

Office of the Vermont Secretary of State
Vermont State Archives

1979: Proposal 3

Subject: Elections; plurality; contested elections

PROPOSAL D

That Section 47 of Chapter II of the Constitution be amended to read:

SECTION 47. A copy of each return of votes for Governor, Lieutenant Governor, Auditor of Accounts, Secretary of State, and Treasurer 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 for the officers named above and declare the results of the election. A candidate who receives a plurality of the total number of votes cast by the Freemen of the state for the offices named above shall be declared elected unless no candidate receives at least forty percent of the total number of votes cast for a particular office.

If two or more candidates receiving the largest number of votes for any of the offices named above are tied, or if no candidate receives at least forty percent of the total number of votes cast for that office, 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 first Tuesday after the first Monday in December next following the general election. The names of the respective candidates receiving the largest number of votes, for the office or offices for which there was a tie in the number of votes cast at the general election, or if of the two candidates receiving the largest number of votes in the event that no candidate has received forty percent of the votes cast, 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 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 named above, and for adjudication of controversies arising in connection with elections for those offices.