

**Provisions for a Legislative Charter
To Change the Vote on the Municipal Budget to a Day Other than Town Meeting Day**

The (advisory) article approved at Town Meeting, 2015

The wording that was approved at Town Meeting is:

Shall the Selectboard explore the adoption of a legislative charter for the Town of Charlotte that would authorize the Town to vote its budget by Australian ballot as soon as legally permissible after the voters have bound the Selectboard at the annual Town Meeting?

Warning for Town Meeting Budget Article

In order to avoid a scenario in which the budget is voted on twice, which could create legal problems, the charter can describe a process in which the budget article that gets voted on at Town Meeting is binding in terms of requiring the Selectboard to warn specific budget numbers (expenses and revenues); but the Town Meeting vote would not result in an approved budget. The budget would only be approved after an affirmative vote by Australian ballot.

Potential wording for the Town Meeting budget article might be:

Shall the Selectboard warn an article to be voted by Australian ballot on _____ (date) _____ to adopt the Selectboard's budget of \$ _____ for the fiscal year _____ of which an anticipated sum of \$ _____ shall be raised by taxes and an anticipated sum of \$ _____ will be raised by non-tax revenue?

The charter will need to address other warning requirements; potentially all statutory warning requirements should still apply to Town Meeting, despite the fact the budget vote not will not be final.

Re-vote After a Failed Australian Ballot Vote

The charter would need to provide a process in the event that a budget is voted down in an Australian ballot vote. It seems that, in order to ensure a budget is in place for the start of the next fiscal year (July 1), the charter could indicate that, if a budget fails, the Selectboard shall warn a re-vote by Australian ballot, rather than go back to another

Town Meeting followed by the Australian ballot re-vote. Alternatively, the charter could provide for a reduced warning period for a second Town Meeting and Australian ballot re-vote.

Warning Period

Statute indicates that the warning for Town Meeting must be posted between 30 and 40 days prior to Town Meeting. Statute also indicates that the warning for an Australian ballot re-vote on a revised budget (following a rejected budget) be posted at least seven days prior to the re-vote.

The charter may allow different warning periods, and potentially for combining notices, for example the notices for Town Meeting and the Australian ballot vote. Combining notices could allow the Australian ballot vote to be closer than 30 days from Town Meeting.

Public Informational Hearing

An information hearing is required at least five days prior to the first Australian ballot vote—this hearing requires a posted warning at last 10 days in advance. A revote on a revised budget (following a rejected budget) requires an informational public hearing at least five days after public notice is posted.

The charter will need to address information hearings, and could potentially make the warning requirements more uniform.