

1 H.298

2 Introduced by Representatives Hubert of Milton, Mook of Bennington, Atkins

3 of Winooski, Bissonnette of Winooski, Buxton of Royalton,

4 Christie of Hartford, Condon of Colchester, Consejo of

5 Sheldon, Devereux of Mount Holly, Dickinson of St. Albans

6 Town, Donaghy of Poultney, Higley of Lowell, Jerman of

7 Essex, Keenan of St. Albans City, Lewis of Derby, McAllister

8 of Highgate, McNeil of Rutland Town, Myers of Essex, Savage

9 of Swanton, Shaw of Pittsford, Stevens of Shoreham, Sweaney

10 of Windsor and Townsend of Randolph

11 Referred to Committee on

12 Date:

13 Subject: Elections; conduct of elections; ballots; recounts

14 Statement of purpose: This bill proposes to require the secretary of state to

15 supply towns with standardized ballots that can be used in vote tabulators, and

16 to require that recounts be performed using vote tabulators.

17 An act relating to standardized ballots and vote tabulators

18 It is hereby enacted by the General Assembly of the State of Vermont:

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1 machine-readable ballots have been fed through the machine, the first team
2 shall feed through the machine any transfer ballots created by the second team.
3 The recount teams shall switch roles for each subsequent container of ballots
4 of a polling place that are to be fed through the vote tabulator, if there is more
5 than one container per polling place. This process shall be used until all ballots
6 from a polling place have been tabulated by a vote tabulator.

7 (b) After all ballots from a polling place have been tabulated by a vote
8 tabulator, a recount team shall print the tabulator tape containing the unofficial
9 results and document those results on a tally sheet. Another recount team shall
10 then open the tabulator's ballot box and remove all ballots. The ballots shall
11 then be divided among the recount teams to be examined to find write-in
12 names and markings of voter intent that were not machine readable as outlined
13 in the secretary of state's vote tabulator guide and most recent elections
14 procedures manual. A caller, tally person, and double-check person shall be
15 used to examine the ballots removed from the ballot box. If the caller and the
16 observer or observers do not agree on how a ballot should be counted, the
17 entire team shall review the ballot and if all members agree, it shall be counted
18 that way.

19 (c) If one person does not agree, that ballot shall be set aside as a
20 questioned ballot and a copy shall be made, which copy shall be clearly
21 marked on its face identifying it as a copy. Such copies shall be placed on the

1 top of the other ballots and shall remain together with the other ballots. Each
2 original ballot deemed questionable shall be attached to a note which identifies
3 it by town, county, polling place and bag seal number. The originals of these
4 questionable ballots shall be clipped to the summary sheet for that polling
5 place and returned to the court for a final decision.

6 (d) After the court has rendered a final decision on a given questionable
7 ballot it shall be returned to the county clerk who shall keep it in a sealed
8 container for a period of two years.

9 (e) Write-in votes for preprinted candidates shall be counted as votes for
10 that candidate.

11 (f) If the tally persons do not agree on the number of votes for a candidate
12 on ballots not able to be read by the vote tabulator, the ballots shall be retallied
13 until they do agree. Then the team shall notify the clerk that it has completed
14 ~~the first~~ its recount.

15 * * *

16 Sec. 5. REPEAL

17 17 V.S.A. §§ 2602g (second tally) and 2602l (recounts using voting
18 machines) are repealed.

19 Sec. 6. EFFECTIVE DATE

20 This act shall take effect on passage.