

TOWN OF DURHAM

Office of the Selectmen · Connecticut 06422

Carl N. Otte
First Selectman

A. Reed Hayes
Selectman

Joel N. Davis
Selectman

MINUTES OF THE BOARD OF SELECTMEN'S MEETING

February 26, 1976

The meeting was called to order at 8:15 P.M. with Carl N. Otte and Joel N. Davis present.

Further suggestions were given regarding the Honor Roll: to add the names of Durham residents who served in the Revolutionary War and/or Spanish-American War to plaques on the Honor Roll in commemoration of the Bicentennial Year. Joel Davis suggested resetting the stones so the plaques can all face forward.

The resignation of Eleanor Carr as the representative of the Durham Democratic Women's Club to the Bicentennial Committee was accepted.
Vote 2-0

Mrs. Patricia Chase was appointed to the Bicentennial Committee to represent the Durham Democratic Women's Club.
Vote 2-0

Finalized plans for the Selectmen's Budget were discussed with Mrs. Betty Wakeman, Finance Board Chairman.

The meeting adjourned at 10 P.M.

R.H.

2-27-76

hjt

REC'D	5-28	1976	AT	A.M. P.M.
ATT:	TOWN CLERK			



Office of Legislative Research

CONNECTICUT
GENERAL ASSEMBLY

4/2/76

File No. 395
(Previously File No. 159)

SSB 17
Elections Committee

AN ACT CONCERNING THE ELECTION AND APPOINTMENT OF MUNICIPAL OFFICERS

SUMMARY: This bill deletes from the minority representation law the procedures for filling vacancies on any elected board, commission, committee or body affected by that law. Under existing law, vacancies in elected or appointed positions must be filled by a member of the same political party as the vacating member. The bill would allow an elected position to be filled by a member of either party unless one party has reached its maximum allowable membership on such body. The bill also authorizes towns to enact, by charter, provisions for greater minority representation.

The bill allows changes by Special Act, as well as by charter, in the method of election of selectmen, and allows chief municipal officers, rather than selectmen, to appoint certain municipal officials. It also makes numerous technical changes relating to the election and appointment of municipal officials to make these sections consistent with and to conform to existing law.

EFFECTIVE DATE: October 1, 1976

CONTENT & OPERATION

Filling Vacancies Under the Minority Representation Law

Existing law requires that any vacancy on an elected or appointed board, commission, committee or body affected by the minority representation law must be filled by a person of the same political party as the vacating member. The bill would eliminate this requirement as applied to elected positions; vacancies in elected terms would be filled by a member of either party as long as the overall minority representation standards contained in the act are not violated.

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CONTENT & OPERATION (Cont'd)

Changes Regarding Election and Appointment of Municipal Officials

This bill allows changes by Special Act, rather than only by charter, in the procedures for election of selectmen. It also authorizes the chief municipal officer of any municipality, rather than the selectmen, to provide for appointment of various town officers in the event that such appointments are not provided for by charter or special act.

The bill also makes election law conform to other more general laws regarding municipal charters by allowing towns to enact, by charter, changes in the election or appointment of municipal officials. Under existing election law, such changes could be accomplished only by Special Act. The bill would allow towns to provide by charter for greater minority representation than is required by the general statutes on elected or appointed boards, commissions, or committees. Existing law does not authorize any type of future enactments regarding minority representation, and does not recognize provisions for minority representation contained in town charters.

This bill removes all references to and all provisions for annual elections for the municipal offices of tax board, assessor, police commissioner, board of finance, and library board. As annual elections are no longer held in Connecticut, these officers, like all elected municipal officials, are elected at regular, biennial municipal elections. The bill also requires that all towns elect a three-member tax board and three assessors, and that these officials serve four-year terms. Under existing law, this structure is required only for towns with biennial elections; however, as all towns now hold biennial elections, this structure is uniformly applied. The bill does not alter the method of rotation of these officers currently in effect in any town.

The bill also makes several technical changes in the language of election laws, including substitution of the term "municipal" for "town," and "legislative body" for "town meeting."

COMMENT: The procedures for filling vacancies in elected offices under the minority representation law were found to be invalid by the Connecticut Superior Court in 1964. The Court found that these procedures can work against the minority representation principle (State v. Tinker).

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COMMENT (Cont'd)

Senate Amendment Schedule "A" amends the minority representation law by removing for elected officials only, rather than for elected or appointed officials, the requirement that any vacancy on a board, commission, committee or body affected by minority representation be filled by a person of the same party as the vacating member. The amendment does not delete a requirement deleted in the original bill regarding filling unexpired terms before full terms on such bodies.