

## 2010 Media Guide to Vermont Elections

### Information for the August 24<sup>th</sup> Primary Election November 2<sup>nd</sup> General Election

#### **Primary Election – August 24<sup>th</sup>**

**Early voting** begins July 12<sup>th</sup>

**Registration Deadline:** 5:00 p.m., Wednesday, August 18<sup>th</sup>

#### **Major Parties**

The primary election is how major political parties nominate candidates for the general election ballot. To become a major party, a party candidate must have received five percent of the vote in a statewide race in the last election and the party must then organize in at least 15 towns in the next year. **Vermont currently has three major parties: Democrat, Progressive and Republican.**

#### **Party Registration**

There is NO voter registration by party in Vermont. Vermont voters can choose to vote in any ONE of the primaries. In the August state primary, voters are given all three ballots and privately choose which one primary ballot to vote and place the other two ballots in the unvoted box.

#### **Primary Candidates**

A candidate must submit a consent form and a petition with the required number of signatures to the designated filing official between May 10<sup>th</sup> and June 17<sup>th</sup>. The signatures are counted (to ensure there is a sufficient number) but they are not verified. Political parties cannot prevent a candidate from running for office in any party primary.

#### **Write-ins**

A write-in candidate wins a primary by receiving more votes than a candidate who is on the ballot or by receiving the most votes and at least half as many write-in votes as the number of signatures required for a petition in the race (if there is no candidate name printed on the ballot). A candidate can accept more than one party nomination, if supporters write in the name of the candidate in a different party primary, but a candidate can submit petitions for only one primary.

#### **Other Election Information**

- **Campaign Finance:** The 2008 Campaign Finance Guide explaining the contribution limits and requirements of the law, filing deadlines and report forms, and a search for image copies of all filed reports is at <http://www.sec.state.vt.us>.
- **Candidates & Municipal Officials Guide to Placement of Political Signs:** This publication can be downloaded from the Candidates/Parties page of Elections website at <http://www.sec.state.vt.us>.
- **Election Officials:** Our Elections Division works with local boards of civil authority, made up of selectboard members (3 or 5), town clerk, and justices of the peace (5 to 15), to administer the primary and general elections. The town clerks' guide on our website at <http://www.sec.state.vt.us> provides contact information for each town.
- **Information for Voters:** Everything voters need to know to vote in Vermont can be found at <http://www.govotevermont.com>.

## **General Election – November 2<sup>nd</sup>**

**Early voting begins September 20<sup>th</sup>**

**Registration Deadline: 5:00 p.m., Wednesday, October 27<sup>th</sup>**

- **Independent Candidates on the General Election ballot:** Candidates who are not affiliated with a party can file petitions and consent forms with the Office of the Secretary of State between May 10<sup>th</sup> and June 17<sup>th</sup> at 5 p.m. No candidate can have “independent” and a party name on the General Election ballot (candidate must choose one or the other). Justice of the Peace candidates who are not affiliated with a party file with their town clerk.
- **Nomination by Party Committee:** Minor party candidates do not participate in the primary elections, and therefore need to be nominated by a minor party committee. The committee files a statement of nomination and consent form with the Office of the Secretary of State between May 10<sup>th</sup> and June 17<sup>th</sup> at 5 p.m.
- **Justices of the Peace:** JPs may be nominated by party caucus or, failing that, by party committee of major or minor political parties by filing of a statement of nomination signed by the town party chair and secretary, along with a copy of the notice sent to all town committee members, between August 3<sup>rd</sup> and August 27<sup>th</sup> at 5 p.m. with the town clerk. To run as an independent candidate for JP, a legal voter of the town must file a petition (statement of nomination) with 30 signatures or 1% of the legal voters of the town, whichever is less. The petition and consent form must be filed with the Town Clerk starting May 10<sup>th</sup> and no later than 5 p.m. on June 17<sup>th</sup>.

***There are 246 Vermont towns and cities with approximately 263 different polling places. All polls will be open by 10 a.m. and will close at 7 p.m. A full listing of polling place locations for each town and city is on our website: <http://www.sec.state.vt.us>.***

### **444,493 Registered Voters in Vermont (as of 5/18/2010)**

The Vermont voting age population is 489,901 (as of 2008). Of the 444,493 registered voters, 405,815 are active voters and 32,217 are inactive voters (voters who the BCA has challenged because the voters have moved out of town).

### **Voter Turnout**

2008 - 67% of voting age population  
2006 - 54% of voting age population  
2004 - 64% of voting age population  
2002 - 48% of voting age population

### **Voting Methods**

140 Vermont towns use hand-counted paper ballots. 106 Vermont towns and cities use paper ballots that are counted using the AccuVote optical scan tabulator.

### **Vote-By-Phone (at the polls)**

Every Vermont polling place provides voters with the option to vote-by-phone in statewide elections. The vote-by-phone system, implemented for the first time in 2006, permits voters with disabilities to vote privately and independently in the polling location. This technology is required by the federal Help America Vote Act of 2002 (HAVA). We have done demonstrations throughout the state to familiarize voters and trained election officials on use of the vote-by-telephone system.

## **Early Absentee Voting**

In 2008, 29 percent of the Vermont voters used an early absentee ballot. In Vermont, any voter can vote by early absentee ballot 45 days before the election for any reason. Ballots will be mailed to a voter upon request, or voters can come into the clerk's office to vote or a voter may take a ballot out to vote at home. Requests for absentee ballots can be made by telephone by the voter, a close family member of the voter or a health care provider. Requests must be in writing if they are submitted by any other person authorized by the voter to make the request. Ballots may be returned by anyone authorized by the voter.

Absentee ballots must be received by the close of the polls on Election Day in order to be counted.

***On election days our Elections Division staff are available from 7:00 a.m. to 9:00 p.m. to respond to questions and assist election officials, citizens, or reporters. 1-800-439-8683***

## **ELECTIONS AND THE MEDIA**

Every stage of the election process in Vermont is public. The media and the public have the right to be present and observe the election; however, the presiding officer can set rules for administration of the election as provided by Vermont election law.

- Observers ask the presiding officer where to stand in order to avoid disrupting the election.
- The presiding officer can prohibit talking on cell phones in the polling place.
- Only voters and election officials may go into the voting booth and voting box area.
- Pictures should not be taken of voters putting ballots into the ballot box (voters are guaranteed privacy of their votes).
- Observers may not talk to election officials without permission of the presiding officer.
- Observers may not speak to voters in the polling place.
- No surveys or questionnaires may be distributed to voters in the polls. Exit polls must be taken outside the polling place.
- No politicking is allowed in the polling place.
- The presiding officer makes reasonable rules to ensure that voters can enter and leave the polling place unimpeded. Candidates and the media can be required to leave a clear path for voters to take to get into the polling place.
- The presiding officer can set rules for sign placement outside the polling place or forbid all ground signs on polling place property; however, persons must be allowed to hold signs or pass out materials (First Amendment).

## **WHO IS ON THE BALLOT ?**

### **Federal Offices**

**(On BOTH the Primary and General Election Ballots)**

Vermont's one **United States Representative to Congress** is elected every two years.

One of **Vermont's United States Senators** (Patrick Leahy's seat) is elected every six years.

## Statewide Offices

Vermont's six statewide offices: **Governor, Lieutenant Governor, Treasurer, Secretary of State, Auditor of Accounts** and **Attorney General**, serve for two years. (We are the only state that still has two-year terms for statewide office, except for New Hampshire.)

## Vermont General Assembly

Members of the General Assembly are elected for two-year terms.

- **Senate:** There are 30 senators. There are currently 21 Democrats and 9 Republicans. There are 10 women. Average age of the senators is 60.6 years.
- **House of Representatives:** There are 150 house members who each represent approximately 4,000 people. There are 93 Democrats, 49 Republicans, 6 Progressives and 2 Independents. There are 57 women. Average age of House members is 55.5.

## County Offices

- **Probate Judges:** One is elected every four years in each county with the exception of Rutland, Windham and Windsor counties who elect two every four years.
- **Assistant Judges (Side Judges):** Two are elected every four years in each county.
- **State's Attorney:** One elected every four years in each county.
- **Sheriffs:** One elected every four years in each county.
- **High Bailiffs:** One is elected every two years in each county.

## Local Offices

Each town elects between five and 15 justices of the peace every two years.

## **RESOLVING ELECTION DAY PROBLEMS**

### Voter Purged in Error

If a voter's name was taken off the checklist and the voter shows up to vote, so long as the voter signs a statement that she still resides in the town, the voter's name will be placed back on the checklist and she will be allowed to vote.

### Affidavit Voting

It is not uncommon for a voter to come to the polls and find that his registration form was not received by the town. (Mailing address town is often not legal residence town, which causes confusion.) When this happens the voter should be offered an affidavit to sign. If the voter swears that he submitted an application before the deadline, the voter's name will be added to the checklist and he will be able to vote a regular ballot.

### Provisional Voting

In Vermont there should be very few instances where provisional voting is used since the affidavit voting will resolve most problems.

When the presiding officer does not believe an affidavit is appropriate in a particular situation, but the voter insists that she should be allowed to vote in that town, the voter will be given a provisional ballot. After the election the clerk will do research to determine whether the provisional ballot will be counted.

## **Complaints**

On Election Day, Secretary of State Office staff is available from 7:00 am until 9:00 pm to respond to, and to help informally resolve complaints about the election. (Our Election Day Hot Line is 1-800-439-8683.) Formal complaints that are made in writing to the Secretary of State are handled in accordance with the Secretary of State's Office Administrative Complaint Procedure. We received no formal complaints in 2004, 2006 or 2008.

Contact us:

Office of the Secretary of State  
26 Terrace Street  
Montpelier, Vermont 05609-1101  
1-800-439-8683 / 1-802-828-2363

[www.sec.state.vt.us](http://www.sec.state.vt.us)