HOW TO GET AN ARTICLE ON THE BALLOT

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The guidelines in this booklet are intended to provide assistance to voters wishing to learn more about placing an article on the ballot or requesting a reconsideration of an article. Much of the information contained in this brochure is taken from the Vermont Secretary of State's website www.sec.state.vt.us and the Brattleboro Town Charter. It does not include all State and town laws relating to special articles. Always consult statutes as these change from time to time. To view a copy of the Brattleboro Town Charter online go to www.brattleboro.org or contact the Town Clerks' office. We encourage you to run your petition by the Town Clerk prior to circulating: townclerk@brattleboro.org.

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There are two options for an individual or group of citizens to have a particular issue voted on at annual town meeting or a special meeting. The individual or group can ask the Legislative Body (Selectboard or School Board) to place the article on the warning on the board's own motion. If the board decides not to add the suggested article to the warning by the board's motion, the individual or group can circulate a petition. The petition is then submitted to the Legislative Body to be placed on the warning for an annual or special town meeting vote.

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Annual Town Meeting in Brattleboro is a two-part process.

Part 1 - Consists of Australian balloting on the First Tuesday in March. This is a town-wide vote providing all registered voters of the town the opportunity to elect town officers and vote on any articles that may be on the ballot. If your group wishes to have an article acted upon at a General Town Meeting (all voters of the town) by Australian ballot, the petition shall so state. (See page 4 of this brochure for more information about voting by Australian ballot or at Representative Town Meeting.)

Part 2 - Representative Town Meeting: Held on the third Saturday after the first Tuesday in March and is comprised of town meeting members elected by Australian ballot on the first Tuesday in March. Town meeting members (often called reps) represent each of the three districts in town and only the 154 members (138 elected and 16 ex-officio members) are eligible to vote. An article to be acted on by Representative Town Meeting shall so state on the petition.

Petitions for Town Meeting

A petition of the voters requesting placement of articles on the warning for the Annual Meeting, **either General or Representative Town Meeting, must be received by the Selectboard or the School Board at least 47 days prior to General Town Meeting (first Tues. in March)**. 17 V.S.A.§2642(a).

Non-Binding Articles

Petitions for inclusion in the warning of an article to reflect public sentiment and to be **advisory only** must contain signatures of 5% of the town's voters. This amounts to approximately 450 signatures but fluctuates frequently. The Town Clerk's office can give you the current number of signatures needed. It is estimated that 10%-15% of signatures submitted on a petition are invalid, (not legible, name not on voter checklist, name and address do not match, etc.). It is advisable to obtain several more signatures than required.

If the advisory article involves town policy, it is wise to consider whether the selectboard or school board will follow the advice of the voters on an advisory article, before adding it to the warning. It can be very frustrating to voters to vote on an issue at Town Meeting and then find that the board will not or cannot follow the advice of the vote.

Petitions should be as concise as possible and the actual article written in the form of a question so that voters can answer yes or no to it.

Petition to Request an Advisory Article - Sample #1

Petition of Legal Voters of Brattleboro to the Selectboard

The undersigned registered voters of the Town of Brattleboro hereby petition the Selectboard to add the following advisory article to the Town Meeting Warning to be acted upon by all the voters of the Town by Australian ballot on March _____, 201__ (or, to be acted upon by Representative Town Meeting on March _____ , 201__):

Shall the Town of Brattleboro vote to advise the Selectboard that any harvesting of timber on town lands be subject to a comprehensive forest management plan approved by the voters?

Petition to Request an Advisory Article - Sample #2

Petition of Legal Voters of Brattleboro to the School Board

The undersigned registered voters of the Town School District of Brattleboro hereby petition the Town School Board to add the following advisory article to the warning for the Annual Town Meeting to be acted upon by all the voters of the Town by Australian ballot on March _____, 201__ (or, to be acted upon by Representative Town Meeting on March _____, 201__):

Shall the Brattleboro Town School District vote to advise the School Board to send a message to our state legislators that they should not enact any education mandates unless the mandates are fully funded by the State of Vermont?

The proposed article must be stated **on each page** of the petition. Signers of the petition need to sign their name, print their name and print their address. There should also be a column for the clerk's use.

SIGNATURE	PRINT NAME	STREET ADDRESS (Not mail address)	TC USE
1.			
2.			
3.			

Printed names and addresses must be legible –if they can't be read, they can't be counted.
Addresses must match voter's address on record in the clerk's office.
Signature must be those of Brattleboro registered voters.

Binding Articles

The voters of the town shall have the power to petition for the inclusion in the warning of an article to adopt an ordinance. Such petition shall be signed by at least ten percent (10%) of the voters of the town and shall state that it is to be binding. (Brattleboro Town Charter, Article III Section 2B) The format of the petition shall be in the same format as that for a non-binding article.

Voting on Petitioned Articles

The Charter provides that in the warning "for every town meeting so far as they relate to the election of officers and to referenda and all matters to be acted upon by Australian ballot shall be so acted upon by the voters of the Town. All other articles in the warning for any town meeting shall be acted upon exclusively by town meeting members, including questions on municipal bonding issues."
Australian ballot is the form of balloting where the polls open sometime between 5:00 a.m. and 10:00 a.m. as established by the local

Board of Civil Authority and close at 7:00 p.m. for voting by the general public. Each voter casts their votes on a preprinted ballot that is either counted by hand by election officials or by optic scanning vote tabulating machines. If the article is voted on by Representative Town Meeting the vote is by standing vote and/or voice vote except in the case of bonding articles which are required by law to be by Australian ballot.

Request for Referendum

The voters of the town may petition for a referendum, by Australian ballot of all voters of the town, on a final vote of the representative town meeting. Such petition shall be filed within ten days after the final vote. The selectboard, within fourteen (14) days after the filing of the petition shall call a special town meeting, which shall be held within ten days after the issuing of the call, for the sole purpose of presenting to the voters at large the question or questions involved.

(A) A petition for referendum shall be signed by at least five (5) percent of the voters of the town, or

(B) A petition for referendum shall be signed by at least fifty (50) representative town meeting members.

Sample Petition for Referendum:

Petition of Legal Voters of Brattleboro to the Selectboard

We the undersigned legal voters of the Town of Brattleboro hereby request that the Legislative Body (Selectboard or School board) call a special meeting to have the voters at large revisit the following article(s):

"Article 1. Shall the Town of Brattleboro," then restate the article exactly as it was stated in the original warning.

Request for Reconsideration

The voters of the town may petition for reconsideration by representative town meeting of ordinances adopted by the selectboard.

A petition for reconsideration must be filed within fifteen calendar days after the action to be reconsidered. The selectboard, upon receipt of a petition signed by at least twenty percent (20%) of the voters of the town, shall place the language of the petition for reconsideration on the warning for the town meeting or if needed, shall call a special town meeting for the purpose of reconsideration. (Brattleboro Town Charter, Article III Section 3)

Charter Change by Petition

In order to change the Charter by petition, please consult 17 V.S.A. §2645. Based on this statute, here is a checklist that might be helpful prior to starting circulation of your petition:

□ You must obtain valid signatures from at least 5% of registered voters in the town.

□ When received, the Town Clerk will file and record the petition, at least ten days prior to the first public hearing.

□ Two public hearings must be held by the Selectboard:

- First hearing must be at least 30 days prior to the vote (includes early voting).
- Second hearing must be within ten days of the first public hearing.
- Warnings for both hearings must be circulated by the Selectboard at least 30 days but not more than 40 days prior to the public hearings.

□ The Selectboard must warn the vote for the next annual meeting, primary, or general election after the second public hearing, at least 30 days but not more than 40 days prior to the vote.

Bond Vote

When there is a petition for the proposition of incurring bonded debt to pay for public improvements, the petition requires 10% of the registered voters (24 V.S.A. §1755). For these cases, the warning must state the purpose for which the indebtedness is proposed, the estimated cost of the improvements, and the amount of the bonds proposed to be issued. Thus, the petition should also state these specifics. The form of the bond article is also mandated by statute so petitioners should consult 24 V.S.A. §1755-1758. In Brattleboro, these bonding articles are acted upon by Australian ballot by Representative Town Meeting members, not by the voters at large.

For additional election information contact:

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Vermont Secretary of State's Office
Elections Division
128 State Street
Montpelier, VT 05633-1101
Will Senning, Director of Elections
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www.sec.state.vt.us

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