

Minority Representation on Municipal Boards

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Issue

Provide background information on minority political party representation requirements for local elected boards, including boards of education and finance.

Summary

The law generally requires minority political party representation on governmental bodies of the state, its municipalities, and other political subdivisions. It establishes minority representation requirements under [CGS § 9-167a](#), which has general applicability, and various other provisions of the General Statutes, which apply to specific bodies.

[CGS § 9-167a](#) limits the maximum number of members (generally two-thirds of the total) who may belong to the same political party on most state and local boards, commissions, legislative bodies, committees, and similar bodies, whether elected or appointed. Local boards of finance are subject to the minority representation requirements in [CGS § 9-167a](#).

Other provisions establish minority representation requirements for specific boards or commissions by, among other methods, requiring restrictive voting. Local boards of education are subject to restricted voting, unless they adopt one of three full-voting models authorized under the statutes. In all cases, the resulting membership reflects minority representation (CGS §§ [9-204\(b\)](#), [9-204a](#), [9-204b](#)).

Minority Representation Requirement Under CGS § 9-167a

[CGS § 9-167a](#) limits the maximum number of members who may belong to the same political party on boards, commissions, legislative bodies, committees, or similar bodies, whether elected or appointed. The requirement applies to most governmental bodies of the state, its municipalities, and other political subdivisions. But it exempts a governmental body whose members are elected on the basis of geographical division (e.g., regional boards of education), certain other legislative bodies, and the board of directors of small taxing districts.

In the case of an elective body, once candidates from the same party fill the maximum allowable slots, the highest vote getters from any other party or parties, or independents (candidates who are not affiliated with a political party), fill the remaining positions. The law does not guarantee a minor party representation on the board, however, and the number of parties that candidates represent during an election does not change the requirement.

Table 1 shows the maximums.

Table 1: Minority Representation Requirement

<i>Total Board Membership</i>	<i>Maximum from Same Party Under § 9-167a</i>
3	2
4	3
5	4
6	4
7	5
8	5
9	6
More than 9	2/3 of total membership

Towns may enact a greater degree of minority representation than required by state law through their local charters.

Other Minority Representation Requirements

In addition to [CGS § 9-167a](#), other sections of the General Statutes make explicit requirements for minority representation on other bodies or indirectly ensure minority representation by restricting nominations and the number of candidates for which an elector may vote to a bare majority of the members.

Boards of Selectmen

The composition of a board of selectmen must comply with the minority representation specified in [CGS § 9-167a](#) except when the board has five members, in which case no more than three can be members of the same party ([CGS § 9-188](#)). This exception requires a greater degree of minority representation than the general provision.

Assessors and Boards of Tax Review

Voters can vote for no more than half the number of assessors or members of the board of tax review when the number is even or for no more than a bare majority when the number is odd ([CGS § 9-199](#)). Because parties can nominate no more candidates than the number for which an elector may vote ([CGS § 9-414](#)), the effect is to ensure minority representation among assessors or on the board.

Boards of Education

A separate minority representation provision for boards of education, enacted through the restricted voting mechanism, is required by [CGS § 9-204](#), which is discussed in further detail below.

Constables

In electing its constables (up to seven in each town, except Groton which may elect 14), voters can vote for half, if the number to be elected is even; or a bare majority, when the number is odd ([CGS § 9-200](#)).

Charter Commissions

When a town charter or charter revision commission is authorized, no more than a bare majority of its members can be members of any one political party ([CGS § 7-190](#)).

Local Boards of Education

Unless a town takes action through a charter provision, ordinance, or referendum to permit full voting, state election law establishes a system of restricted voting for local boards of education ([CGS § 9-204\(a\)](#)). Under this provision, when a town elects an even number of board members, a voter may vote for half that number; when it elects an odd number of board members, a voter may vote for the bare majority, or one-half plus one.

Alternatively, towns can establish one of three systems to permit full voting and allow parties to nominate candidates for all the positions to be filled on a board of education.

1. Under [CGS § 9-204\(b\)](#), a town may, under its charter, elect all of its board members at the same election (rather than provide for staggered terms) and apply the minority representation requirements of [CGS § 9-167a](#). The number of candidates that a party can nominate and for whom a voter may vote is set at the maximum levels specified in [CGS § 9-167a](#).
2. Under [CGS § 9-204a](#), a town may adopt a charter provision or pass a referendum that allows:
 - a. political parties to nominate as many candidates as there are board positions to be filled at the election and
 - b. voters to vote for the full number to be elected.

The candidates with the highest number of votes from the same party can be elected to fill half or a bare majority of the offices, then the candidates with the highest number of votes who do not belong to that party fill the remaining offices.

3. Under [CGS § 9-204b](#), a town with board members elected for four-year terms can, by adoption of charter provision or ordinance, use the full voting scheme above for nominating and electing board members. However, the minority representation requirements in [CGS § 9-167a](#) apply, rather than the one-half or bare majority proportions.

Table 2 shows differences in minority representation between the systems.

Table 2: Minority Representation on Local Boards of Education

<i>Total Board Membership</i>	<i>Maximum from Same Party Under § 9-204(b) and § 9-204b (Referencing § 9-167a)</i>	<i>Maximum from Same Party Under § 9-204a</i>
3	2	2
4	3	2
5	4	3
6	4	3
7	5	4
8	5	4
9	6	5
More than 9	2/3 of total membership	1/2 or 1/2 plus one

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