

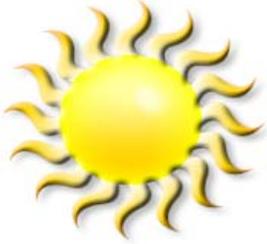


# Opinions

Office of the Vermont Secretary of State

Vol. 11, #7

July/August 2009



**Hoping for  
some August  
sunshine!**

## Quote of the Month

**"A perfect summer day is when the sun is shining, the breeze is blowing, the birds are singing, and the lawn mower is broken."**

*James Dent*

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## A Message from the Secretary

Last week I had the great privilege of addressing the National Civics Summit, a gathering of leaders in the field of civics and voter engagement that was held in Minneapolis. I took this opportunity to release a report titled "The Impact of Civics Education on the Attitudes, Behaviors and Disposition of Youth."



Because we believe that it is important to cultivate our next generation of citizens and leaders, the Secretary of State's Office, beginning a decade ago, developed a series of experiential civics programs, including a mock election program called Vermont Votes for Kids. In 2007 the Secretary of State's Office worked with the Vermont Student Assistance Corporation to assess the impact of the Vermont Votes for Kids mock election program on civic attitudes, behaviors and dispositions by surveying the senior class of 2007. Students answered questions about their participation in mock election programs during their school career and how they intend to participate in the democratic process in the future.

The report shows that the newest generation of Vermont adults will be more active and engaged than the ones before it. It also affirms the value of civic education programs and, in particular, mock election programs that teach kids the importance of voting. Students who were exposed to mock election programs were significantly more likely to say they are better informed about politics, understand the issues facing our country, and will vote in the future. They reported that they learned how to address community problems and learned about individual's responsibility to community. Students who accompanied a parent to the polling place scored even higher, confirming the belief that parental involvement is a key factor in shaping civic attitudes.

The findings of our study are significant. They demonstrate the value of investing in experiential civics education programs like Vermont Votes for Kids. When we teach young people the mechanics and value of voting, and provide them opportunities to develop and practice the skills necessary to be engaged citizens, we see results.

It is my hope that this report will encourage educators, government officials, and opinion leaders to see the importance of civics education so that in future years every Vermont student is given an opportunity to participate in a civics education and mock election program.

A copy of the report is available by calling 802-828-2148 or by visiting the Secretary of State's website at [www.sec.state.vt.us/Mock\\_Election\\_Report.pdf](http://www.sec.state.vt.us/Mock_Election_Report.pdf).

Deborah L. Markowitz, Secretary of State

# Voice from the Vault

## by Gregory Sanford, State Archivist

### The Veto and The Archives

The impasse between the legislative and executive branches threatened to shut down government. Observers worried not only about the immediate impasse, but the likelihood that, if left unresolved, things would only get worse “by the course of migration, the influx of foreigners, the multiplication of corporations, the investment of large capital in banking, manufacturing, and other establishments; and which will bring, in their train, a variety, and, perhaps, conflicting interests.” Those interests would pursue their own narrow agenda at the expense of the Vermont’s founders’ commitment to civic virtue and the broader public good. The year was 1835, the observers were the Vermont Council of Censors, and the issue was how to check “hasty or improvident” legislation influenced by these narrower, conflicting interests.

Since the 1820s tensions had grown between the executive branch, which consisted of the governor and an executive council, and the unicameral legislature. The issue was whether the executive branch could block hasty and improvident bills despite the lack of a constitutional veto authority. The legislature, which consisted only of a House of Representatives, declared that the executive could not block legislation. The executive branch responded by refusing to return bills it had perused and found wanting. An attempt to create a veto authority faltered in 1828.

The Council of Censors, the sole body charged with proposing constitutional amendments, tried again in 1835. It noted that the house, in which each town regardless of size had one representative, could pass legislation supported by representatives from towns holding only a quarter of the state’s population. The executive branch, elected on a statewide basis, was accountable, in the Censors’ eyes, to a broader constituency. Without a check on the House’s authority Vermonters confronted “so many *additional, amendatory, explanatory and repealing* acts, in continued succession” that there was no statutory stability. To confront this instability the Censors proposed two constitutional changes. One was creation of a Senate, partially based on population, as an additional check on poorly thought out bills (the executive council would be eliminated). The other proposal was for a gubernatorial veto power. This would provide a “safeguard against hasty and improvident legislation.” As an aside, this also led to the creation of Lamoille County so the state’s informal, but rigidly observed Mountain Rule could be applied to the Senate; the addition of Lamoille County meant there were now 14 counties, seven on each side of the Green Mountains.

The proposed amendments were adopted in 1836 and in 1839 the first gubernatorial veto was issued. A second followed in 1845, which was overridden. Many of the early vetoes echoed the caution against hasty or improvident legislation. The rationale for vetoes began to expand as governors issued vetoes citing constitutional grounds starting in 1869. A 1910 veto extended the governor’s reach to include interpretations of the U.S., as well as Vermont, Constitution.

The legislature almost never overrode vetoes; override votes frequently gave unanimous support to a veto. In 1900 Governor William Stickney became the second governor to have a veto overridden, despite his contention that the vetoed act was unconstitutional. It is worth noting that Stickney, a Republican, was overridden 163 to five in the House and 23 to five in the Senate; 194 of the 246 representatives were also Republicans as were all 30 senators.

At the time an override only required a majority vote; still the veto was a powerful tool. Even when Governor John Mead issued a record eight vetoes in 1910-1911, none were overridden. A majority did vote to override Mead’s veto of a tax bill but the speaker determined that tax bill votes required two-thirds of the members to be present; since that quorum was not present the veto was sustained. In 1910 the legislature proposed a constitutional amendment raising the override threshold to two-thirds of those present and voting; it was ratified in 1913. The two-thirds threshold was a more difficult, but not insurmountable barrier. In 1921 Governor James Hartness vetoed a bill equalizing the property rights of men and women; he was overridden, again by a legislature overwhelmingly controlled by members of his own party.

Another override occurred in 1925, but the next did not occur until 1981. By the time the next override occurred in 1990, the power of the veto was clear. Of the 90 vetoes issued prior to the 1990 override, only five had been overridden. Perhaps as a result, by the 1980s governors began to use the veto for policy reasons, not necessarily as a tool to prevent

hasty legislation or constitutional issues. Also by the 1980s gubernatorial administrations began routinely to stretch beyond the informal two-term tradition and the number of vetoes, often citing policy differences, also climbed. Governors Snelling and Kunin each issued eight vetoes, tying Mead's total. Governor Dean issued a record-setting 21 vetoes, while Governor Douglas now has 17 vetoes. To the degree that the state budget is the ultimate expression of policy, the 2009 veto of the state budget—the first time a budget was vetoed—provides evidence of the veto as a policy tool. Prior to 2009 budget veto two supplement budgets were vetoed (one overridden) and in 2005 a budget veto was averted when the governor's objections were addressed in a special session

The balance of powers among the branches is never static; each branch seeks to push for advantage, while defending what it sees as its prerogatives from encroachment. When Governor Dean used the "pocket veto" to kill nine bills after the 1994 session adjourned, the following year the legislature began enacting, as part of the adjournment resolution, the authority to reconvene to address any post-adjournment veto. Since then there have been six "veto" sessions, though no veto was overridden. The 2009 override of the budget veto occurred during a special session, not a veto session.

The other changing context was the occasional election of a governor of one party, with a legislative majority held by another party. This tension, established by the electorate, has begun to alter the veto again. As one party approached attaining veto proof legislative majorities the possibilities of overrides became greater. Thus in 2009 for the first time a governor had two vetoes overridden. The 2009 budget veto was also the first overridden in a special session.

To learn more about the shifting balance between the executive and legislative branches, as expressed by the veto, visit our veto history: <http://vermont-archives.org/govhistory/governance/Vetoes/vetoes.html>; see also the June 2008 Voice from the Vault column at (<http://vermont-archives.org/publications/voice/pdf/VotingOnVetoes.pdf>).

Let us return for a moment to the push to create a veto authority in the 1820s and 1830s. The 1835 Council of Censors believed that the framers of Vermont's 1793 Constitution meant to grant some limited legislative authority to the executive council. Over the 30 years following adoption of that constitution, "so long as the framers of the constitution, or their contemporaries, continued to take part in the councils of the state" that limited authority was recognized. Now, however, "those patriotic men have passed away, and others have succeeded to their places..." The Censors concluded that without the living memories of the founders the original intent of the constitutional powers of the executive council was lost and had to be remedied by amendment.

The passing of the Revolutionary generation during the 1820s occasioned a great deal of concern. The realization that we could no longer rely on the living memory of our founders gave rise to an interest in preserving the government archives, as evidenced by Secretary of State William Slade's 1823 publication of some of Vermont's important early state papers.

The recent veto battles further illustrate, and expand, on the importance of government archives. No one could be expected to know the evolving use of the veto or the legislature's responses to vetoes. Even recent memory can be faulty; some of our callers, who had observed government for years, could not recall whether the 2005 budget had been vetoed (it had not, but only because of changes made at a special session). Simply preserving records related to vetoes, however, is no longer enough. Those records and the information they contain need to be made accessible to decision makers and the public in ways that are most useful for taking action or forming opinions. That is why we have used the continuing issues section of our website to synthesize important information related to key processes of government (<http://vermont-archives.org/govhistory/governance/index.htm>).

Continuing issues is just one way we are trying to make information available to you. I hope you take an opportunity to visit our website at <http://vermont-archives.org/>.



# Opinions of *Opinions*

## by Secretary of State Deb Markowitz

- 1. A meeting of the board of civil authority can be called by the town clerk or by one of the selectboard members.** 24 V.S.A. §801. Generally, after the town clerk or one of the selectboard members decides to call a meeting, the meeting is warned by the town clerk. The notice must be posted in two or more public places at least five days before the meeting and mailed to each member. If the town clerk is unavailable, the notices can be done by the assistant town clerk or another member of the board.
- 2. Reserve fund may generally be spent by board without town vote.** If a town has established a reserve fund for a special purpose, such as a reserve fund for highway equipment, the statute provides that the reserve fund is to be under the control and direction of the legislative body. 24 V.S.A. §2804. This means that a reserve fund that has been established and funded by town vote may be expended by the board for such purposes for which the fund was established without another town vote. If the legislative body wants to spend those reserve funds for any other purpose, then the spending must be authorized by a majority of voters at an annual or special meeting.
- 3. Elected officials are not generally eligible for workers compensation or unemployment compensation benefits.** Elected public officials, such as selectboard members are specifically excluded from the definition of “employee” in Vermont Worker’s Compensation and Unemployment Compensation statutes. Officials serving in positions that are “elected” when originally filled, are excluded from coverage, even if a particular selectboard member or other official has been appointed by the selectboard to fill an unexpired term.
- 4. BCA members should take oath before each tax appeal.** Vermont law requires that BCA members take an oath before performing tax appeals. The required oath for members of the board of civil authority who will be hearing tax appeals is found in 32 V.S.A. §4405. We believe it is good practice to take this oath before each tax appeal since it impresses on the parties to the appeal that the board takes its obligation seriously to perform its duties professionally and in an unbiased manner.
- 5. BCA should meet regularly to clean up the voter checklist.** We recommend that board of civil authority meet at regular intervals to maintain the town’s voter checklist, including sending the required letters to challenge voters. For BCAs that have not been able to do this on a regular basis, it is now time to warn a meeting of the board to update your checklist. The statute requires that by September 20 of each odd-numbered year, towns must send a letter to the Office of the Secretary of State certifying that the town’s checklist has been updated and that detailed records have been maintained. 17 V.S.A. §2150(d)(7).
- 6. Board correspondence must be authorized by the board.** Chairs of municipal boards do not have authority to act on their own making representations for the board. This means an individual board member may not write a letter using town or official stationery, representing that the letter is on behalf of the board without a motion passed at a duly warned meeting authorizing the board member to send the letter on behalf of the board. 1 V.S.A. § 172. Except as authorized above, no board member of any municipal body has any authority to act alone unless that authority is derived from a specific state statute or municipal charter. An official who acts on his or her own may run the risk of personal liability because the official is acting outside of his or her authority as a board member.
- 7. Sender is responsible to ensure those cc’d get copy of letter.** It is a best practice to make certain that copies are sent to everyone listed as having been cc’d on your correspondence. The addressee of your letter may rely on your representation that



you have already sent copies of the correspondence to other necessary parties. This is especially important for resignations and other official letters where more than one board or person may need to be involved in the process.

- 8. Minutes of a meeting of a public body should not restate the public discussion at the meeting.** Meeting minutes should be short and sweet. The purpose of the minutes are to create a legal record of any action taken, and to permit people who could not attend the meeting to know what topics were discussed and what action was taken at the meeting. It is rarely a good idea to include comments or dialogue that have taken place during a meeting as this can end up being a distraction. Too much detail can cause citizens and/or board members to spend more time at meetings debating the accuracy of the “transcriptions” and dialogue recorded in minutes of past meetings, than on the new action items. The minutes need only include the people present and participating in the meeting, the topics discussed and any motions made and votes taken. 1 V.S.A. §312.
- 9. Public bodies cannot conduct a public meeting “online.”** Someday online public meetings might be common. At this time it would be hard for most, if not all of our towns to meet the requirements of the open meeting law using web conferencing. The open meeting law requires meetings to be accessible to the public so that members of the public can see and hear what is going on, and be heard by the board. In order for web conferencing to work the town would need enough terminals at the town office for member/s of the public to use so that they can observe and participate in the meeting. Note that it is conceivably possible right now for board members to participate in a meeting through web-conferencing – so long as the board member can hear what is going on and can be heard by all present. This is not so different than the current practice of allowing board members to participate in a meeting by a speakerphone. 1 V.S.A. §312.
- 10. Public agency does not have to convert electronic documents.** When a town maintains public records in an electronic format, nonexempt public records shall be available for copying in either the standard electronic format or the standard paper format, as designated by the party requesting the records. An agency may, but is not required, provide copies of public records in a nonstandard format, create a public record or convert paper public records to electronic format. 1 V.S.A. § 316(i). This means that if a town maintains records in a particular database, it is not required to convert it to another upon request of a member of the public. Note, however, that if a public official or agency chooses to create a public record or convert to a nonstandard format, it may charge for staff time that exceeds 30 minutes.
- 11. The governor appoints to fill a vacancy in the office of justice of the peace.** Whenever a vacancy occurs for a justice of the peace, whether by death or resignation, the town party chair for the party that has lost a justice, or the town clerk (for independent justices), must notify the office of the governor. 17 V.S.A. §2623. The town committee of that party (after a properly warned meeting—five days written notice to all town committee members) may then submit one or more recommendations to the governor as to a successor. The statute does not include any language for recommendations when the justice who created the vacancy was an independent. Interested persons could send a letter of interest to the governor’s office. However, in all cases, the governor may appoint any qualified person to fill the vacancy for the remaining portion of the term and is not bound by any town committee recommendations.
- 12. The time and place of regular meetings of the board must be publicly available.** The time and place for regular meetings of any public body may be designated by charter, regulation, ordinance, bylaw, or resolution and this information shall be available to any person upon request. 1 V.S.A. §31(c)(1). Many selectboards and school boards establish their regular meeting schedule by a resolution at the first organizational meeting after election at Town Meeting. Once established the board does not have to “warn” each regular meeting, although the board must make the agenda available to the news



media or any person upon request prior to the meeting. Many towns have a practice of posting the agenda and distributing it to the media on a regular basis.

**13. A board may change its regular meeting time and place as it wishes.** A board can change its regular meeting schedule by adopting a new resolution at any time. The law does not limit the designation to the organizational meeting. However, when a board has changed the schedule in this way it should make some effort to let the public know so that the people who regularly come to these meetings are not caught off guard.

**14. Special board meetings must be publicly announced within 24 hours of the meeting.** If any public body needs to hold a special meeting between regularly scheduled meetings, the time, place, and purpose of the special meeting must be publicly announced at least 24 hours before the meeting. 1 V.S.A. §312(c)(2) A notice containing the time, place and purpose of the meeting must be posted in or near the municipal clerk's office, and in at least two other public places in the municipality at least 24 hours before the meeting. Notice must also be given either orally or in writing to each member of the public body at least 24 hours before the meeting; however, a member can waive notice. Committees appointed by public bodies must also comply with the open meeting law including this warning of special meetings.

**15. Delinquent tax collector penalty applies only after the final installment is due and taxes become delinquent.** In towns that have voted to collect taxes by installment, unless a town has a charter provision, the delinquent tax collector cannot add the penalty (eight percent, unless a smaller amount has been voted by the town) to installment payments, but only to the final payment of the year. 32 V.S.A. §1674(3)(b). Several Chittenden County towns have charters that allow the town to collect the eight percent penalty in addition to interest on each installment. If your town does not have a charter, the town can assess interest on each late installment but cannot collect the penalty until the final installment payment for the year is due.

**16. The penalty for a delinquent tax payment can only be charged or assessed once on the full amount that is delinquent.** If a partial payment is made, the full delinquent tax collector penalty (eight percent, unless a smaller amount has been voted by the town) is taken first on the full amount of the taxes that are delinquent, then the interest to date is taken, then the remainder of the partial payment is applied to the taxes. Only the interest per month charge continues to be added each month on the remaining balance of the taxes until the taxes and interest are paid in full.

**17. Towns are not required to accept postmark dates for payment of taxes.** Although some towns have a policy to rely upon the postmark for tax payments, Vermont Title 32 generally contemplates that a tax payment must be paid on or before the due date. In state statutes, if use of a postmark date is acceptable it is so stated in the law. The law provides that taxes not received by the town by the due date are delinquent. If a town wants to accept payments that have been postmarked by the due date the town should make this clear to the taxpayers.



**18. Listers should schedule site visits with property owners.** It is a best practice for listers to call property owners to set appointments to look at property to complete listers cards for reappraisals. If listers show up unannounced it is reasonable for the property owner to say that it is not a convenient time and set an appointment for a mutually convenient future date. If the property owner refuses entry to the property at any time, then the listers must do their best appraisal without entering the property. However, if a property owner subsequently files an appeal of his listed

value, the appeal must be considered withdrawn by the property owner if the property owner refuses to allow the BCA to inspect the property to determine its fair market value. 32 V.S.A. §4404(c).

**19. Large commercial public events require state permit.** The organizers of a commercial public event or gathering expecting 2,000 or more attendees must apply for a permit from the Department of Public Safety at least 30 days before the event is held. The Department of Public Safety may grant the permit, deny the permit, or grant the permit with conditions, such as providing a bond or other financial security. 20 V.S.A. § 4501 et seq. If a town wants to regulate smaller assemblies it must adopt a local ordinance. 24 V.S.A. § 2291.

**20. Roberts Rules of Order is only required for annual and special meetings and school board meetings.** The law requires moderators to use Roberts Rules of Order when they run the annual or special town or school district meeting, unless the municipality has adopted another rule of procedure. 17 V.S.A. § 2658. The law also requires school boards to use Roberts Rules of Order for the conduct of its board meetings. 16 V.S.A. § 554. No law requires the selectboard or any other municipal board to use Roberts Rules of Order as their procedure. Many boards develop their own practices and procedures. We recommend that a board that does this puts its procedure rules in writing so that new members of the board and members of the public know how the board works.

**21. Board can restrict use of ATVs on town highways.** An all-terrain vehicle may not be operated along a public highway (unless it is not being maintained during the snow season) unless the highway has been opened to all-terrain vehicle travel by the local governing body and the town or village posts this on the roads. A road is opened to ATV use by a vote of the selectboard (or village trustees) at a meeting of the board at which the issue was on the agenda. A board that votes to open a road can change its mind – but it should post a notice of the prohibition to alert ATV drivers who may have become accustomed to using the road in question. 23 V.S.A. § 3506. Note however that an ATV that is being used for agricultural purposes may not be so limited. The law permits the ATV to be operated not closer than three feet from the traveled portion of any highway for the purpose of traveling within the confines of the farm.



**22. Municipality may not contradict state law concerning minors crossing the road in ATV.** The law creates rules to determine whether a minor may cross a public highway in an ATV. 1. No minor under 12 may cross the road. 2. A minor between the age of 12 and 16 must be under the direct supervision of a person 18 years of age or older. 3. Minors who are over the age of 16 may freely cross the road. Because there is a specific law on this issue, the general enabling legislation that permits a municipality to adopt an ordinance regulating the time, manner and location of operating ATVs within the town will not permit the town to adopt stricter or more lenient rules. 23 V.S.A. § 3506, 3510.

*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.*

# New Election Laws

## A summary of Vermont election laws enacted in 2009:

1. 17 V.S.A. §1904(a) – Minor changes were made to the formula for the composition of the political party representation on the legislative apportionment board.
2. 17 V.S.A. §2103(22) – The definition of a political committee was repealed from the general definitions at the beginning of Title 17 because the definition is included in Chapter 59, Campaign Finance, section 2801(4). (You only want the definition to be one place in the statutes so when it is revised it only has to be revised in one place.)
3. 17 V.S.A. §2454(a) and (b) – This section was amended at the request of several cities so that election officials are no longer required to reside in the ward or district in order to work as an election official in the polling place for a voting district.
4. 17 V.S.A. §2532a - The automatic “sunset” was removed so that mobile polling stations can be used in future elections.
5. 17 V.S.A. §2588 - This section was revised to add a separate subsection to provide specific instructions for towns that use vote tabulating machines that will allow the posting of the printer results tapes from the optical scan tabulators as “unofficial incomplete results.”
6. 17 V.S.A. 2602a(b) – When the law was revised to have ballots transported to county courts by election officials for recounts following the 2006 statewide recount, one reference to state police was inadvertently left in. Now the sections all consistently refer to “two election officials who are not members of the same political party.”
7. 17 V.S.A. §2602I – This section was revised so that a candidate who petitions for a recount can request that the recount be conducted by optical scanner instead of by the hand count procedures for a recount.
8. 17 V.S.A. §2647 – The section on incompatible offices was revised by adding a section (b) so that when a school district uses an independent public accountant it will no longer be a statutory conflict for a school board member to have a spouse who serves as an auditor.
9. 17 V.S.A. §2685 – This section was revised so that a candidate who petitions for a recount can request that the recount be conducted by optical scanner instead of by the hand count procedures for a recount.
10. 17 V.S.A. §2803(f) - The Secretary of State may now require that the forms for campaign finance filings and mass media reports be filed in a digital format.

The Secretary of State's Office distributes Election Bulletins containing updates and information to all municipalities. These bulletins are also available online at:  
**<http://vermont-elections.org/elections1/elbulletins.html>**

For a list of all laws passed during the 2009 regular legislative session:  
**<http://www.leg.state.vt.us/docs/acts.cfm?Session=2010>**

For laws passed during the 2009 Special Session:  
**<http://www.leg.state.vt.us/docs/acts.cfm?Session=2010.1>**

# Civics Behind the Scenes

by Sydney Rubin, Student Intern

"Hi, my name is Sydney Rubin. I started as an intern at the Office of the Secretary of State yesterday. I'll be old enough to vote on the 26<sup>th</sup> of this month."

That's what I said to a room full of Vermont town clerks who were at the Secretary of State's Office attending a HAVA (Help America Vote Act) refresher training. I was in the room to observe and learn.

In some ways, it might seem odd that I've become an intern here. I won't receive the high school credit usually rewarded through the program: I've already graduated. I don't need an internship to put on my college application: I'm already accepted. I wouldn't say I fancy a career in a government office, either: I'm planning on majoring in English. All I really knew about the internship before I began was that I would be working with Missy Shea, the person in charge of voter outreach and civic education for Secretary Markowitz. So, my first task was to explore the Kids' Pages on the Secretary of State's website to get a handle on the variety of materials the office has created to promote civic education in Vermont schools.

My other tasks include helping Missy prepare for the National Civic Summit in Minneapolis in July. While there, she will present the Vermont Guard Card project, an initiative that will provide calling cards to the

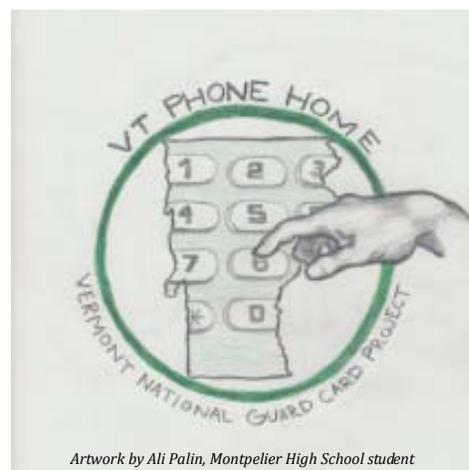
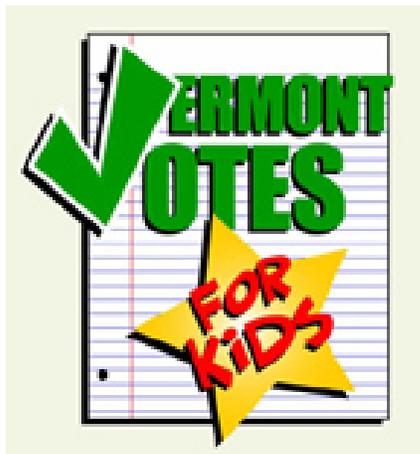
1,500 Vermont soldiers who will be deployed later this year. This deployment is something that's going to greatly affect our community and our state. The Secretary of State's Office has collaborated with Verizon, who has generously donated the actual cards through the USO.

Even though the calling cards have been obtained, there is still a great opportunity for the Office of the Secretary to facilitate school-based service learning projects to help support the deployed Guard soldiers and their families. Schools can organize efforts that range from Benson Village School's wonderful Vermont-themed holders for the card to Cavendish's raising \$1,400 for the Vermont Charitable Fund. Students can volunteer to mow lawns, babysit, or stack wood for the families of deployed soldiers. Service learning projects can really benefit those impacted by the deployment, while simultaneously helping students learn the process of becoming informed, engaged citizens who really can make a difference.

I now realize that students do not learn about their state and the government by running for office someday. Instead, we learn by contributing to our government and communities no matter our ages or what we do for a living.

It seems I am just now starting to get my civic education—a little later than grade school, but in a way that is much more meaningful. And though I can't vote yet, I'm learning that I can still have a say in what my government does. That knowledge alone has made this a very worthwhile internship.

*To learn more about this project, visit [www.sec.state.vt.us/kids/service\\_for\\_service.html](http://www.sec.state.vt.us/kids/service_for_service.html)*



Artwork by Ali Palin, Montpelier High School student

# Upcoming Events

## Introduction to GIS

**Date:** Two-day course on Wednesday, August 5 and Thursday, August 6

**Time:** 9:00 AM to 4:00 PM both days.

**Place:** 133 State Street in Montpelier, VT

**Coordinating Organization(s):** Vermont Center for Geographic Information <http://www.vcgi.org>

**Cost:** \$60

**Contact for More Information:** Leslie Pelch at Vermont Center for Geographic Information

**Phone:** 802-882-3002

**Email:** [lesliep@vcgi.org](mailto:lesliep@vcgi.org)

**Website for info/registration:** [http://www.vcgi.org/commres/?page=../training/default\\_content.cfm#intro](http://www.vcgi.org/commres/?page=../training/default_content.cfm#intro)

**Summary:** This course provides training designed to teach basic Geographic Information Systems (GIS) knowledge and skills. It is not required that the intended participant have any prior experience using GIS, but familiarity with using computers (especially basic file management) is important. Successful completion will give participants the skills necessary to acquire, evaluate, and use digital geographic data in a GIS application; modify the appearance of geographic data layers; perform simple queries and analyses; and create and export maps and data.

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## Introduction to GIS

**Date:** Three-day course held on August 12, 19, and 26

**Time:** 12:30 PM to 4:30 PM on all three days.

**Place:** 133 State Street in Montpelier, VT

**Coordinating Organization(s):** Vermont Center for Geographic Information <http://www.vcgi.org>

**Cost:** \$60

**Contact for More Information:** Leslie Pelch at Vermont Center for Geographic Information

**Phone:** 802-882-3002

**Email:** [lesliep@vcgi.org](mailto:lesliep@vcgi.org)

**Website for info/registration:** [http://www.vcgi.org/commres/?page=../training/default\\_content.cfm#intro](http://www.vcgi.org/commres/?page=../training/default_content.cfm#intro)

**Summary:** This course provides training designed to teach basic Geographic Information Systems (GIS) knowledge and skills. It is not required that the intended participant have any prior experience using GIS, but familiarity with using computers (especially basic file management) is important. Successful completion will give participants the skills necessary to acquire, evaluate, and use digital geographic data in a GIS application; modify the appearance of geographic data layers; perform simple queries and analyses; and create and export maps and data.

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## Advanced Lister Training

Thursday, July 23, 2009 – TEGU, Route 100 Morrisville

Thursday, August 20, 2009 – Londonderry Town Hall, Londonderry

Thursday, September 17, 2009 – Royalton Academy, Royalton

9:00 a.m. to 4:00 p.m.

Tuition: \$125.00 VT town officers, \$150.00 others

This class is designed for listers who have had three or more years of experience in their office. It will cover the equalization study and a brief introduction to the various statistics, tracking the market, reappraisal requirements, and utility valuation. Offered by the **Vermont Tax Department**. For information and registration go to <http://www.state.vt.us/tax/pvrlistereducation.shtml> or call 802-828-2824

# Municipal Calendar



## August 2009

- 15 - Last day for town clerk to electronically transmit a copy of the grand list, tax rates, and assessed tax amount to the director of property valuation and review. 32 V.S.A. § 5404(b)
- 16 - Bennington Battle Day. 1 V.S.A. § 371(a)
- 26 - (Date dependent on caucus date, which is set by state chairman) - First day for the chairman of a state committee of a political party to mail a notice of the date and purpose of the caucuses to each town clerk and to each town chairman of the party. 17 V.S.A. § 2302 (14 days before date set for caucus which is set for a date between September 10 and September 30.)

## September 2009

- 1 - Marriage Equality Law takes effect. Act No. 3, 2009 Session
- 7 - Labor Day. 1 V.S.A. § 371(a)
- 10 - First day for members of political party to meet in caucus in their respective towns. 17 V.S.A. § 2302
- 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 a rabies control program. 20 V.S.A. § 3581(f)
- 15 - By September 15 of each odd-numbered year the board of civil authority shall review the most recent checklist name by name and consider, for each person whose name appears on the checklist, whether that person is still qualified to vote. 17 V.S.A. § 2150(c)
- 16 - (This could change depending on what the date of the caucus is set for.) Last day for the chairman of a state committee of a political party to mail a notice of the date and purpose of the caucuses to each town clerk and to each town chairman of the party. 17 V.S.A. § 2302
- 20 - Last day for the board of civil authority to certify to secretary of state purging of the checklist has been completed. 17 § 2150(d)(7)
- 30 - Last day for members of a political party to meet in caucus in their respective towns. 17 V.S.A. § 2302 Within 72 hours of hours after the caucus, the chairman and secretary of the town committee shall mail to the secretary of state, the chairs of the state and county committees, and the town clerk a copy of the notice calling the meeting and a certified list of the names and mailing addresses of the officers and members of the town committee and delegates to the county committee. 17 V.S.A. § 2307

***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

### **Purging the Statewide Voter Checklist**

The town clerk and BCA should be sure to get together to create a list of voters to challenge soon, while we are not within 90 days of an election.

While the town clerk is required to have BCA approval to challenge voters, the BCA may vote to permit the town clerk to send challenge letters on an ongoing basis—this is the most successful way to get a response back from a voter shortly after he or she has left town. Some materials that may help your town: the Vermont Secretary of State's office provides window envelopes for challenge and response letters at no charge; simply email your request to [voterreg@sec.state.vt.us](mailto:voterreg@sec.state.vt.us).

Challenge and response letters are printed directly from the Statewide Checklist; however, if your town prefers to use preprinted post cards instead of response letters, you can order them from Eastern Systems Group (800-223-0101) and they will be paid for by the Vermont Secretary of State's office.

*If you have a tip to share, contact John Cushing at [jcushing@town.milton.vt.us](mailto: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](mailto: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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July/August 2009

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