



Board for Registration of Voters

Board for Registration of Voters - Tuesday, September 5, 2023, 6:00 PM, Community Room at Police Department (1 North Ave, Burlington, VT 05401) OR remotely via Zoom.

PLEASE NOTE:

This meeting is will be held in the Community Room at the Police Department (1 North Ave, Burlington, VT 05401) OR remotely via Zoom.

Join Zoom Meeting

<https://zoom.us/j/99553509592>

Meeting ID: 995 5350 9592

1. Agenda

2. Introductions

3. Set Meeting Length

4. Adopt Minutes

4.1. Approve Minutes from 8/1/23

File Attachments

1. minutes 080123-DRAFT

minutes 080123-DRAFT.pdf

5. Public Comments

6. Clerk's Report

7. Challenge Approvals

8. New Business

8.1. Youth Member Appointment

File Attachments

- | | | |
|----|---|---|
| 1. | youth member application - william cunningham | youth member application - william cunningham.pdf |
|----|---|---|

8.2. Voter List Maintenance

File Attachments		
1.	JP Isabelle Voter List Communication	JP Isabelle Voter List Communication.pdf
2.	Voter List Maintenance Presentation (V3)	Voter List Maintenance Presentation V3.pdf
3.	17 VSA 2154 - statewide voter checklist	17 VSA 2154 - statewide voter checklist.pdf

9. Adjournment

BOARD FOR REGISTRATION OF VOTERS

MEET: Time 6:00p 08/01/2023

Where: Community Room at the Police Department and remotely via Zoom

Present: Grace Grundhauser, Annie Schneider, Lauren Ebersol, Mike McGarghan, Karen Rowell, Thea Knight, Helen Rock, Michelle Lefkowitz.

Absent: Alison Harte, Lesley Gendron

Also Present: Sarah Montgomery (Assistant City Clerk), Tenzin Chokden (Associate City Clerk)

Meeting called to order by Chair Grace Grundhauser at 6:04pm

Agenda:

The item number 3 on the agenda was changed from vice chair appointments to vice chair election.

Michelle Lefkowitz made the motion to accept the agenda as amended, seconded by Thea Knight.

Approved unanimously.

Meeting Length: The meeting length was set for one hour.

Vice Chair Election:

Mike McGarghan made the motion to open the election for nominations of vice chair for a period of one year. Annie Schneider nominated Michelle Lefkowitz and no other nominations were made.

The board unanimously elected Michelle Lefkowitz as a vice chair and she accepted the term for one year.

Previous Meeting Minutes:

Mike McGarghan corrected a word on paragraph 9 on page 4 to be changed to “thinks” to “knows”.

Helen Rock questioned if Larry Granillo was present at the last meeting because he seconded on the approval of applications.

The board confirmed Larry Granillo was not present and no longer on the board and it should be Lauren Ebersol who seconded on the approval of applications.

Annie Schneider made the motion to accept the minutes as amended, seconded by Helen Rock. The minutes were passed unanimously.

Public Comments:

Mike McGarghan asked Sarah Montgomery or Tenzin Chokden if possible to use the same zoom link for the recurring monthly board meeting. Tenzin Chokden replied: It can be done as he has seen other boards have used the same zoom link for their meetings. He will use the same zoom link from this meeting carrying forward.

Chair Report on BRV and Clerk Authority:

Grace Grundhauser explained the board has been accustomed to approving registration applications and signing applications since she has joined the board. According to Sarah Montgomery's research from Vermont statute, it is not under board authority to do so and this change is reflected on the current agenda. The numbers typically presented under the approval of applications agenda item will be presented under the clerk's report and the board will no longer need to vote on these numbers or sign new applications. Based on this same research, an addition to the agenda is the approval of challenges. Challenge letters will be sent after approval from the board. Grace noted that she has questions about if the list of voters being shared with the board for potential challenges need to be made publicly available. Karen Rowell added that she doesn't think it would be appropriate to make the list public.

Grace Grundhauser opened the floor on discussion if anyone has any questions on this matter.

Helen Rock remembered that the approval of applications was at one point just part of the clerk's report, but it was changed where the board started voting on it at some point. Her understanding was that the applications need to be signed by the board within three days and that is why there is a field on the form for the BCA.

Sarah Montgomery replied that statute does require the voter registration applications to be processed and approved within three days but the statute gives this authority to the Clerk.

Mike McGarghan asked why the statute allows the town clerk to purge voters upon death notification with no time frame, but for the BCA, it must be completed at least ninety days before an election.

Sarah Montgomery answered: The statute says that any systematic program for removing from the checklist shall be completed at least 90 days before an election, which means no mass challenge or purge in less than 90 days before an election. Either BCA or the Clerk can purge an individual from the checklist, based on a death notice or an obituary.

Sarah Montgomery noted that the BCA has authority to review an application, if a voter is appealing the rejected application, which may be why there is a BCA field on the registration form. Grace Grundhauser asked if we can find more information on why there is a field for BCA on voter application, if they are not approving applications.

Grace Grundhauser explained both the Clerk and BCA have authority to purge voters based on information such as death certificate notifications or written notice from the voters. Whereas, the Clerk does not have the authority to purge voters who have not participated in two general elections but BCA does.

Thea Knight asked if the board already does task on adding, editing or transferring voter to the checklist on Election Day.

Grace Grundhauser answered new registrations, and transfers which are treated as new registrations, are sent over to the voter registration table.

Helen Rock added the board collects the information by giving voters a form "BRV to Ward Clerk", whether it is adding on checklist, change of address or same day registration on Election Day but they are not actually making changes on the checklist on the day of election.

Sarah Montgomery added: The presiding officer at each ward or their designee is responsible for same day voter registration on Election Day.

Grace Grundhauser agreed that the board does not have authority on adding and transferring voters to the checklist on Election Day but is questioning the editing of the record because the board is signing off on the form "BRV to Ward Clerk". She asked if this can be research further.

Mike McGarghan mentioned: For the same day registration, there used to be a separate box for provisional ballots, for if there were questions whether the voter was allowed to vote or not. The statute doesn't mention anything about this matter. Why isn't this the practice in same day voter registration when we aren't sure a voter is qualified to vote?

Helen Rock asked: did this happen in Vermont?

Mike McGarghan answered yes, in Vermont and he recalled doing this when he served as Inspector of Election in one of the Wards for three years and as election worker for many years.

Annie Schneider asked if this happened before same day registration.

Mike McGarghan answered no, this was after same day registration. Ballots cast by same day registration voters were kept in a separate box, so they were not mixed with other ballots.

Michelle Lefkowitz disagreed with Mike McGarghan's recollection on the provisional ballot process. There was a provisional ballot before the same day registration was adopted and that was because if they were not able to find any information on a voter who was voting on Election Day, but the voter insisted they were registered, the voter's ballot was set aside while verifying that they were registered.

Helen Rock mentioned she has been on the board for 12 years and doesn't recall any provisional ballot but she does recall there used to be a judge available before the same day registration, where voters can get permission to vote. Then, it was replaced by an Affirmation of Domicile.

Michelle Lefkowitz added it would be a bad idea to have a provision ballot for same day registration because many people register on an Election Day.

Annie Schneider added there must be information in statute on the same day registration, whether they should be provisional or not and we should find out.

Mike McGarghan asked: What is the chain of command when comes to asking questions on authority level or questions related to elections or the board?

Grace Grundhauser answered we need to rely on the city attorney to answer any legal ambiguities related to statute or the Secretary of State in regards to statutes.

Helen Rock added it would be helpful to ask questions as a board when having discussion in the board because it is less effective to get an answer from someone when an individual asks.

Mike McGarghan agreed with Helen Rock and added that he still has heard from Secretary of State on his nephew's voter registration status.

Helen Rock asked if he lives in Burlington.

Mike McGarghan answered he lives out of country.

Michelle Lefkowitz mentioned there is provision for someone who lives out of country trying to register.

Sarah Montgomery said she can assist in Mike McGarghan's nephew, if he wants to register in Burlington.

No further discussion.

Clerk's Report:

Sarah Montgomery reported that there are 31,043 registered voters and 8,358 of those are challenged.

For July, Sarah Montgomery reported that 24 voters were purged, 172 voters registered, and 92 were transferred out of Burlington.

Sarah Montgomery reported there is one vacancy left on the board and the due date for the application is August 9th. The member will be appointed on August 14th during the council meeting.

Once that vacancy is filled, another vacancy will be posted, due to Lis Mickenberg's resignation. That term will be for only the remaining period, which is until 06/2025.

Mike McGarghan asked: What is the term for the application that's due on August 9th?

Sarah Montgomery answered it is a full 5 year term.

Grace Grundhauser asked: What is the standard time for application due date? It would be great to know when the deadline is and they can inform the people. Sarah Montgomery answered: She is not sure on the standard time but it would usually depend on the timing of the council meetings.

Approval of Challenges:

25 voters were presented on the spreadsheet before the board for approval of challenge.

Michelle Lefkowitz pointed out David Mickenberg shouldn't be on the list because he was the buyer and it should be Neil Mickenberg who sold the property.

Tenzin Chokden agreed and that was an error on his end when making the list and he will replace David with Neil.

Mike McGarghan asked if people have to file property transfer tax return when they file quit claim deed.

Sarah Montgomery answered yes.

Helen Rock asked whether this is a standard procedure for city clerk to challenge people based on property transfer. She believed only changes made voter is through DMV notifications and undeliverable mail.

Sarah Montgomery replied that is standard procedure to do so.

Helen Rock asked if we would edit a voter's information for any other reason other than a DMV notification or a voter requesting it. Sarah Montgomery answered that there are no other reasons we would edit a voter's information.

Grace Grundhauser added no changes are made on voter's information without a specific reason, such as a death notice, authorization from the voter, or an out of state notification. The board has the authority only to challenge the voter, which gives them the opportunity to respond with any updates.

Mike McGarghan asked: Why are voting on this when this was passed at the last meeting?

Grace Grundhauser explained this a new list of voters who will be sent challenges after the board approves it and the challenge letters had been sent for the last meeting's approvals already.

Annie Schneider made the motion to accept and send challenge letters to 25 voters on the list as amended, Michelle Lefkowitz seconded. The motion passed unanimously.

New Business

Mike McGarghan mentioned he still hasn't got any definitive answers from the Secretary of State about data sharing with other states if a voter moves or register in another State.

Grace Grundhauser asked: How would the board feel about doing research on this and adding a discussion topic on the next meeting agenda? She suggested gathering information as a board and then discussing.

Mike McGarghan said he will be upset if there is a push back from the board on having this discussion put on the agenda because he has been trying to get an answer for a year. He strongly feels that the board is trying to avoid this discussion.

Grace Grundhauser added she will reach out to Secretary of State to get information on this matter and will let them know that the board is going to have discussion on. This will probably be on the agenda as a discussion item for the next meeting in September. If not September, it won't go beyond November.

On a motion by Mike McGarghan, seconded Michelle Lefkowitz, the meeting was adjourned at 7:03pm.

Respectfully Submitted By: Tenzin Chokden, Associate City Clerk



OFFICE OF THE CLERK/TREASURER

City of Burlington

City Hall, Room 20, 149 Church Street, Burlington, VT 05401

Voice (802) 865-7000

Fax (802) 865-7014

TTY (802) 865-7142

APPLICATION FOR: Board for Registration of Voters Board/Commission
(Please fill out a separate application for each post)

****Vacancies on the Board for Registration of Voters still require your political affiliation****

Full Name: William Cunningham Ward: 6

Residence: Burlington **Political Affiliation**: N/A

Are you a registered Burlington Voter? Under 18

Phone (home):

E-Mail Address:

Training or Experience Related to the Commission or Board Post for Which you are Applying:

See attachment

Current Occupation: Student (High School)

Education (list most recent first):

School	Location	Year/Degree
Rice	So. Burlington	Starting 2023
Mater Christi	Burlington	7-8
Edmunds	Burlington	K-6

What do you hope to accomplish as a Commissioner/Board Member?

See attachment

How did you learn of the opportunity/opening to serve on a Board/Commission?

Word of mouth

Have you served as a Burlington City Commissioner/Board Member in the past?

No

If the answer is yes, please list any and all appointments and dates you served.

Do you foresee any potential conflicts of interest if you were appointed to the position for which you are applying? No If so, please explain:

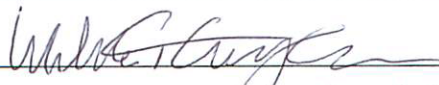
List Two References:

Teresa Davis Employer

Tim Loescher Principal

Please use this area to make any further comments regarding your candidacy, especially in regard to your qualification for this position. You may attach additional sheets if necessary.

Signature:



Date:

8/9/23

The City of Burlington encourages persons from diverse backgrounds to apply to serve on boards, commissions and committees. The City is committed to providing equal opportunity to all persons without regard to political affiliation, race, color, religion, age, sex, sexual preference, national origin, disability or any other non-merit factor.

Training or Experience Related to the Commission or Board Post for Which you are Applying:

Served as a legislative page in the Vermont State House (2023)

Volunteer teacher for Davis Studio art camp (summer 2023)

Student Ambassador at my school (2021-2023)

Won the MLK, Jr. Poster-Essay contest by the Vermont Bar Association (2021 and 2022)

Won districts and placed second in states for VFW's Patriot's Pen essay contest (2022)

Student voice

What do you hope to accomplish as a Commissioner/Board Member?

As a senate page I saw representation in action. I know how just a few votes can affect policy. And I know how votes allow people to be represented. Burlington is a melting pot of people from all over. By making sure ballots are clear, we allow voters to wield their voice parallel to their intention. One way to make sure ballots are clear is to put them in easy-to-understand formats and in many different languages. I also think that focusing on voter education in low turnout communities is crucial to making sure everyone gets a voice. We can do this by teaching the importance of voting in public elementary and middle schools, and teaching how to vote in public high schools and community centers.

Sarah Montgomery

From: Isabelle, JP <JP.Isabelle@vermont.gov>
Sent: Wednesday, August 23, 2023 4:09 PM
To: Grace Grundhauser; SOS - Elections
Cc: Sarah Montgomery; Tenzin Chokden
Subject: RE: Questions from Burlington's Board for Registration of Voters
Attachments: 2023 VEMS USER MANUAL.pdf

[WARNING]: This email was sent from someone outside of the City of Burlington.

Hi Grace.

Please see our answers in blue below.

Let me know if you have any follow up questions.

Best

JP

JP Isabelle

(he/him)

JD- VLS 2011

Elections Administrator

Vermont Office of the Secretary of State

128 State Street

Montpelier, VT 05633

Phone: 802-828-2304 (Direct)

<https://sos.vermont.gov/elections>

From: Grace Grundhauser <ggrundhauser@burlingtonvt.gov>
Sent: Tuesday, August 22, 2023 11:45 AM
To: SOS - Elections <SOS.Elections@vermont.gov>
Cc: Sarah Montgomery <smontgomery@burlingtonvt.gov>; Tenzin Chokden <tchokden@burlingtonvt.gov>
Subject: Re: Questions from Burlington's Board for Registration of Voters

Some people who received this message don't often get email from ggrundhauser@burlingtonvt.gov. [Learn why this is important](#)

EXTERNAL SENDER: Do not open attachments or click on links unless you recognize and trust the sender.

Hello,

I sent an email Friday last week with a question from the Burlington Board for Registration of Voters. Please see below. Just want to make sure my email went through. Thank you!

Grace

From: Grace Grundhauser
Sent: Friday, August 18, 2023 10:43 AM

To: SOS.Elections@vermont.gov <SOS.Elections@vermont.gov>

Cc: Sarah Montgomery <smontgomery@burlingtonvt.gov>; Tenzin Chokden <tchokden@burlingtonvt.gov>

Subject: Questions from Burlington's Board for Registration of Voters

Good morning,

I am emailing on behalf of the Burlington Board for Registration of Voters. We'd like to discuss as a board a topic that is important to one of our members. The topic is how Vermont communicates with other states when a voter is added to Vermont's checklist, when that voter was previously registered in another state, and vice versa. We're hoping the Secretary of State's office can point us to information, particularly any written protocols or statute, that might lead to us having a better understanding of how this works in Vermont. Here are some specific questions it would be great to get answers to:

1. When a voter registers in Vermont, (a) does Vermont notify the state where they were previously registered, (b) does that happen automatically or manually, and (c) does Vermont receive confirmation from other states on what they do with that information? [Yes, when the voter provides information on the previous state, the clerk enters that information into our system, and our system e-mails that state to let them know they can remove the voter. I have also attached the VEMS manual w instructions to clerk on page 45.](#)
2. When a Vermont voter registers in a new state, (a) how is the Vermont Secretary of State's office receiving notice from that state, (b) how is that information shared with municipalities, and (c) is there a written procedure outlining this process? [We receive physical notices from states that we then distribute to the towns.](#)
3. Is there any statute that addresses whether this aspect of voter registration is in the State's purview or the municipalities'? [17 VSA 2154](#) requires that the SOS maintain a statewide voter checklist and contains the details you are requesting.
4. Are there any resources that outline how Vermont uses the ERIC system? [The best resource would be its website https://ericstates.org/. You can find the bylaws here https://ericstates.org/wp-content/uploads/2023/03/ERIC_Bylaws_February_2023.pdf](#)
5. Are there any other Vermont-specific resources the BRV could read to understand this topic more? [The entirety of the voter registration statutes in Title 17 Chapter 43 and the resources on our website, including the Elections Procedure Guide https://sos.vermont.gov/elections/.](#)

Thank you very much for taking the time to read this email and help us educate ourselves on this topic! I look forward to hearing back.

Sincerely,

Grace Grundhauser (*she/her*)

Board for Registration of Voters, Chair

Please note that this communication and any response to it will be maintained as a public record and may be subject to disclosure under the Vermont Public Records Act.

Voter List Maintenance

Burlington BRV September 2023 Meeting Review

The following slide shows questions the BRV emailed the Vermont Secretary of State & responses received regarding...

How does Vermont communicate with other states when a voter is added to Vermont's checklist, when that voter was previously registered in another state, and vice versa?

When a voter registers in Vermont, (a) does Vermont notify the state where they were previously registered, (b) does that happen automatically or manually, and (c) does Vermont receive confirmation from other states on what they do with that information? **Yes, when the voter provides information on the previous state, the clerk enters that information into our system, and our system e-mails that state to let them know they can remove the voter. I have also attached the VEMS manual w instructions to clerk on page 45.**

When a Vermont voter registers in a new state, (a) how is the Vermont Secretary of State's office receiving notice from that state, (b) how is that information shared with municipalities, and (c) is there a written procedure outlining this process? **We receive physical notices from states that we then distribute to the towns.**

Is there any statute that addresses whether this aspect of voter registration is in the State's purview or the municipalities'? **17 VSA 2154 requires that the SOS maintain a statewide voter checklist and contains the details you are requesting.**

Are there any resources that outline how Vermont uses the ERIC system? **The best resource would be its website <https://ericstates.org/>. You can find the bylaws here https://ericstates.org/wp-content/uploads/2023/03/ERIC_Bylaws_February_2023.pdf**

Are there any other Vermont-specific resources the BRV could read to understand this topic more? **The entirety of the voter registration statutes in [Title 17 Chapter 43](#) and the resources on our website, including the Elections Procedure Guide <https://sos.vermont.gov/elections/>.**

Email sources cited

- VEMS manual, pages 35 and 45
- 17 V.S.A. § 2154 -
<https://legislature.vermont.gov/statutes/section/17/043/02154>
- <https://ericstates.org/>
- [https://ericstates.org/wp-content/uploads/2023/03/ERIC Bylaws February 2023.pdf](https://ericstates.org/wp-content/uploads/2023/03/ERIC_Bylaws_February_2023.pdf)
- Vermont Statutes Chapter 43 -
<https://legislature.vermont.gov/statutes/chapter/17/043>
- Vermont Secretary of State Election Procedures Guide -
<https://sos.vermont.gov/elections/>

VEMS manual | excerpts

“When a voter registers in Vermont, from another State, the previous state of registration is provided notification via email automatically from the VEMS system.” Page 35

“Voter Registers in Another State: A voter may be purged if you receive an email or paper notice from another state notifying you that one of a voter has registered in their state.” Page 45

17 V.S.A. § 2154 | Excerpt

*The Secretary of State shall maintain a uniform and nondiscriminatory statewide voter checklist. This checklist shall serve as the official voter registration list for all elections in the State. **In maintaining the statewide voter checklist, the Secretary shall...make reasonable efforts on an ongoing basis to compare the information on the checklist with data or information contained in any State agency's database, a database administered by the federal government, or any database of another state or consortium of states, where possible, in an effort to maintain the accuracy and currency of the checklist.***

Subsection (a)(6)

ERIC | Additional info

- <https://ericstates.org/about/>
- Election Registration Information Center (ERIC)
- Implemented March 2023
- Currently ~ 25 states plus DC participate.
- States share checklists and DMV info every 60 days.
- SSA death records are also compared.

The rest of this slide deck goes beyond the VT Secretary of State email and reflects some basic information available at [justice.gov](https://www.justice.gov) and the U.S. Elections Assistance Commission website that may be useful to our discussion.

Federal laws governing voter registration

- Federal laws governing voter registration:
 - Voting Rights Act (1964)
 - National Voter Registration Act (1994)
 - Help America Vote Act (2002)

Justice.gov FAQ on National Voting Rights Act

- <https://www.justice.gov/crt/national-voter-registration-act-1993-nvra>
- FAQs 26–40
- Section 8 – Administration of Voter Registration
- Section 8(d) – notice process for states to verify a voter's eligibility after the voter's change of residence
- States must have “general program” to identify & remove these voters
 - Reasonable effort
 - Uniform
 - Non-discriminatory
 - Complete 90 days before a federal election
- State discretion on program design; variety of approaches

Justice.gov FAQ #35

Does the NVRA create a “safe harbor” procedure under which States can satisfy their obligation to conduct a general program that makes a reasonable effort to remove the names of ineligible voters from the voter rolls due to a change of residence?

Yes. The NVRA gives one example of a safe harbor procedure. Under that procedure, States may utilize change-of-address information supplied by the United States Postal Service through its National Change of Address program (NCOA) to identify registrants who may have changed residences and then take one of two actions.

A) If it appears from the NCOA information that the person has moved to a different residence in the same registrar’s jurisdiction, the registrar changes the registration records to show the new address and sends the registrant a notice of the change by forwardable mail and a postage prepaid, pre-addressed return form by which the registrant may verify or correct the address information.

B) If it appears that the registrant has moved to a residence outside the registrar’s jurisdiction, the registrar uses the NVRA’s Section 8(d) notice process and may remove the registrant from the voter rolls after satisfying all requirements of that process.

Justice.gov FAQ #36

Do States have to use the [United States Postal Service National Change of Address program (NCOA)] process to initiate the notice process?

No. States do not have to use the NCOA process. Under the NVRA, States must have a general program that makes a reasonable effort to identify and remove the names of voters who have become ineligible to vote by means of a change of address. The program has to be uniform, non-discriminatory, in compliance with the Voting Rights Act and must be completed 90 days before a federal election. States otherwise have discretion under the NVRA and HAVA in how they design their general program, and States currently undertake a variety of approaches to how they initiate the notice process.

For example, some general programs involve a State undertaking a uniform mailing of a voter registration card, sample ballot, or other election mailing to all voters in a jurisdiction, and then using information obtained from returned non-deliverable mail as the basis for correcting voter registration records (for apparent moves within a jurisdiction) or for initiating the notice process (for apparent moves outside a jurisdiction or non-deliverable mail with no forwarding address noted).

Another example involves general programs where States initiate the notice process based on information showing that a voter has not voted in elections nor made contact with a registrar over some period of time. This is not prohibited by the NVRA and its bar on removing voters from the list solely for failure to vote, since it relies on the NVRA notice process, and thus utilizes both a notice and a waiting period of two federal general elections.

U.S. Election Assistance Commission website

“Voter list maintenance is the process election officials use to maintain accurate and up to date voter lists. It includes adding, updating, and removing voters from lists. Officials must follow appropriate state and federal laws, including the National Voter Registration Act, to determine whether a voter should be removed from a list. Maintaining an accurate voter registration list is essential to protecting election integrity. Americans deserve an election system that produces an accurate result based on each eligible voter casting a single ballot in their proper jurisdiction. Maintaining an accurate voter list benefits voters because it lowers the likelihood of lines at the polls, reduces voter confusion, and decreases the number of provisional ballots. Updated records also allow election administrators to plan, better manage their budgets and poll workers, and improve voter experience.”

<https://www.eac.gov/election-officials/voter-lists-registration-confidentiality-and-voter-list-maintenance>

U.S. Election Assistance Commission website

“At a minimum, the staff leading voter list maintenance activities should understand federal and state voter list maintenance responsibilities including the NVRA, HAVA, and other requirements....Election officials should invest in the continued training of staff, including providing opportunities to participate in state led NVRA and other list maintenance trainings.”

Best Practices Guide on List Maintenance

[https://www.eac.gov/sites/default/files/electionofficials/VoterList/Best Practices Voter List Maintenance V1 508.pdf](https://www.eac.gov/sites/default/files/electionofficials/VoterList/Best_Practices_Voter_List_Maintenance_V1_508.pdf)

U.S. Election Assistance Commission website

- Fact Sheet on List Maintenance:
[https://www.eac.gov/sites/default/files/electionofficials/VoterList/Voter List Maintenance Overview V2 508.pdf](https://www.eac.gov/sites/default/files/electionofficials/VoterList/Voter%20List%20Maintenance%20Overview%20V2%20508.pdf)

Prepared by Grace Grundhauser, Chair for the Board for Registration of Voters August 30, 2023

The Vermont Statutes Online

Title 17 : Elections

Chapter 043 : Qualification And Registration Of Voters

Subchapter 002 : Registration Of Voters

(Cite as: 17 V.S.A. § 2154)

§ 2154. Statewide voter checklist

(a) The Secretary of State shall maintain a uniform and nondiscriminatory statewide voter checklist. This checklist shall serve as the official voter registration list for all elections in the State. In maintaining the statewide voter checklist, the Secretary shall:

(1) limit a town clerk to adding, modifying, or deleting applicant and voter information on the portion of the checklist for that clerk's municipality;

(2) limit access to the statewide voter checklist for a local elections official to verifying whether the applicant is registered in another municipality in the State by a search for the individual voter;

(3) notify a local elections official when a voter registered in that official's district registers in another voting district so that the voter may be removed from that official's district checklist;

(4) provide adequate security to prevent unauthorized access to the checklist;

(5) ensure the compatibility and comparability of information on the checklist with information contained in the Department of Motor Vehicles' computer systems; and

(6) make reasonable efforts on an ongoing basis to compare the information on the checklist with data or information contained in any State agency's database, a database administered by the federal government, or any database of another state or consortium of states, where possible, in an effort to maintain the accuracy and currency of the checklist.

(b)(1) A registered voter's month and day of birth, driver's license or nondriver identification number, telephone number, e-mail address, and the last four digits of his or her Social Security number shall be kept confidential and are exempt from public inspection and copying under the Public Records Act.

(2) A public agency as defined in 1 V.S.A. § 317 and any officer, employee, agent, or independent contractor of a public agency shall not knowingly disclose a copy of all of the statewide voter checklist, a municipality's portion of the statewide voter checklist, or any other municipal voter checklist to any foreign government or to a federal agency or commission or to a person acting on behalf of a foreign government or of such a federal entity for the purpose of:

(A) registration of a voter based on his or her information maintained in the checklist;

(B) publicly disclosing a voter's information maintained in the checklist; or

(C) comparing a voter's information maintained in the checklist to personally identifying information contained in other federal or state databases.

(c)(1) Any person wishing to obtain a copy of all of the statewide voter checklist must swear or affirm, under penalty of perjury pursuant to 13 V.S.A. chapter 65, that the person will not:

(A) use the checklist for commercial purposes; or

(B) knowingly disclose the checklist to any foreign government or to a federal agency or commission or to a person acting on behalf of a foreign government or of such a federal entity in circumvention of the prohibited purposes for using the checklist set forth in subdivision (b)(2) of this section.

(2) The affirmation shall be filed with the Secretary of State.

(d) An elections official shall not access the portion of the statewide voter checklist that is exempt from public inspection pursuant to 1 V.S.A. § 317(c)(31), except for elections purposes. (Added 2003, No. 59, § 7; amended 2015, No. 23, § 8; 2015, No. 30, § 2, eff. May 26, 2015; 2017, No. 50, § 4; 2017, No. 128 (Adj. Sess.), § 1, eff. May 16, 2018; 2019, No. 67, § 8a; 2021, No. 60, § 22, eff. June 7, 2021.)