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H.477

Representative Cole of Burlington moves that the bill be amended as follows:

First: By striking out Sec. 5 (amending 17 V.S.A. § 2381 (applicability of subchapter)) and inserting in lieu thereof a new Sec. 5 to read:

Sec. 5. 17 V.S.A. § 2381 is amended to read:

§ 2381. APPLICABILITY OF SUBCHAPTER

(a) A candidate may also be nominated and have the candidate's name printed on the general election ballot in accordance with the provisions set forth in this subchapter, in the following instances:

(1) In case of a vacancy on the general election ballot occasioned by death, ~~removal~~, or withdrawal of a candidate, or the failure of a major political party to nominate a candidate by primary;

(2) In case a minor political party desires to nominate a candidate for any office for which major political parties nominate candidates by primary or for the offices of ~~president~~ President and ~~vice-president~~ Vice President of the United States;

(3) In case of nomination for the office of justice of the peace, in the event that such nomination has not already been made by caucus as provided in section 2413 of this ~~title~~ chapter.

(b) In no event may any committee nominate a candidate or candidates for statewide office under this subchapter unless the political party has town

1 committees organized in at least 10 towns in this ~~state~~ State in accordance with  
2 procedures in chapter 45 of this title.

3 Second: In Sec. 15, 17 V.S.A. § 2566 (marking of ballots), at the end of the  
4 first sentence, following “or by filling in the name of the candidate of his or  
5 her choice in the blank space provided” by inserting “and the square or oval to  
6 the right of that blank space”

7 Third: By adding a new section to be Sec. 17a to read:

8 Sec. 17a. 17 V.S.A. § 2587 is amended to read:

9 § 2587. RULES FOR COUNTING BALLOTS

10 \* \* \*

11 (e)(1) In the case of “write-in” votes, the act of writing in the name of a  
12 candidate, or pasting a label containing a candidate’s name upon the ballot,  
13 without other indications of the voter’s intent, shall constitute a vote for that  
14 candidate, even though ~~no cross is placed~~ the voter did not fill in the square or  
15 oval after ~~such~~ the name.

16 (2) The election officials counting ballots and tallying results ~~must~~ shall  
17 list every person who receives a “write-in” vote and the number of votes  
18 received.

19 (A) On each tally sheet, the counters shall add together the names of  
20 candidates that are clearly the same person, even though a nickname or last  
21 name is used.

