



General Assembly

January Session, 2009

Raised Bill No. 1015

LCO No. 3809

03809_____ED_

Referred to Committee on Education

Introduced by:
(ED)

**AN ACT CONCERNING MEMBERS OF LOCAL BOARDS OF
EDUCATION AND REPEALING OF MINORITY REPRESENTATION
REQUIREMENTS FOR BOARDS OF EDUCATION.**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 7-192a of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective July 1, 2009*):

3 (a) No provision of this chapter shall be deemed to empower any
4 municipality to levy or collect any tax not authorized by the general
5 statutes or to adopt a charter, charter amendments or home rule
6 ordinance amendments which shall affect matters concerning
7 qualification and admission of electors; duties and responsibilities of
8 registrars of voters; duties and responsibilities of town clerks with
9 respect to electors, voting and elections; forfeiture of electoral rights
10 and restoration of the same; absentee voting; conduct of and
11 procedures at elections; hours of voting; canvass of electors;
12 preliminary, final and supplementary registry lists; warning of
13 elections; election officials and their duties and responsibilities;
14 election canvass and returns; election contests; corrupt practices;
15 prohibited acts with respect to elections; nomination of candidates;

16 adoption and amendment of party rules; primaries; and political
17 parties and enrollment therein.

18 (b) Notwithstanding any provision of the general statutes or any
19 special act, municipal charter or home rule ordinance, a municipality
20 may, by ordinance adopted by its legislative body, enact provisions
21 authorizing the nomination of nonpartisan candidates to the local or
22 regional board of education for such municipality's school district.

23 Sec. 2. Section 9-204 of the general statutes is repealed and the
24 following is substituted in lieu thereof (*Effective July 1, 2009*):

25 [(a) Unless otherwise provided by special act or charter provision,
26 including the charter provisions described in subsection (b) of this
27 section, when the number of members to be elected to the board of
28 education for the same term at any election is even, no elector shall
29 vote for more than half that number and when the number of members
30 to be elected to the board of education for the same term at any
31 election is odd, no elector shall vote for more than a bare majority of
32 that number.

33 (b) Any charter which (1) provides for the election of the members
34 of a board of education at one town election for the same term, (2)
35 incorporates section 9-167a by reference to determine minority
36 representation for such board of education and (3) makes no reference
37 to the number of candidates for which an elector may vote for such
38 board of education shall be deemed to have set the number of
39 candidates an elector may vote for and the number of candidates who
40 may be endorsed by any political party at the maximum levels
41 specified in the table contained in subdivision (1) of subsection (a) of
42 section 9-167a.]

43 Notwithstanding any provision of the general statutes or any
44 special act, municipal charter or home rule ordinance, there shall be no
45 limit on the number of members of the same political party who may
46 be elected to a board of education.

47 Sec. 3. Subsection (a) of section 9-167a of the general statutes is
48 repealed and the following is substituted in lieu thereof (*Effective July*
49 *1, 2009*):

50 (a) (1) Except as provided in subdivision (2) of this subsection, the
51 maximum number of members of any board, commission, legislative
52 body, committee or similar body of the state or any political
53 subdivision thereof, whether elective or appointive, who may be
54 members of the same political party, shall be as specified in the
55 following table:

	COLUMN I	COLUMN II
	Total Membership	Maximum from One Party
T3	3	2
T4	4	3
T5	5	4
T6	6	4
T7	7	5
T8	8	5
T9	9	6
T10	More than 9	Two-thirds of
T11		total membership

56 (2) The provisions of this section shall not apply (A) to any such
57 board, commission, committee or body whose members are elected
58 wholly or partially on the basis of a geographical division of the state
59 or political subdivision, (B) to a legislative body of a municipality (i)
60 having a town meeting as its legislative body or (ii) for which the
61 charter or a special act, on January 1, 1987, provided otherwise, [or] (C)
62 to the city council of an unconsolidated city within a town and the
63 town council of such town if the town has a town council and a
64 representative town meeting, the town charter provides for some form
65 of minority representation in the election of members of the
66 representative town meeting, and the city has a city council and a body
67 having the attributes of a town meeting, [or] (D) to the board of
68 directors and other officers of any district, as defined in section 7-324,
69 having annual receipts from all sources not in excess of two hundred

70 fifty thousand dollars, or (E) to any board of education.

71 Sec. 4. Section 9-205 of the general statutes is repealed and the
72 following is substituted in lieu thereof (*Effective July 1, 2009*):

73 (a) Any town may, at any time, by ordinance, make the number of
74 its board of education five, seven or eight. If any town which holds
75 biennial town elections, by ordinance, makes the number of its board
76 of education five, seven or eight, at the town election next following
77 such action the terms of office of the members of such board then in
78 office shall expire; and, if the number so chosen is five, such town shall
79 elect three members of such board to hold office for two years and two
80 members to hold office for four years each from the date of election,
81 and, at each town election thereafter, shall elect members of such
82 board in place of the members whose terms expire, each for a term of
83 four years from the date of election. If the number of such board
84 members so chosen is seven, such town shall elect four members to
85 hold office for two years and three members to hold office for four
86 years, each from the date of election, and, at each town election
87 thereafter, shall elect members of such board in place of the members
88 whose terms expire, each for a term of four years from the date of
89 election. If the number of such board members so chosen is eight, such
90 town shall elect four members to hold office for two years and four
91 members to hold office for four years, each from the date of election,
92 and, at each town election thereafter, shall elect members of such
93 board in place of the members whose terms expire, each for a term of
94 four years from the date of election.

95 (b) The provisions of this section shall be in addition to the
96 provisions of [sections] section 9-203 [and 9-204,] and any applicable
97 provision of said [sections] section shall apply to this section.

98 Sec. 5. Sections 9-204a and 9-204b of the general statutes are
99 repealed. (*Effective July 1, 2009*)

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>July 1, 2009</i>	7-192a
Sec. 2	<i>July 1, 2009</i>	9-204
Sec. 3	<i>July 1, 2009</i>	9-167a(a)
Sec. 4	<i>July 1, 2009</i>	9-205
Sec. 5	<i>July 1, 2009</i>	Repealer section

Statement of Purpose:

To authorize towns to provide for nonpartisan boards of education and to repeal the minority representation requirement for boards of education.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]