

## **1971: Proposal 1**

**Subject: Attorney general a constitutional officer; four-year terms for constitutional officers; allow for run-off elections if no candidate received a majority.**

### PROPOSAL I

That Sections 21 and 40 of Chapter II of the Constitution be repealed, and that Sections 22, 35, 39 and 41 of Chapter II of the Constitution be amended to read as follows:

*SECTION 22. All commissions shall be in the name of The Freemen of the State of Vermont, sealed with the State Seal, signed by the Governor, and in his absence by the Lieutenant-Governor, and attested by the Secretary of State; which Seal shall be kept by the Governor.*

*SECTION 35. The state officers shall be the Governor, the Lieutenant-Governor, the Attorney General, the Secretary of State, the Treasurer and the Auditor of Accounts and they shall be elected to office by the Free-men of the State for a term of four years at a general election to be held every four years on the first Tuesday next after the first Monday in November be-ginning A.D. 1974.*

*SECTION 39. A copy of each return of votes for Governor, and for any other state office the holder of which under the Constitution is elected by the freemen of the state, shall be filed with the Secretary of State following each general election in a manner prescribed by law. On the second Tuesday following the day of the election, a canvassing board, to be constituted as the General Assembly shall provide, shall meet at the State House, and shall canvass the returns of votes and declare the results of the election.*

*A candidate who receives a majority of the total number of votes cast by the freemen of the state for Governor or for any other state office shall be declared elected. If, for the office of Governor or for any other state office, no candidate receives a majority of the votes cast by the freemen of the state, the canvassing board shall so certify to the Secretary of State who shall issue a call for a special election to be held on the second Tuesday after the first Monday in December next following the general election. The names of the respective candidates*

*receiving the largest and next largest number of votes, for the office or offices for which there was no majority of votes at the general election, shall be printed on the ballots as candidates for that office or those offices at the special election. The returns of votes cast at the special election shall be canvassed in the same manner as returns of votes cast for the offices of Governor and other state offices at the general election, and the candidate receiving the largest number of votes in each instance shall be declared elected.*

*The General Assembly may establish procedures for determining results of contested elections for the offices of Governor and other state offices, and for adjudication of controversies arising in connection with elections for those offices.*

*SECTION 41. The term of office of the Governor, and of each state officer who under the Constitution is elected by the freemen of the State and is qualified, shall commence on the first Wednesday next after the first Mon-day in January following his election and shall continue for four years, or until his successor shall be chosen and qualified.*

And by adding a new section 71 to Chapter II of the Constitution to read as follows:

*SECTION 71. The Justices of the Supreme Court are hereby authorized and directed to revise the Constitution by incorporating into the Constitution all amendments of the Constitution that are now or may be then in force and excluding therefrom all sections, clauses and words not in force and rearranged and renumbering the sections thereof under appropriate titles as in their judgment may be most logical and convenient; and said revisions as certified to the Secretary of State by said Justices on a majority thereof shall be a part of the Constitution of this State in substitution for all amendments thereof.*