

GUIDE to POLITICAL PARTY ORGANIZATION in VERMONT

In each odd-numbered year, Vermont voters must organize, or re-organize political parties at the town, county and state levels. 17 V.S.A. §§2301-2320. The following is a summary of the process.

1. The state chair of each of Vermont's major political parties (Democratic, Progressive, and Republican parties for 2003-2005) and minor parties (Constitution, Libertarian, Liberty Union and Vermont Green) begins the process by setting a date for town caucuses. Each caucus must be held on the date set by the state chair, and that date must be between September 10 and September 30 inclusive. The state chair's notice must be mailed to each town clerk and to each town chair at least 14 days before the date of the caucus, and must also be published in at least two newspapers having general circulation in the state. (17 V.S.A. §2302) Each party must proceed to organize in towns throughout the state. To achieve the status of a major party, in addition to having had at least one statewide candidate receive at least 5% of the votes for that office in the last general election, the party must have organized in at least fifteen (15) towns by January 1, 2006. (17 V.S.A. §2103(23) and §2313) To become or remain a minor party, the state party certificate must indicate that the party has organized in at least ten (10) towns. (17 V.S.A. §2381(b))
2. Next, the town chair warns the date, place, time and purpose of the caucus. The town chair must post the notice in the town clerk's office and in at least one other public place in town, and in towns with population greater than 1,000, the town chair must also publish the notice in a newspaper having general circulation in the town. When there is no present chair (usually when the party has not been organized in town before or the chair has moved to a new town), three voters of the party may take over the warning duties, with one of their number designated to perform the duties of town chair. The caucus must be held in a public place within the town. Although "public place" is not defined in the law, a reasonable reading would permit the caucus to be held at any stated location where the general public is welcome. It should be a place that is both familiar to voters in town and accessible to them. However, in very small towns, a house could be used, if it meets these criteria and if no other public space is available. (17 V.S.A. §2303)
3. At the time set for the caucus, voters of the party in the town meet and proceed to elect a town committee to serve for the following two years or until their successors are elected. The most recent town checklist should be used to determine who may participate. There is no set number of committee members. The number is determined by each town caucus. Election to the town committee gives members the right to vote on matters before the committee. The statute allows "voters of the party residing in town" to participate in the caucus. The statute does not provide a litmus test for party voter status or grant any authority to any person to limit participation of others on some doctrinal or other test. As elections are by secret ballot in Vermont, who can say who is a voter of the party. If a voter appears at the caucus door, and his or her name appears on the checklist, the voter should be permitted to enter. No voter, however, is permitted by the law to participate in more than one town party caucus or to simultaneously hold membership on the committees of more than one political party. (17 V.S.A. §§2304, 2317)
4. Immediately after the town committee has been elected, the first meeting of the town committee must be held. The principal responsibility of the town committee is to elect officers and to elect delegates to the county committee. The number of county committee members a town committee is entitled to elect is established by the state committee on the basis of the number of votes cast for the party's candidate for governor in the last election. Each town committee has a right to elect at least two county committee members. Delegates need not be town committee members, although they must be voters residing in the town. The officers of the town committee must include a chair, vice chair, secretary, treasurer and assistant treasurer. They need not be elected members of the town committee to be elected as officers, although they become members after they are elected. Each officer position must be filled. The minimum number of voters to form a committee is three. A person may serve in more than one office, but the same person cannot serve as chair and vice-chair, or as treasurer and vice-treasurer. If there is a contest for nomination, recommendation, or election to any office or position at any committee level, the law requires that a secret ballot be used. (17 V.S.A. §§2305, 2316)

Guide to Political Party Organization in Vermont, continued

5. Within 72 hours of the town caucus, the chair and secretary of the town committee must mail a copy of the notice calling the caucus and a certified list of names and addresses of officers and members of the town committee to (1) the Secretary of State, (2) the state party chair (3) the county party chair and (4) the town clerk. A major party is not considered organized until it has filed the material required by this section. (17 V.S.A. §2311) A minor party can choose not to organize at the county level and have delegates from town committees to a state committee. (17 V.S.A. §2318)
6. The county committee must then meet on a date set by the state chair (no more than 30 days after the date of the town caucus). The state chair must notify the county chairs of this date and must also publish notice in at least two newspapers with general circulation in the state. The incumbent county chair (the chair elected two years ago) continues to serve until the first organizational meeting. The chair sets the hour and place of the meeting and notifies all delegates by mail not less than 10 days before the meeting. The county committee elects its own five officers and delegates to the state committee. Delegates to the state committee include the chair of the county committee, and at least two additional members, one male and one female, elected by the county committee. Elected delegates need not be county committee members, although they must be voters of the county. (17 V.S.A. §§2309, 2310, and 2314)
7. Within 72 hours of the first meeting of the county committee, its chair and secretary must mail a copy of the notice calling the meeting and a certified list of the names and mailing addresses of the officers of the county committee and the delegates to the state committee to the: (1) Secretary of State, (2) county clerk and (3) chair of the state party. A county committee is not considered organized until it has filed the material required with these officials. Please attach copies of the county bylaws, if there are any. (17 V.S.A. §§ 2311, 2315)
8. Not less than 15 days nor more than 30 days after the county committee meeting, the state committee must meet at a time, place and date set by the state chair. The state chair is required to notify all members of the state committee in writing at least seven days before the meeting date. The state committee of the party also elects officers. (17 V.S.A. §§2312 and 2314)
9. Within 10 days of the first meeting of the state committee, the chair and secretary must file the certification form stating that the party has elected officers and completed its organization in at least fifteen towns for major party status (17 V.S.A. §2314) and at least 10 towns for minor parties (17 V.S.A. §2381(b)) in substantial compliance with the law, including all required filings. The certificate must include the names and addresses of all the officers and all members of the state committee including the counties they represent. A copy of the notice calling the first meeting of the state committee must also be filed with the certification. The rules or by-laws of the state party must also be filed. The Secretary of State will notify all state chairs when their filings are complete or, if they are incomplete, what is needed to complete certification. (17 V.S.A. §2313, 2315)
10. Every committee of a political party is authorized to adopt rules and bylaws consistent with law. Every rule or bylaw may be amended by simple majority vote of those present and voting at any meeting of the committee, provided that written notice of the proposed amendment is given to all committee members at least seven days prior to the meeting. All rules, bylaws and amendments must be filed with the Secretary of State, and the copies so filed with the Secretary of State shall be the official copies. (17 V.S.A. §2315)

For additional information please see the excerpt of Chapter 45 from the Vermont Statutes Annotated or call the Elections Division of the Secretary of State's Office at 1 (800) 439-8683.

STATUTORY DUTIES OF TOWN CHAIRS

(These statutes are subject to change in the 2006 legislative session.)

For Party Organization or Party Reorganization (in odd-numbered years):

1. Calls a caucus for the purpose of organizing a town committee between September 10 and September 30 of every odd-numbered year, on a date specified by the chair of the state committee. Posts a notice containing the date, time, place and purpose of the caucus at least five (5) days before the caucus at the town clerk's office and at least one other public place in town. In towns of 1,000 or more population, the notice must also be published in a newspaper having general circulation in the town. 17 V.S.A. §2303
2. Presides at the caucus to elect the town committee until a new town chair is elected. 17 V.S.A. §2304
3. Convenes first meeting of the town committee immediately following the caucus. 17 V.S.A. §2305
4. With the secretary of the town committee, sends to the secretary of state, the chair of the county committee, the state chair, and the town clerk a copy of the notice calling the caucus, the certification form listing of town committee members and delegates to the county committee. This form must be signed by the chair and secretary and mailed within 72 hours following the town caucus. 17 V.S.A. §2307

For nomination of Justices of the Peace by Political Parties in Election years (even-numbered years):

1. Calls a caucus to nominate candidates for justice of the peace on or before the first Tuesday in September in even-numbered years. 17 V.S.A. §2413(a) Posts a notice containing the date, time, place and purpose of the caucus at least seven days before the caucus in at least three public places in town. In towns of 1,000 or more population, it must also be published in a newspaper having general circulation in the town not less than three days before the caucus. 17 V.S.A. §2413(d)
2. Before filing the statement of nomination for justices of the peace with the town clerk, checks with each nominee and confirms that each one consents to having his or her name printed on the ballot for that position and to serve if elected. 17 V.S.A. §2385(e)
3. Files with the town clerk not more than 60 days before the day of the general election and not later than the third day following the primary election (17 V.S.A. §§2386, 2387) a signed statement of nomination of the justices of the peace and a copy of the notice calling the meeting. 17 V.S.A. §2385(a)
4. If a caucus to nominate justices of the peace is not held, the town chair must call a meeting of the town committee to nominate candidates. 17 V.S.A. § 2413(b) This meeting must follow the procedures outlined in 17 V.S.A. §2381-2387 The town chair sets the date, time and place of the committee meeting and must give not less than five (5) days notice in writing, specifically stating that justices of the peace are to be nominated, to all committee members. 17 V.S.A. §2383

In Election years (even-numbered years):

1. Serves as a delegate to the state platform convention in even numbered years. 17 V.S.A. §2320

Duties performed as needed:

1. Calls meetings to nominate candidates to fill a vacancy in the office of justice of the peace (17 V.S.A. §2623) by notifying all committee members in writing not less than five days before the date of the meeting and stating on the notice the specific office for which the nomination is to be made. 17 V.S.A. §2383 Submits the names of candidates to the governor, who makes the appointment. 17 V.S.A. §2623
2. Carries out the duties of a town committee chair as delegated by the state party, by calling town committee meetings throughout the year as necessary to transact the business of the party.
3. Makes sure the town committee treasurer provides campaign finance information to the State Party Chair (NOT to our office). 17 V.S.A. §2831

STATUTORY DUTIES OF COUNTY CHAIRS

These statutes are subject to change in the 2006 legislative session

For Party Organization or Party Reorganization (in odd-numbered years):

1. Calls a county committee meeting in September of odd-numbered years for the purpose of organizing a county committee on a date set by the state chair (not more than 30 days after the town caucuses). Sets the hour and place of the meeting and notify all delegates-elect by mail not less than 10 days before the meeting. 17 V.S.A. §2309
2. With the secretary of the county committee, sends to the secretary of state, the county clerk and the state party chair a certified list of names and mailing addresses of county committee officers and delegates to the state committee along with a copy of the notice calling the meeting (within 72 hours of the first meeting of the county committee). 17 V.S.A. §2311

In Election years (even-numbered years):

1. Serves on the state committee. 17 V.S.A. §2310
2. In election years, with the county clerk, serves on the county canvassing committee and with the senatorial district clerk (usually the county clerk), serves on the senatorial canvassing committee to receive and tally returns and issues certificates for all county and senate offices (except Justices of the Peace) and all county wide questions. 17 V.S.A. §2592 (b), (c) These canvassing committees shall meet at 10:00 a.m. on the third day following the primary election, 17 V.S.A. §2368, and at 10:00 a.m. one week following the general election. 17 V.S.A. §2592 (g)
3. Serves as a delegate to state platform convention in election years. 17 V.S.A. §2320

Duties performed as needed:

1. May call the first meeting of a probate district committee when necessary by giving seven days written notice to all other members. 17 V.S.A. §2323
2. Calls county committee meetings to fill a vacancy in any county office on the general election ballot caused by the death, removal or withdrawal of a candidate or the failure of the party to nominate a candidate by primary. 17 V.S.A. §§2381, 2382 Calls county committee meeting to fill any other vacancy in county offices and recommends names of candidates to the governor. (The governor is not bound by the recommendation.) 17 V.S.A. § 2623 Notifies all county committee members in writing not less than five days before the date of the meeting, and states on the notice the specific office for which the nomination is to be made. 17 V.S.A. §2383
3. Carries out the duties of a county committee chair as delegated by the state party by calling county committee meetings throughout the year as necessary to transact the business of the party.
4. Makes sure the county treasurer provides campaign finance information to the State Party Chair (NOT to our office). 17 V.S.A. §2831.

STATUTORY DUTIES OF STATE CHAIRS

These statutes are subject to change in the 2006 legislative session.

For Party Organization or Party Reorganization (in odd-numbered years):

1. Sets a date between September 10 and 30 in odd numbered years for party members to meet and caucus in their towns to organize town committees. At least 14 days before the date set for the caucuses, mails a notice of the date and purpose of the caucuses to each town clerk and to each incumbent town committee chair and has the notice published in at least two newspapers having general circulation within the state. 17 V.S.A. §2302
2. Sets a date, not more than 30 days after the date of the party's town caucuses, for the first meeting of the county committees. Mails a notice of the date and purpose of the caucuses to each county committee chair and publishes a notice in at least two newspapers with general circulation within the state. 17 V.S.A. §2309
3. Sets the hour and place for a meeting of the state committee on a date not less than 15 nor more than 30 days after the day set for the first meeting of the county committee and mails a notice of this meeting to each member-elect of the state committee at least seven days before the day for the meeting. 17 V.S.A. §2312
4. Within 10 days after the first state committee meeting, sends to the secretary of state a certificate stating the party has completed its organization for the ensuing two years and has complied with the provisions of 17 V.S.A. §2313 The certificate of organization shall 1) contain a list of the names and mailing addresses of the officers and members of the state committee and the counties they represent, 2) be accompanied by a copy of the notice calling the meeting, and 3) designate, in not more than three words, the name by which the party shall be identified on any Australian ballot, and 4) include the party rules or by-laws.

In Election years (even numbered years):

1. Calls a party platform convention on or before the fourth Tuesday in September in even numbered years. In presidential election years, this shall be the same convention held to nominate presidential electors. 17 V.S.A. §2319
2. Serves on the canvassing committee for state and national offices and statewide public questions. 17 V.S.A. §2592(a). The state canvassing committee shall meet at 10:00 a.m. one week following both the primary and the general election. 17 V.S.A. §§2368, 2592(g)

Duties performed as needed:

1. Calls state committee meetings to fill a vacancy in any statewide office on the general election ballot caused by the death, removal or withdrawal of a candidate or the failure of the party to nominate a candidate by primary. 17 V.S.A. §§2381, 2382 Calls meetings to fill any other vacancy in statewide offices and recommends names of candidates to the governor. (The governor is not bound by the recommendation.) 17 V.S.A. §2623 Notifies all committee members in writing not less than five days before the date of the meeting, and states on the notice the specific office for which the nomination is to be made. 17 V.S.A. §2383
2. Makes sure campaign finance reports (including the campaign finance information from all town and county committees and other subsidiaries, branches and/or local units) are filed with the secretary of state. 17 V.S.A. §§2831, 2801(5)

K:\VOL2TEXT\ELECTNS\PAR