

1 S.76

2 Introduced by Senator Pollina

3 Referred to Committee on

4 Date:

5 Subject: Elections; presidential elections; presidential primary; time of
6 holding; New Hampshire

7 Statement of purpose of bill as introduced: This bill proposes to provide that
8 Vermont hold its presidential primary on the same day as that of New
9 Hampshire.

10 An act relating to providing that Vermont hold its presidential primary on
11 the same day as that of New Hampshire

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

13 Sec. 1. 17 V.S.A. § 2701 is amended to read:

14 § 2701. PRESIDENTIAL PRIMARY; TIME OF HOLDING; FORM OF
15 BALLOT

16 (a) In presidential election years, a presidential primary for each major
17 political party shall be held in all municipalities on the ~~first Tuesday in March~~
18 same day as the New Hampshire presidential primary. The Secretary of State
19 shall publicly announce the date of the primary.

1 **(b)** The Secretary of State shall prepare and distribute for use at the primary
2 an official ballot for each party for which one or more candidates qualify for
3 the placing of their names on the ballot under section 2702 of this ~~title~~ chapter.
4 Ballots shall be printed on index stock and configured to be readable by vote
5 tabulators.

6 Sec. 2. 17 V.S.A. § 2702 is amended to read:

7 § 2702. NOMINATING PETITION

8 **(a)** The name of any person shall be printed upon the primary ballot as a
9 candidate for nomination by any major political party if petitions signed by at
10 least 1,000 voters in accordance with sections 2353, 2354, and 2358 of this
11 title are filed with the Secretary of State, together with the written consent of
12 the person to the printing of the person's name on the ballot.

13 **(b)** Petitions shall be filed not later than 5:00 p.m. on the ~~first Monday after~~
14 ~~the first Tuesday of January preceding~~ 60th day preceding the primary
15 election, or on such other day as the Secretary of State shall publicly announce.

16 **(c)(1)** The petition shall be in a form prescribed by the Secretary of State.
17 ~~A person's name shall not be listed as a candidate on the primary ballot of~~
18 ~~more than one party in the same election.~~

19 **(2)** Each petition shall be accompanied by a filing fee of \$2,000.00 to be
20 paid to the Secretary of State. However, if the petition of a candidate is
21 accompanied by the affidavit of the candidate, which shall be available for

1 public inspection, that the candidate and the candidate's campaign committee
2 are without sufficient funds to pay the filing fee, the Secretary of State shall
3 waive all but \$300.00 of the payment of the filing fee by that candidate.

4 (d) A person's name shall not be listed as a candidate on the primary ballot
5 of more than one party in the same election.

6 Sec. 3. 17 V.S.A. § 2703 is amended to read:

7 § 2703. EXAMINING PETITIONS; SUPPLEMENTARY PETITIONS

8 The ~~secretary of state~~ Secretary of State shall examine the petitions and
9 ascertain whether they conform to the provisions of this chapter, and sections
10 2353, 2354, and 2358 of this title. If found not to conform, he or she shall
11 state in writing why a particular petition cannot be accepted, and within
12 72 hours from receipt, he or she shall return it to the candidate in whose behalf
13 it was filed. In such case, supplementary petitions may be filed not later than
14 10 days after the ~~date~~ deadline for filing petitions. However, supplementary
15 petitions shall not be accepted if petitions with the signatures of at least 1,000
16 persons were not filed by 5:00 p.m. ~~on the third Monday of January preceding~~
17 ~~the primary election~~ the deadline for filing petitions.

18 Sec. 4. 17 V.S.A. § 2705 is amended to read:

19 § 2705. CHECKLIST

20 The checklist for the primary shall be the checklist to be used at the annual
21 town meeting, except that the names of residents of unorganized towns and

1 gores shall be added to the checklist in the manner provided in section 2123 of
2 this title ~~and~~. If the primary is held on the first Tuesday in March, it shall be
3 stated next to ~~their~~ the names of residents of unorganized towns and gores that
4 they are eligible to vote in the presidential primary but not on town meeting
5 items. ~~Towns that do not hold an annual meeting on the first Tuesday or the~~
6 ~~Monday evening before the first Tuesday in March~~ shall update their checklist
7 before the ~~election~~ primary as required by chapter 43 of this title.

8 Sec. 5. EFFECTIVE DATE

9 This act shall take effect on passage.