



CITY COUNCIL Agenda Item #18-295

Date: October 3, 2018

Consent Discussion

SUBJECT: First Public Hearing to consider proposed amendment to the City's Charter to add "Subchapter 15 Supplemental Voting Registry"

SUBMITTING DEPARTMENT: City Clerk

RECOMMENDED ACTION: Conduct a public hearing on the proposed amendment to the City's Charter as required under 17 V.S.A. § 2645

RELATED COUNCIL GOAL/PRIOR ACTION: Inclusive, Equitable and Welcoming Community, Responsive and Responsible Government

EXPENDITURE REQUIRED: none

SOURCE OF FUNDS: N/A

LEGAL REQUIREMENTS: Hold charter information meeting as required under 17 V.S.A. § 2645

BACKGROUND INFORMATION: Charter Change is being proposed to expand the municipal voting franchise to include all legal city residents regardless of US citizenship status. Petition was presented to the City Clerk and verified as qualified, as required under 17 V.S.A. § 2645

SUPPORTING DOCUMENTS: proposed charter change language

INTERESTED PARTIES: City Council, Voters, City Clerk

CITY MANAGER'S APPROVAL:

A handwritten signature in black ink, appearing to read "W. Hoffman".

Subchapter 15 Supplemental Voting Registry

§ 5-1501 Eligibility of Non-Citizen Voters

In addition to 17 V.S.A. § 2121, any person may register to vote in Montpelier City elections who, on Election Day:

- (a) is a legal resident of the United States;
- (b) is a resident of the city of Montpelier as defined in 17 V.S.A. § 2122(b);
- (c) has taken the voter's oath; and
- (d) is 18 years of age or more.

§ 5-1502 Supplemental Voter Registry; City Clerk Duties to Maintain

Any non-citizen voter shall be placed on a separate, supplemental voter registry held by the City Clerk. This supplemental voter registry shall be treated and maintained in the same manner as a voter checklist under 17 V.S.A. §§ 2141–et seq. The City Clerk shall develop all necessary forms and procedures for implementation of this subchapter.

§ 5-1503 City Election Ballot

In any election involving: (1) a federal, state, county, special district, or school district office or question; and (2) a city question or city office; the City Clerk shall prepare and provide to any non-citizen voter a ballot that contains only the city questions and candidates.

§ 5-1504 Definitions

- (a) "Legal resident of the United States" means any non-citizen who resides in the United States on a permanent or indefinite basis in compliance with federal immigration laws.
- (b) "Non-citizen voter" means any voter that registers and qualifies to vote in city elections under § 5-1501 but is not a citizen of the United States. A non-citizen voter shall not be eligible to vote on any state or federal candidate or question by virtue of registration under § 5-1501.
- (c) "Supplemental Voter Registry" means a voter checklist populated by voters who qualify under §5-1501 but are not citizens of the United States. Such checklist shall be held separate from any other voter checklist held or maintained by the City.