

## SHFD State Charter Section 2

- SHFD was originally incorporated in 1937 by the State Legislature subject to Rhode Island General Laws
- Section 2 describes who has the right to vote at a District meeting.
- The Legislature processed changes to Section 2 in 1985 and 1993

## SHFD Charter Section 2

In the Beginning

- The 1937 Version
- Male or Female at least age 21, that was “possessed in their own right “ in real estate of the following types: fee simple, fee tail, life estate, estate in reversion or remainder;
- Deed recorded at least 90 days before the election;
- Net Equity interest of at least \$134
- Can vote at all meetings of SHFD

## SHFD Charter Section 2

### The First Eligibility Change

Who can vote in SHFD Election or District Meeting?

- May 30, 1985 Version
- Minimum age to vote changed to 18;
- Net equity requirement abolished;
- “Every Person “ who owns a present interest ( either a fee interest or life estate) in real estate in SHFD recorded by deed in Town of Westerly can vote;
- Future and Remote Interests in SHFD Real Property Cannot Vote;

## SHFD Charter Section 2

### The First Change

Who can vote in SHFD Election or District Meeting?

- May 30, 1985 Version
- If SHFD real property is part of an estate which has been admitted to probate at least 60 days prior to a meeting the executor or administrator can vote;
- Or “ Who can otherwise substantiate such ownership by legal instrument duly recorded “
- Or “Otherwise, to the satisfaction of the SHFD Clerk or other officer authorized by the SHFD
- A voter registration requirement was added .

## SHFD Charter Section 2

### The Second Eligibility Change

Who can vote in SHFD Election or District Meeting?

- June 22,1993 Version
- Added a voter category for “ duly authorized representative of any owner which is not a person “;
- Set a minimum 40 percent ownership of an undivided present interest in SHFD real property to be able to vote;
- Added a voter category to include a Westerly registered voter who resides in SHFD;

## SHFD Charter Section 2

### In the Beginning

Who Can Vote By Proxy At SHFD Meetings?

- The 1937 Version
- In person voting generally required;
- Only exception was a husband or wife could vote the proxy of their spouse , provided it was in writing and filed with the clerk at the meeting the proxy was to be used.

## SHFD Charter Section 2

### Two Proxy Changes

Who Can Vote By Proxy At SHFD Meetings?

- May 31, 1985 Version
- Added an authorization to provide a bylaw to allow for signed proxy voting for people who are “shut-ins” and designate the form of proxy.
- June 22, 1993 (current version)
- All prior references to proxies removed from Section 2.

## Bylaw Article 2 (Qualified Voters)

Who Can Vote By Proxy At SHFD Meetings?

- Article 2 section 1 (c ) of the Bylaws covers who can vote by proxy. After indicating the traditional preference for in person voting, a proxy can be voted by : 1) the spouse of the qualified and registered voter; 2) a member of the qualified voter's household who may be qualified to vote; or 3) another qualified, registered voter.
- No person may represent by proxy more than three voters at any meeting.