards or planning and zoning files (except to the extent that they are required by law to be filed or recorded with the clerk. See 32 V.S.A. § 4111; 24 V.S.A. § 4323(b); 24 V.S.A. § 4449(c)(1)(A).)

7. Officials must pass records on to successors. Vermont law provides that “When a town or town school district office becomes vacant by expiration of the term of office of the incumbent, or otherwise, and a successor is elected or appointed, on demand, he shall be entitled to receive from the last incumbent of the office or anyone having possession of the same the records, files, books and papers of such office, or property of the town or the town school district, as the case may be.” 24 V.S.A. § 991

8. Active duty military get a break on delinquent taxes. The Service Member Civil Relief Act (formerly the Soldiers and Sailors Relief Act) limits the interest and penalty that can be charged for delinquent taxes of a member of the military who is on active duty. This federal law limits interest to six percent annually and prohibits the assessment of a penalty. In addition, property belonging to a person on active duty with the military can only be sold at tax sale by permission of the court. If property is sold the owner has a right of redemption up until six months after leaving the military. This law will apply to property jointly owned by a service member and a dependent. 50 USCA § 560.



9. Open-air cremations are prohibited and permits will not be issued. In a prior issue of *Opinions* (October 2006), the Vital Records' Office had been informed that open-air cremations (e.g., "on private property") were allowable if the appropriate permits were obtained, including permission from the Air Pollution Control Division at DEC. That determination has now changed. Based on a memorandum issued June 14, 2007, and additional clarification on January 31, 2008, the Air Pollution Control Division has determined that open-air cremations are prohibited in Vermont. A cremation must occur within an enclosed vessel and subject to the regulations for operating a crematory. The Attorney General's Office has reviewed the statutes and is in agreement. Based on this decision, the Air Pollution Control Division will not be issuing any permits for open-air cremations. If town clerks have any questions, they should contact the Vital Records' Office at the Vermont Department of Health.

10. There is no reconsideration of election of officers. While 17 V.S.A. §2661 provides a method for reconsideration of public questions and budgets, the election of officers cannot be reconsidered by filing a petition with the legislative body. The only way to challenge or contest an election of an officer, is by filing a petition with the appropriate Superior Court. (17 V.S.A. §2603) The statute sets out that you must allege either errors sufficient to change the outcome of the election, fraud in the process sufficient to change the result, or that for any other reason, the election is not valid.

11. The legislative body must call a special meeting within 60 days of the submission of petitions to reconsider that are properly filed. (17 V.S.A. §2661). We hope that town, school, and union school officials will all coordinate the setting of special meeting dates to minimize voter confusion.

12. Best practice is to send absentee ballot for reconsideration to voter who requested one for original vote. Although the law does not speak directly to requesting absentee ballots for reconsideration of an article by Australian ballot, we suggest that fairness dictates that the town clerk send absentee ballots for the reconsideration to all voters who had requested absentee ballots for town meeting. A reconsideration is really an extension of that town meeting, and we believe that absent voters should be given the opportunity to participate in the entire vote. A voter who was sent a ballot but shows up at the polls to vote or requests a ballot be sent to a new location can be accommodated by asking them to sign a statement that they did not vote the ballot that had already been sent to them.

13. Adjourned meeting can only discuss articles warned for the original meeting. When a meeting is adjourned to a date certain, the adjourned session can only include completion of voting and discussion of articles which were in the original warning. New articles cannot be added during the recess. The adjourned session is a continuation of the original meeting. If the deadline for posting of the warning has passed, and your board has thought of another article, the board will need to either warn a special meeting or save it for next year.

14. Selectboard fills vacancies when no one runs for an office at town meeting. At a town meeting in a town that does NOT use Australian ballot for election of town officers, if no one is nominated from the floor, the office remains vacant and the selectboard must appoint until the next election. The selectboard or moderator cannot “force” the town meeting to keep nominating until someone accepts the nomination by stating that the next article will not be considered until the election has been had. If there are no nominations for an office, the selectboard appoints. If at a later date other interest arises in the office, five percent of the legal voters can petition for a special election.

15. Delinquent tax collector may be elected for three-year term. 17 V.S.A. § 2646 permits a town to elect a delinquent tax collector for a term of three years. When a town chooses to elect a delinquent tax collector for a three-year term, that term length will remain in effect until the town rescinds it by the majority vote of the legal voters present and voting at an annual meeting, duly warned for that purpose.

16. Only actual attorney fees may be charged to delinquent tax payer. When the delinquent tax collector uses an attorney to begin the tax sale process, the delinquent tax collector may add the actual and reasonable attorney fees that it has incurred to the fees owed by the delinquent taxpayer. 32 V.S.A. § 5258. The amount charged for attorney’s fees may not exceed 15 percent of the total tax owed. Note that past practice of some towns was to simply pay an attorney 15 percent, no matter how much time was spent on a particular sale. An amendment to section 5258, adopted in 1995, makes it clear that this can no longer be the practice – a town may only charge the taxpayer for the expenses actually and reasonably incurred by the tax collector for legal assistance in the preparation for or conduct of said sale.

17. Tax collector must have selectboard’s approval to hire attorney. Although the delinquent tax collector may choose whether, when and where to hold a tax sale, the collector does not have authority to contract with an attorney to assist in conducting the sale. Even though an attorney, in this instance, is not generally paid from town revenues, the law requires the delinquent tax collector to seek the selectboard’s approval before obtaining legal assistance.



18. E-mail may be used for deliberation for quasi-judicial decision. Ordinarily, decisions made by a board outside of a public meeting – whether they are made at a party or through use of e-mail - will violate the open meeting law. However, because deliberations of a quasi-judicial body (when the board is acting like a court), where the decision will be in writing, can be held outside of a public meeting, there is no prohibition against a board conducting its deliberations through e-mail by passing draft decisions back and forth between board members.

19. Beware: e-mails sent between board members about public business may be public record. Even if two board members e-mail to and from their home computers, those messages will be subject to the requirements of the public record laws. This means that if the subject matter of the e-mail is not exempt from the public records law, by, for example, being about a personnel matter, then it must be disclosed upon request.

20. E-mail may be used for routine communication. Boards must take care not to violate the open meeting law through use of e-mail. Decisions about town business must be made at the

public meeting – as should information gathering and discussion of the town business by a majority of the board occur only at the public meeting. This means that e-mail should play a limited role in the conduct of town affairs. In one town the manager sends daily or weekly reports to board members – this is appropriate. In another, board members e-mail the chair with items for the meeting agenda and the chair e-mails the board members to discuss when the best time is to schedule a special meeting of the board.

21. Board must reschedule meeting if less than a majority are present. In most cases, when less than a majority appear at a hearing or meeting, the hearing or meeting must be rescheduled for a new date. In one town, when the zoning board fails to achieve a quorum for a hearing on a matter it opens the hearing and then adjourns to a date certain. However, because it is unclear whether less than a majority can “act” to open the hearing at all – even just to adjourn to a date certain, the best practice is to re-warn the hearing. 1 V.S.A. § 172. Note that there are some exceptions to the rule above when the law provides a special quorum rule. For example a BCA can meet with only three members present.



22. Dissenting members may add written opinion or explanation. Whenever a written opinion is required, the minority is free to write a dissenting opinion to explain their vote. Every once in awhile a dissenting member of a board feels so strongly about a matter that he or she wishes to attach to the written decision an opinion explaining why he or she did not vote with the majority. There is no law prohibiting this, and indeed, it may give the public a better understanding of the complexity of the situation, and the different viewpoints of the board.

23. Member of the public cannot force board to amend minutes. In one town a member of the public believes that the minutes of a meeting of the board misquoted her. Although this individual may go to the board to request they amend the minutes — whether minutes are approved or amended is solely in the discretion of the board. In such a case it might be appropriate to allow the individual to lodge her objection in writing, and file that writing with the meeting minutes.

24. Town clerk is not required to be clerk of the board. In many communities the town clerk also serves as the clerk of the selectboard. Law does not require this arrangement. This means that the board can only appoint the town clerk to serve as clerk of the board if he or she is willing to serve in that capacity.

25. Secretary of State has no authority over local officials. In Vermont there is local control of town affairs. This means that neither the Secretary of State's Office nor the Department of Education has authority to investigate complaints or force local officials to take particular actions. However, if a local official fails to perform mandatory duties, the State's Attorney or the Attorney General can bring an action against the official. 13 V.S.A. § 3006 provides that “A state, county, town, village, fire district or school district officer who willfully neglects to perform the duties imposed upon him by law, either express or implied, shall be imprisoned not more than one year or fined not more than \$1,000.00, or both..” Of course, very often the real way to solve the problem with a board member is political – voters have an uncanny way of not re-electing those officials who are unresponsive!

In our monthly Opinions, we provide what we believe the law requires based upon our legal judgment, years of observing Vermont's local government practices, and Vermont Court decisions. This information is intended as a reference guide only and should not replace the advice of legal counsel.



Secretary of State Deb Markowitz would like to congratulate the recipients of the 2008 Vermont Centennial Business Awards

On March 27th Secretary of State Deb Markowitz joined with Vermont Business Magazine and the Vermont Chamber of Commerce to present The Vermont Centennial Business Awards at the State House in Montpelier. The award acknowledges Vermont's oldest businesses for enriching the economic heritage and enhancing community life during the last century and beyond. From all across Vermont, these honored businesses represent a wide range of entrepreneurs from a dairy farm to newspapers to a moving and storage company. The recipients for 2008 are:

Gaines Farm - Established 1782
Basin Harbor Club - Established 1790
Chipman Point Marina - Established 1810
Shelburne Shipyard - Established 1826
Middlebury Inn - Established 1827
Burlington Free Press - Established 1827
Orvis - Established 1856
Bornemann and Greene - Established 1872
Brattleboro Reformer - Established 1876
Crowley Cheese - Established 1882
Hanson-Walbridge Funeral Home - Established 1884
Leader Evaporator Company - Established 1888
Allen Lumber Company - Established 1888
Shoreham Telephone Company - Established 1894
Dairy Association Company Inc - Established 1899
Sam Daniels - Established 1908
National Clothes Pin Company, Inc. - Established 1908
Chase Moving and Storage - Established 1908

*Photos of the event are available online at
http://www.sec.state.vt.us/centennial_business.html*

Upcoming Events

2008 Elections Procedures Workshops

These workshops are for town clerks, board of civil authority members, justices of the peace, and any other election officials. Secretary of State Deb Markowitz and Director of Elections Kathy DeWolfe will cover election day procedures from opening the polls through reporting election results to the Secretary of State's Office. If you are interested in attending, contact your local town clerk to register.

<u>DATE</u>	<u>TOWN/CITY</u>	<u>TIME</u>	<u>LOCATION</u>
Tuesday, June 3	St. Albans City	6-7:30 p.m.	City Hall
Tuesday, June 10	Newport City	6-7:30 p.m.	Gateway Building - Library
Tuesday, June 17	Manchester	6-7:30 p.m.	Town Hall
Tuesday, July 8	West Rutland	6-7:30 pm.	American Legion
Thursday, July 10	Williston	6-7:30 p.m.	Town Office
Tuesday, July 15	Middlebury	6:30-8 p.m.	Ilisley Library
Thursday, July 17	Brattleboro	3:30-5 p.m.	Municipal Center
Monday, August 4	Montpelier	6-7:30 p.m.	City Hall
Tuesday, August 5	Weathersfield	6-7:30 p.m.	Town Office
Thursday, August 7	Lyndon	6-7:30 p.m.	Public Safety Building



Vermont Business & Industry EXPO 2008

May 21 & 22, 2008 at the Sheraton Hotel & Conference Center in Burlington, Vermont.

The Vermont Chamber of Commerce presents the 24th Annual Vermont Business and Industry EXPO. EXPO is the region's largest business to business trade show, attracting over 3,000 attendees and nearly 200 exhibitors. Register online at www.vtchamber.com. Admission is free if you register in advance, \$10.00 at the door.

Grant Opportunities for Municipalities

The Secretary of State's Office is pleased to announce the 2008 Request for Proposals (RFP) under the Help America Vote Act (HAVA) to improve voting opportunities for individuals with disabilities. The first, Municipal Voting Access for Individuals with Disabilities (VOTE), is strictly for municipalities. The second, Educational Grants-Voting Access for Individuals with Disabilities (VOTE), is generally targeted to organizations that provide services to individuals with disabilities.

Municipal Voting Access for Individuals with Disabilities (VOTE)

The first grant program, Municipal Voting Access for Individuals with Disabilities (VOTE), is intended to help ensure that individuals with disabilities have access to polling places and the opportunity to vote privately and independently. Funding will be available to municipalities. There are two activities that are eligible for funding:

1. Polling Place Accessibility: Municipalities may apply to receive funds to ensure that their polling facility is accessible to individuals with a full range of disabilities. This may include activities such as paving parking areas, building ramps inside/outside buildings, building curb cuts, and replacing door knobs with lever handles.
2. Ensuring Private and Independent Voting Opportunities: Grants may be awarded to assist municipalities in obtaining auxiliary aids or technology to permit individuals with a full range of disabilities to vote privately and independently.

The Request for Proposals (RFP) was issued on April 16, 2008. It is posted at: <http://vermont-elections.org/elections1/HAVARFPMunicipalities2008.doc> It includes the application forms. Upon request to Linda Hall (802-828-0586 or lhall@sec.state.vt.us), a paper copy will be sent. The grant period runs from July 1, 2008 to December 31, 2008. **Applications are due May 28, 2008.**

Educational Grants - Voting Access for Individuals with Disabilities (VOTE)

For your information, the second grant program, Educational Grants-Voting Access for Individuals with Disabilities (VOTE), is targeted to organizations that provide services to individuals with disabilities. It is intended to increase voter registration and turnout in elections for individuals with disabilities to the same level as the general population. The two categories of funding are 1) Election Official Training and 2) Information for Individuals with Disabilities.

The Request for Proposals was issued on April 16, 2008. It is posted at: <http://vermont-elections.org/elections1/HAVARFPEducationalGrants2008.doc> Upon request to Linda Hall (802-828-0586 or lhall@sec.state.vt.us), a paper copy will be sent. **Applications are due May 28, 2008.**

Municipal Calendar

May 2008

- 15 Last day for town clerk to remit to state treasurer an accounting of dog and wolf-hybrid licenses sold and remit the license fee surcharge for an animal and rabies control program. 20 V.S.A. §3581(f)
- 26 Memorial Day. 1 V.S.A. §371

June 2008

- 1 Deadline for listers to lodge personal property inventories with town clerk. 32 V.S.A. §4007
- 2 First day for major party candidates to file statements of nomination for the primary election (no sooner than the first Monday in June). 17 V.S.A. §2356
- 3 (*Within 60 days of petition*) If a petition for reconsideration or rescission of a question considered or voted at town meeting has been filed, this is the last day on which a municipal vote may be held at a duly warned meeting. 17 V.S.A. §2661(b)
- 4 Last day for listers to lodge the grand list with town clerk for public inspection for town of fewer than 5,000 inhabitants. 32 V.S.A. §§4111(d), 4341
- 4 (*91st day after town meeting election*) In towns using Australian ballot, town clerk may open and destroy used town meeting ballots and tally sheets, except as otherwise provided by law. 17 V.S.A. §2590(d)
- 24 Last day for listers to lodge the grand list with town clerk for public inspection for town of greater than 5,000 inhabitants. 32 V.S.A. §§.4111(d), 4341
- 30 End of fiscal year for all school districts, charter provisions notwithstanding, and for municipalities that have adopted July 1 through June 30 fiscal year calendar. 32 V.S.A. §1, 24 V.S.A. §1683(b),(c)
- 30 Reminder for town clerk in municipality with fiscal year ending June 30 to publicly disclose fees kept as compensation for that fiscal year within the next 30 days. 24 V.S.A. §1179

The Municipal Calendar is provided by the Vermont League of Cities and Towns/Chittenden Bank and the Secretary of State's Office.



Tip of the Month

Elections Bulletins are Available Online!

The Secretary of State's Elections Division often sends out informative bulletins to municipalities that are intended to keep clerks up-to-date on election laws and impending deadlines. Bulletins from 2003 to present are available online at <http://vermont-elections.org/elections1/elbulletins.html>

If you have a tip you would like to share, please contact John Cushing, VMCTA President, at jcushing@town.milton.vt.us

Mailing List Updates!

Help us keep our mailing list up to date!

Let us know if:

- your address needs to be updated,
- your name is misspelled, or
- you'd rather receive *Opinions* a week early via email.

Send us a note via fax: 802-828-2496,

email: gcolbert@sec.state.vt.us,

or post: 26 Terrace St., Montpelier, VT 05609-1101.

Be sure to include the information from your current *Opinions* mailing label as well as any changes that you would like to have made.

Thank you for helping us keep Opinions running efficiently!



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May 2008

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