

Office of Legislative Research
Connecticut General Assembly



OLR ACTS AFFECTING

TOWN CLERKS



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Notice to Readers

This report provides brief highlights of public acts affecting town clerks enacted during the 2002 regular and special sessions.

Not all provisions of the acts are included, only those that affect town clerks and the appropriate effective dates for them. We encourage readers to obtain the full text of acts that interest them from the Connecticut State Library, the House Clerk's office, or the General Assembly's website (<http://www.cga.state.ct.us/default.asp>). Complete summaries of all public acts passed during the 2002 regular session will be available in the fall when OLR's *Public Act Summary* book is published, and some are now available on the OLR website (<http://www.cga.state.ct.us/olr/publicactsummaries.asp>).

All acts summarized here are effective October 1, 2002, unless otherwise noted.

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OFFICE OF TOWN CLERK

Obsolete Statutes Repealed

The legislature repealed numerous statutes and portions of statutes, including some relating to town clerks and other municipal officials.

It eliminated the maximum \$50 fine that may be imposed on town clerks who neglect their duties. The law still requires state's attorneys to investigate complaints alleging, among other things, that a clerk was guilty of willful and material neglect or incompetence in performing his duties.

It also eliminated the maximum fines that may be imposed on certain local elected officials for refusing to perform duties.

Specifically, it eliminated the:

1. maximum \$30 fine on elected tax assessors who refuse to be sworn or perform their duties;
2. maximum \$10 fine on any other elected official (except a town clerk) who neglects to perform his duties or declares his intention not to perform them; and
3. \$5 fine on anyone elected to any office who refuses to accept the office and take the required oath. **PA 02-89**

Assistant Town Clerks and Assistant Registrars of Vital Statistics

A new law (1) removes the cap on the number of assistants a town clerk can appoint (previously limited to three) and eliminates a requirement that the town clerk get

a town selectman's approval on such appointments, unless the town charter or ordinance provides otherwise and (2) eliminates a requirement that the registrar of vital statistics get a town selectman's approval when appointing assistants, unless the town charter or ordinance provides otherwise.

EFFECTIVE DATE: January 1, 2003. **PA 02-137**

GOVERNMENT ADMINISTRATION

Dog License Fees

A new law raises, from \$5 to \$7, the annual fee for licensing a neutered male or spayed female dog and allocates the \$2 fee increase from each license to the Animal Population Control Fund. The fund reimburses veterinarians part of the cost of the operation (plus certain pre-surgical immunizations) for participating in the state's program to spay and neuter dogs adopted from pounds. **PA 02-61**

Delinquent Tipping Fees

Resources recovery and solid waste facility owners and operators must notify each municipality served by a solid waste collector when the collector has failed to pay the facility's tipping fees for three consecutive months. **PA 02-116**

Hawker and Peddler Permit Fees

Certain resident veterans will be exempt from paying the fee for a town hawker and peddler permit. The law allows towns to impose a fee up to \$200 for a town hawker and

peddler permit. The new law exempts certain resident veterans from paying the fee, but not the requirement to get a permit. It applies to veterans who (1) served in time of war, (2) have lived in the state for at least two years before applying for a permit, and (3) are themselves the hawk or peddler. To be a “veteran who serves in time of war,” a veteran must have at least 90 days of wartime service, unless separated from service earlier because of a Veterans’ Administration-rated, service-connected disability or the military operation lasted fewer than 90 days and the veteran served for its duration. The law lists which wars qualify as wartime service and when they occurred. **PA 02-137**

Department of Environmental Protection Fees

A wide range of fish and wildlife license and permit fees will increase, including those for sport hunting and fishing and various types of commercial fishing as shown in Table 1, some of which are collected by town clerks.

Table 1: Prior and New Fees

PA Section	License or Permit	Prior	New
84	Resident firearms hunting	\$10	\$14
84	Resident fishing	15	20
84	Resident combination firearms hunting and fishing	21	28
84	Resident trapping	20	25

PA Section	License or Permit	Prior	New
84	Nonresident firearms hunting	42	67
84	Nonresident fishing	25	40
84	Nonresident fishing for three consecutive days	8	16
84	Nonresident combination firearms hunting and fishing	55	88
85	Duplicate license to hunt, hunt and trap, or fish	5	7
86	Hunt fox or rabbits with organized pack of 10 or more hounds	25	35
87	Game breeder's license	15	21
88	Raw fur buyer - resident or nonresident	30	42
88	Resident raw fur buyer's authorized agent	20	28
89	Bait dealer	20	50
90	Nuisance wildlife controller	100	200
91	Regulated private shooting preserve	35	50
92	Turkey permit, tag, or stamp	10	14

PA Section	License or Permit	Prior	New
92	Migratory game bird permit, tag, or stamp	2	3
92	Pheasant permit, tag, or stamp	10	14
92	Salmon permit, tag, or stamp	20	28
92	Wild turkey hunting permit	10	14
93	Hunting dog training permit	10	14
94	Field dog trial permit	5	7
95	Field dog trial where game will be shot		
	On state-owned land	20	28
	On private land	10	14
96	Taxidermy	60	84
97	Collect shellfish, crustaceans, and wildlife for scientific and educational purposes	10	20
98	Deer hunting with firearm		
	Resident	10	14
	Nonresident	30	50
99	Deer or small game hunting with bow and arrow		
	Resident	22	30
	Nonresident	44	100

PA Section	License or Permit	Prior	New
100	Remove fish from private waters	50	70
101	Commercial blue crab	50	75
101	Take lobsters for personal use	50	60
101	Take lobsters, crabs (other than blue crabs), squid, sea scallops, and finfish by use of more than 10 lobster pots; by otter, balloon, or beam trawl; by sea scallop dredge; or similar device		
	Resident	150	225
	Nonresident	225	1,250

PA Section	License or Permit	Prior	New
101	Register each pound net to take finfish	100	225
101	Resident (1) taking finfish other than shad or bait species by various devices for commercial purposes; (2) in any waters seaward of the inland demarcation line, taking such fish by hook or line for commercial purposes; or (3) taking horseshoe crabs by hand	50	150
101	Resident taking any fish for commercial purposes by hook and line in excess of creel limit	100	300
101	Take bait species by various means in the inland or marine district for commercial purposes	20	50

PA Section	License or Permit	Prior	New
101	Buy finfish, lobsters, crabs, sea scallops, squid, or bait species from commercial fishermen for resale	25	200
101	Fishing party boat, head boat, charter boat registration	25	250
101	Land finfish, lobsters, crabs, sea scallops, squid, or bait species	225	400

EFFECTIVE DATE: January 1, 2003. **PA 02-1, May 9 Special Session**

Hunting and Fishing Guide Licenses

A new law will eliminate licenses for hunting and fishing guides and their authorized assistants. The fees were \$100 for a guide's license and \$50 for an assistant's license.

EFFECTIVE DATE: January 1, 2003. **PA 02-1, May 9 Special Session**

RECORDS ADMINISTRATION

Scanning Public Records

The legislature approved a law that gives members of the public the right to copy public records using hand-held scanners. They can use a battery operated electronic scanning device that leaves no

marks or impressions on the record and that does not unreasonably interfere with the operations of the agency that maintains the record. It allows public agencies to establish a fee of up to \$10 for this purpose. The new law requires each municipal agency to waive all copying fees for the municipality's elected officials who certify that the records pertain to their official duties. By law, state agencies can charge up to 25 cents per page for copies and municipal agencies can charge up to 50 cents. **PA 02-137**

Land Records

By law, a real estate conveyance must be recorded on the land records of the town where the real estate is located to be effective against anyone other than the grantor and his heirs. (In real estate law, the person conveying title or some other interest in real estate is called a grantor, and the person receiving the title or other interest is called a grantee.) A new law specifies that a conveyance that is otherwise effective and properly recorded before, on, or after October 1, 2002, is not invalid or unenforceable merely because the original documents evidencing it are converted into digital or electronic form, lost, or destroyed after the town clerk records it.

The law requires each town clerk, within five days after receiving an instrument for recording, to enter the names of all the grantors in a grantor index and all the grantees in a grantee index, in alphabetical order, and cross-indexed as to the party first identified as grantor or grantee on the instrument; the nature of the instrument; and the date of its

receipt as endorsed upon the recorded instrument. Attorneys and others use this index to conduct title searches.

The new law specifies that if an instrument is a grant or assignment of a mortgage to a party it designates as the nominee for another, the nominee is deemed to be the grantee of the mortgage or assignment. Thus, it requires town clerks to record the nominee's name in the grantee index. A "nominee" is someone who is designated to act in someone else's place, usually in a limited way. **PA 02-66**

The Connecticut Uniform Electronic Transactions Act

The legislature adopted a version of the Uniform Electronic Transaction Act (UETA), which the National Conference of Commissioners on Uniform State Laws adopted on July 29, 1999. UETA provides uniform rules governing electronic commerce transactions.

The new law, referred to as "CUETA," (Connecticut UETA) establishes a legal foundation for the use of electronic communications in transactions where the parties have agreed to conduct business electronically. It validates the use of electronic records and signatures and places electronic commerce and paper-based commerce on the same legal footing. An "electronic record" is one created, generated, sent, communicated, received, or stored by electronic means. E-mails, faxes, and Internet messaging are examples of electronic records. "Electronic signatures" are electronic sounds, symbols, or processes that people attach to or

logically associate with a record to indicate their signature.

The new law supersedes and repeals the electronic records and signature law enacted in 1999.

Scope (§§ 2 - 5)

The act governs transactions in electronic commerce when parties have agreed to transact business electronically. Parties have a right to refuse to transact business electronically.

The act applies to transactions subject to E-SIGN, but it does not limit, notify, or supersede E-SIGN's consumer disclosure provisions (15 USC 7001(c)) regarding such matters as consent to use electronic records and record retention.

Except where it provides otherwise, the act establishes default rules that apply unless the parties to a transaction make other arrangements.

The act applies to electronic records and signatures created, generated, sent, communicated, received, or stored on and after October 1, 2002. "Transaction" means an action or set of actions involving two or more people relating to business, consumer, commercial, charitable, or governmental affairs.

Transactions covered under the act are subject to other applicable substantive law.

The act does not apply to:

1. wills, codicils, or testamentary trusts if other laws apply;
2. transactions covered by the state's Uniform Commercial Code (UCC), except the rights of parties after a breach of contract, the statute of frauds, and sales;

3. most land transactions;
4. court practices and procedures in the Connecticut Practice Book;
5. utility termination notices, including water, gas, cable television or other services, electric, heat, oil, and telephone services; or
6. documents required in transporting or handling hazardous materials, pesticides, or other toxic or dangerous materials.

The act applies to the following only if they are subject to E-SIGN:

1. notice that health or health insurance benefits or life insurance are being cancelled or terminated, other than with respect to annuities;
2. recall notices of products that could endanger health or safety;
3. notice of the material failure of products that could endanger health or safety; or
4. notice of eviction, foreclosure, repossession, acceleration, default, or the right to cure, under a rental or credit agreement secured by someone's primary residence.

Legal Recognition Of Electronic Records, Signatures, And Contracts (§§ 7, 5 (D) And (E), and 13)

The act:

1. prohibits a record or signature from being denied legal effect or enforceability solely because it is in electronic form,
2. prohibits a contract from being denied legal effect or enforceability solely because an electronic record was used in its formation,

3. specifies that an electronic record satisfies a law that requires a record to be in writing,
4. specifies that an electronic signature satisfies a law that requires a signature, and
5. prohibits electronic records from being denied admissibility into evidence solely because they are electronic.

The act and other applicable law determine whether an electronic record or signature has legal consequences. Unless the act states otherwise, parties to a transaction may vary the effect of its provisions.

Notarization And Acknowledgement
(§ 11)

The act permits a notary and other officers authorized to acknowledge, verify, or take a statement made under oath to act electronically, effectively removing requirements for a stamp or a seal. The notary's or officer's electronic signature, together with all other information required by law, must be attached or logically associated with the electronic record.

Retaining Electronic Records (§ 12)

The act validates electronic records as originals when the law requires retention of the original. Specifically, an electronic record that accurately reproduces information required by law and that is accessible at a later time satisfies legal requirements for a record to be retained, unless a law passed after October 1, 2002 prohibits the use of an electronic record. An electronic record of a

check is valid only if the information on the front and back of the check is recorded. The act does not preclude a state or local government agency located in Connecticut from imposing additional retention requirements. Any additional requirements are subject to the record retention schedule established by the state librarian or public records administrator.

A third party may be used to retain records.

Government Records (§§ 17 and 18)

The act does not require a state or local government agency or entity to use or permit the use of electronic records or signatures. But if an agency decides to use or allow them, it must determine whether, and to what extent, it will: (1) create and retain electronic records, (2) convert written records to electronic records, (3) send and accept electronic records and signatures, and (4) communicate and use and rely upon electronic records and signatures. But any law passed after October 1, 2002 that prohibits the use of electronic records for evidentiary, audit, or like purposes will prevent a governmental agency from retaining them in electronic form. State agency decisions regarding the retention and destruction of public records are subject to the laws giving the state librarian and the public records administrator retention authority over all public records.

If a state executive branch agency uses electronic records and signatures, the act authorizes the Department of Information Technology (DOIT), after considering security, to adopt regulations specifying:

1. how the electronic records will be created, generated, sent, communicated, received, and stored and the systems established for this purpose;
2. acceptable types of electronic signatures, the manner and format for affixing the signature to the record, how to identify any third party assisting someone to file an electronic record, and any criteria the third party must meet;
3. how the records will be preserved, disposed of, secured, and audited and how their integrity and confidentiality will be maintained; and
4. any other requirements concerning non-electronic records that apply to electronic records. **PA 02-68**

Statutory Oaths And The Validation Of Certain Marriages

A new law modernizes the language in oaths people take as:

1. attorneys;
2. civil, criminal, and potential jurors;
3. witnesses;
4. court interpreters;
5. town assessors;
6. plaintiffs, when directing an indifferent person to serve a writ immediately; and
7. required in circumstances not otherwise covered by a specific oath.

It includes in each of these oaths language requiring people who choose to affirm, rather than solemnly swear the oath, to state that they are doing so solemnly and sincerely. It also requires all who

take these oaths to state that they are swearing or affirming upon penalty of perjury. (Perjury is a class D felony, punishable by one to five years in prison, a fine of up to \$5,000, or both.) It also authorizes judge trial referees to administer oaths.

The legislature also took action to validate all marriages performed between April 27, 2001 and the date of the new law's passage (June 3, 2002) that would have been valid except that they were (1) performed by justices of the peace who did not have valid certificates of qualification or (2) not performed in the towns that issued the marriage licenses.

The new law also validates, regardless of the date of the ceremony, marriages performed by a person who failed to return the marriage license certificate to the registrar as required by law. In that circumstance, the persons joined in marriage must provide the registrar with a notarized affidavit stating that they were married and the date and place of the marriage. When the registrar records the affidavit, the marriage is deemed valid retroactive to the marital date contained in the affidavit.

Recorded affidavits are given the same evidentiary weight under the act as is accorded by law to marriage license certificates (i.e., there is a legal presumption that the facts they recite are true).

EFFECTIVE DATE: October 1, 2002 for the provisions concerning oaths; on passage for the marriage validations. **PA 02-71**

Credit Unions

A new law will require a Connecticut credit union converting to a federal credit union to record in the town clerk's office copies (certified by the secretary of the state) of the certificate stating the conversion and the banking commissioner's approval. The credit union must record the copies within 90 days after receiving its federal credit union charter in each Connecticut town where it owns property. It will impose a similar recording provision on (1) a federal or out-of-state credit union that converts to a Connecticut credit union and (2) a Connecticut credit union that converts to a mutual Connecticut bank. **PA 02-73 (Sections 68-70)**

Affordable Housing Land Use Appeals Procedure

A new law adds deed-restricted mobile manufactured homes and accessory ("in-law") apartments to the list of affordable housing units that count toward a town earning an exemption from the appeals procedure. The deed restriction must be recorded on the land record and for at least 10 years require the units to be sold or rented at prices so that low- and moderate-income individuals or families will pay no more than 30% of their income for them. It requires the economic and community development commissioner to produce, pursuant to regulations, model deed restrictions that satisfy these requirements.

Mobile Homes And Accessory Apartments

To count toward an appeals procedure exemption, mobile homes must be located in a mobile home park, and accessory apartments must be "legally approved," presumably through local zoning procedures.

Deed Restriction Changes

Removes Owner-Occupied Requirement for Local Tax Credits. The new law will expand eligibility for local property tax credits by eliminating a requirement that property owners live on the property. Under prior law, a town could adopt an ordinance providing such credits only to owner-occupants of single-family or multi-family dwellings who placed long-term affordable housing deed restrictions on their dwellings. By law, the deed restrictions must be covenants or restrictions filed on the land record requiring the dwellings to be sold or rented only to people whose income is 80% or less of the area or state median income, whichever is less. The restriction must last 40 years and cannot be revoked by the owner or subsequent owner.

Binding and Recorded Restrictions. The new law specifies that to count toward the procedure exemption, deed restrictions to keep units affordable must be binding and recorded on the land record.

Fee Waiver. The new law permits towns to waive any filing fee for affordability deed restrictions on town land records. **PA 02-87**

FREEDOM OF INFORMATION

Nondisclosure Of Information Of Employees Of The Commission On Human Rights And Opportunities

A new law adds members and employees of the Commission on Human Rights and Opportunities to the list of federal, state, and local employees whose home addresses state and local agencies cannot disclose to the public. Their business addresses remain open to disclosure. The prohibition does not apply to personal information in Department of Motor Vehicle records, which is disclosable to governmental agencies and anyone else who agrees to use it for specified limited purposes.

Other exempt employees are federal and state court judges and magistrates, state and municipal police officers, departments of Correction and Children and Families employees, past or present state prosecutors and public defenders, Criminal Justice Division inspectors, judicial employees, firefighters, and Parole Board members and employees. **PA 02-53**

Water Supply Plans And Water Diversions

Water companies will be required to give the Public Health Department sabotage prevention and response procedures separate from their water supply plans and makes these plans confidential and exempts them from disclosure under the Freedom of Information Act (FOIA). The new law specifically exempts from disclosure procedures established by municipally owned water companies. **PA 02-102**

The Definition of "Caucus"

The legislature expanded the definition of a caucus under the exemptions to the FOIA's open meeting requirements. The change allows members of a public agency to register with either the secretary of the state or town clerk their intention to act as a caucus, regardless of their political party affiliation, and thereby meet without being subject to the open meeting provisions of the Freedom of Information Act. The agency members who decide to form either a majority or minority caucus must register with:

1. the secretary of the state, if the agency is a state agency;
2. the town clerk or clerk of a political subdivision, if the agency is a local agency; or
3. the town clerk in each town of a multi-town district or agency, such as a regional school district.

Each agency member is restricted to registering in only one caucus at a time. A member cannot change his caucus affiliation for FOIA purposes for the duration of his term of office and he retains his caucus membership regardless of any change in his political party enrollment.

EFFECTIVE DATE: Upon passage. **PA 02-130**

Security Information

By law, the public works commissioner and the chief court administrator can direct public agencies to withhold certain security-related records about buildings and facilities under their management or control from members of the public who request

disclosure under FOIA. (The correction and mental health and addiction services commissioners can keep confidential similar records relating to their facilities.)

A new law gives the Legislative Management Committee's executive director the same authority with respect to buildings and facilities under her management or control. Agencies that receive requests for such records must notify the executive director in the same way they currently notify other officials.

The new legislation broadens the public works commissioner's authority; allowing him to decide whether to disclose security-related records of all state executive branch agencies, municipalities, and districts and regional agencies. He must consult with the head of each such agency before deciding on records for buildings and facilities under his management or control.

The new law specifies that the authority of the public works commissioner, chief court administrator, and Legislative Management Committee's executive director to keep these records confidential does not affect law enforcement agencies' ability to access them. These officials must provide copies of records to law enforcement agencies that ask for them.

Exempt Records

The new law exempts the following records from disclosure under the FOIA if reasonable grounds exist to believe their release could pose a safety risk, including harm to anyone or any facility or equipment owned or leased by the state; a town; public service company; certified

telecommunications provider; or municipal gas, electric, or water services utility:

1. engineering and architectural drawings;
2. security systems' operational specifications (except a general description, cost, and quality of such a system);
3. training manuals that describe security procedures, emergency plans, or security equipment;
4. internal security audits; and
5. logs or other documents containing information on security personnel movement or assignments.

The new law also exempts, under the same circumstances, (1) security manuals, (2) emergency plans and emergency recovery or response plans, and (3) staff meeting minutes or records, or portions of them, that contain or reveal security information or otherwise exempt records.

Notification

When a public agency, other than the Judicial Department and the Division of Criminal Justice, receives a request for a public record covered under the act, it must promptly notify the public works commissioner or the Legislative Management executive director, in the case of legislative records, in the manner he prescribes. The commissioner or director can deny the request if the act exempts the record from disclosure. The new law makes the public works commissioner, rather than the executive branch agency, municipality, or district or regional

agency, as the case may be, the defendant in any appeal by an aggrieved party to the Freedom of Information Commission. **PA 02-133**

Military Discharge Documents

Under this new law, public agencies must keep military discharge documents, with a few exceptions, apart from other records and confidential for at least 75 years after the date they are filed. The change allows veterans or their designees to file military discharge documents related to the business of a town or other public agency with the town clerk or the agency. It requires the town or agency, as the case maybe, to keep the documents apart from other records and confidential for at least 75 years after the date they are filed. The retention requirement does not apply to the State Library Board or state librarian. It applies to military documents, other than those recorded on land records, filed before, on, and after October 1, 2002. It applies to land records filed only on and after that date. "Military discharge documents" are those that contain personal information and that evidence a veteran's discharge or retirement from the U.S. Army, Navy, Marine Corps, Coast Guard, or Air Force. "Veteran" means a person honorably discharged from active service or the reserves.

Public agencies must make these records available at all times to:

1. the veteran subject of the record or the conservator of his estate or person;
2. the public, if the information is necessary to or helpful in establishing a veteran's eligibility for any local, state,

- or federal benefit or program; or
3. people who need the information to provide a benefit to, or acquire a benefit for, the veteran or his estate, if they submit satisfactory evidence of the need to the agency;
4. the state librarian in the performance of his duties; or
5. a state-incorporated or -authorized genealogical society or its members. **PA 02-137**

ELECTIONS

Mail-In Voter Registration Receipt and a Voter's Bill of Rights

A new law (1) creates a receipt for people who register to vote using the so-called "mail-in" voter registration application form provided by the Department of Motor Vehicles (DMV) or a state voter registration agency and (2) permits a person to vote whose name is not on the official checklist but who has such a receipt and identification.

The secretary of the state will provide a poster for each polling place that states the Voter's Bill of Rights.

EFFECTIVE DATE: The provisions on the voter registration receipt are effective January 1, 2003, and on the Voter's Bill of Rights upon passage.

Agency Voter Registration Receipt

The DMV and any other voter registration agency will provide a receipt for voter registration applications they receive when the applicant applies there, either in

person or by mail. The secretary of the state must approve the receipt form, which the department or agency must stamp with its name and the date it receives the application.

The new law will allow a person appearing at a polling place whose name is not on the official checklist on election or primary day to vote if (1) the voter presents the receipt to the moderator, (2) a registrar finds the original application or the person completes another one, and (3) the voter provides proper identification. The voter must show his Social Security card or other form of identification that has his name and signature or photograph. He cannot simply sign the statement attesting to his identification; other voters with no identification can do this under existing law. The voter's name is added to the list and he must be permitted to vote. The law already allowed a person to vote when his name is not on the list if he presents the notice of acceptance that he received from the registrars.

Under the new law, the mail-in voter registration application form must include a notice that the applicant should contact the registrars of voters where he lives if he does not receive a notice of acceptance or rejection for his application.

"Voter registration agency" includes offices that provide public assistance such as Food Stamps and Medicaid, all offices that provide state-funded programs that serve primarily people with disabilities, libraries open to the public, and other appropriate offices designated by the secretary of the state. Offices that provide services to people with disabilities can include agencies providing vocational rehabilitation,

job training, education counseling, or independent living services. A state-funded agency primarily providing in-home services to people with disabilities must also provide voter registration services there.

Voter's Bill Of Rights

The secretary of the state will distribute to municipalities posters listing the Voter's Bill of Rights. The posters must be at least 18" by 24" and be conspicuously placed in every polling place. The new law includes the wording of the Voter's Bill of Rights that inform voters that they have the right to:

1. inspect a sample ballot,
2. receive instruction on how to operate voting equipment,
3. cast a ballot as long as they are in line to vote when the polls close,
4. ask for and receive assistance,
5. vote free from coercion or intimidation, and
6. cast a ballot using equipment that accurately counts all votes.

The poster must be printed and assistance given in a language other than English where federal and state law requires ballots to be available in another language.

The new law also specifies that anyone waiting in line when the polls close must be allowed to cast a ballot. **PA 02-83**

Eligibility to Vote at a Town Meeting

Under the law, those who can vote at a town meeting are: registered voters and citizens who are at least 18 years old who own property in the town assessed at

\$1,000 or more. A new law specifies that the “citizens” must be U.S. citizens.

EFFECTIVE DATE: Upon passage. **PA 02-130**

The Statewide Centralized Voter Registry List

The act eliminates the secretary of the state’s authority to use up to \$700,000 from the Commercial Recording Account in FYs 2001-02 and 2002-03 to implement the statewide centralized voter registration system.

EFFECTIVE DATE: Upon passage. **PA 02-1, May 9 Special Session**

MUNICIPAL EMPLOYEES

Board of Assessment Appeals

Under a new law, municipal legislative bodies can appoint additional members to the board of assessment appeals in any year, not just in the year when, before, or after revaluation becomes effective.

EFFECTIVE DATE: Upon passage. **PA 02-49**

Municipal Employees’ Service On Municipal Boards And Commissions

A new law expands the number of municipal offices that a municipal employee can hold if the town adopts an ordinance to permit it. It allows municipalities to adopt an ordinance allowing their employees to serve on bodies (1) exercising planning, zoning, or land use powers and (2) regulating inland wetlands and watercourses. Prior law banned all municipal employees from serving on these boards and a

board of finance unless (1) the town’s charter or home rule ordinance allows it or (2) the employee serves on these boards because of his membership on the town’s legislative body. The prohibition on service on a finance board or a governmental body that directly supervises the employee still applies. The legislation also removes the ban on salaried municipal officeholders’ service on a planning commission if the town has adopted the ordinance described here. **PA 02-83**

MJ:ts