U.S. ELECTION ASSISTANCE COMMISSION

2016 Election Administration & Voting Survey

Statutory Overview

In order to better understand state laws governing Federal elections, the U.S. Election Assistance Commission, as part of its biennial Election Administration and Voting Survey, is collecting information on state election laws and procedures. These answers will help EAC to better understand the quantitative data relating to the 2016 general election that we are collecting from all U.S. states and territories.

EAC understands that responding to this Statutory Overview may require significant staff time on the part of your office. Please be assured that we have attempted to minimize the burden, and we appreciate your cooperation in this very important project.

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DIRECTIONS AND EXAMPLE

As appropriate, please provide your state's legal citation for the responses to the questions beginning on the following page.

Please answer each question to the best of your ability. If a term or concept is ambiguous, please explain why. If a question is not applicable to your state, please explain why. If a definition or term lacks statutory reference in your state but is widely used in practice, please explain. If election procedures vary at the local level within your state, please explain these variations to the best of your ability.

The Statutory Overview data collection document has two columns below each question.

- On the left, we have provided you with the answer your state provided for the 2014 Statutory Overview. If there has not been a change in your state's laws or legal citation in the response to a question, please mark the box labeled **No Change since 2014** at the top of the left column.

- If the response has changed since 2014 – or your state has not answered this question previously for some reason— please mark the box labeled **Changed since 2014** at the top of the right column and then provide the new answer in the text box provided. If your response is too long to fit in the box, please make a note in the text box and place your response in the "Notes" page at the end of the document. Additionally, if a law was repealed in full, please answer "repealed in full" in the box.

If any of your state laws are currently enjoined or otherwise blocked from enforcement by a state or federal court or by executive decision, please specify.

Example:

A1. How does your state define the following terms related to votes and ballots? Please provide your state's legal citation defining these terms, where applicable.

a) Over-vote

☒ **No Change since 2014** ☐ **Changed since 2014**

State code 1.11 - An attempt to vote for a larger number of candidates than is allowed.

b) Under-vote

☐ **No Change since 2014** ☒ **Changed since 2014**

This term has no legal definition.

State code 1.12 - An attempt to vote for a smaller number of candidates than is allowed.

SECTION A: GENERAL

A1. How does your state define the following terms related to votes and ballots? Please provide your state's legal citation defining these terms, where applicable.

a) Over-vote

☒ **No Change since 2014** ☐ **Changed since 2014**

2014 Response:

Not defined by state statute. The Vermont Official Return of Votes includes overvotes in the "spoiled" category for each contest or race.

2016 Response:

b) Under-vote

☒ **No Change since 2014** ☐ **Changed since 2014**

2014 Response:

Not defined by state statute. The Vermont Official Return of Votes includes undervotes in the "blank" category for each contest or race. The Vermont Administrative Rule on "What Constitutes a Vote" also includes this information.

2016 Response:

c) Blank ballot

☒ **No Change since 2014** ☐ **Changed since 2014**

2014 Response:

Not defined by state statute. The Vermont Official Return of Votes includes blanks in the "blank" category for each contest or race.

2016 Response:

d) Void/Spoiled ballot

☒ **No Change since 2014** ☐ **Changed since 2014**

2014 Response:

There are multiple definitions in state statute. 17 V.S.A. § 2568 defines spoiled ballot as when a voter takes a ballot, makes a mistake and then returns the ballot to get another ballot to vote.

17 V.S.A.§2587 provides that if the election officials cannot determine the voter's intent by the marking on the ballot for a race, then that shall be counted as spoiled. This would be reported as spoiled for the race.

If a voter writes his name or any information that would cause the election officials to know whose ballot is being counted, 17 V.S.A. §2587 provides that the ballot is to be considered spoiled for all races.

If an early absentee ballot voter does not sign the certificate envelope or fails to return the unvoted ballots in a Primary Election, the ballot is considered "defective" under 17 V.S.A.§2547 and the ballot shall not be counted. A defective ballot is a form of spoiled ballot.

2016 Response:

e) Provisional/Challenged ballot

☐ **No Change since 2014** ☒ **Changed since 2014**

2014 Response:

17 V.S.A.§2556 provides the same definition as federal law. However, in Vermont state law we also have a sworn affidavit process that allows a voter to be added to the checklist (voter registration list) and vote a regular ballot if he swears he submitted a timely registration form. Therefore, under Vermont law, any voter who would qualify for a federal provision ballot, would instead complete the sworn affidavit, be added to the voter registration checklist, and would vote a regular ballot. Therefore Vermont election officials only use provisional ballots for persons who are not living in the jurisdiction but who claim that "they heard on TV that they can vote at any polling place in the state". (Connecticut law allows a CT voter to vote for President at any polling place in the state so voters hear this on the news and become confused.) Therefore Vermont has very few provisional ballots in any election.

2016 Response:

17 V.S.A. §2556(a) has been amended, (a) If an individual's name does not appear on the checklist and the individual claims to have submitted an application for the checklist and refuses to complete a new application in accordance with subdivision 2563(2) of this chapter, or if the individual's registration application has been rejected and the individual disputes that rejection, the election official shall allow the individual to vote provisionally. due to § 2144 allowing for same day voter registration.

f) Absentee

☒ **No Change since 2014** ☐ **Changed since 2014**

2014 Response:

Title 17 treats absentee ballots and early voting as the same. The references throughout Vermont election law refer to "early absentee voting". The same rules apply to all early absentee ballots.

2016 Response:

g) Early voting

☒ **No Change since 2014** ☐ **Changed since 2014**

2014 Response:

Title 17 treats absentee ballots and early voting the same. The references throughout Vermont election law refer to "early absentee voting". The same rules apply to all early absentee ballots.

2016 Response:

h) Active Voter

☒ **No Change since 2014** ☐ **Changed since 2014**

2014 Response:

An active voter is a voter who has been added to the voter registration checklist and who has not been challenged by the local board of civil authority (local elections board).

2016 Response:

i) Inactive Voter

☒ **No Change since 2014** ☐ **Changed since 2014**

2014 Response:

A voter that has been sent a challenge letter (see 17 VSA § 2150(3)) from the local election board stating that the board believes the voter has moved out of the town or city and asks the voter to complete the response form either acknowledging he has left town or affirming a physical residence in town.

2016 Response:

j) Other terms (please specify) _____

☒ **No Change since 2014** ☐ **Changed since 2014**

2014 Response:

Defective ballot – 17 V.S.A. §2547 defines an absentee ballot that is returned outside the absentee ballot certificate envelope, or if the certificate is not signed, then the ballot is marked as a defective ballot. This means that the entire ballot is not counted for any race.

2016 Response:

A2. Please provide the legal citation for any *significant* changes to election laws or procedures that have been enacted or adopted since the previous Federal election. "Significant" does not include routine or technical changes (such as changes to election district boundaries or polling place changes). However, EAC would like to learn about any new identification requirements for voters or registrants; changes in eligibility for voting or registering; adoption of alternative voting methods; and other changes that you believe represent a significant change in the way your state runs its elections.

☐ **No Change since 2014** ☒ **Changed since 2014**

2014 Response:

In 2010, the Vermont legislature responded to the MOVE Act requirement of 45 day ballot transit time and moved the Vermont statewide Primary to the 4th Tuesday of August. The legislature also moved the candidate filing deadline for major, minor, and independent candidates to not later than the second Thursday in June.
In 2011 Vermont amended its voter eligibility statute to allow 17 year-olds "who will be 18 years of age on or before the date of a general election [to] register and vote in the primary election immediately preceeding that general election." 17 V.S.A. § 2121.
In 2014, the Vermont legislature made significant changes to Title 17 Elections Law.
-New voters must be added to the statewide voter checklist within 3 days of receipt of their application by the clerk. (17 VSA sec.2144b(a)(1))
-The town clerk's office shall be open on the 46th day before any election that includes a federal office (i.e. primary & general elections) and the town clerk shall send on or before that day all absentee ballots to any military or overseas voter who requested an early voter absentee ballot on or before that day. PLEASE NOTE – the 46th day prior to an election is ALWAYS a Friday.
-Ballots may be delivered by justices of the peace to ill or disabled voters as soon as the ballots are available. (17 VSA sec. 2538)
-At least 30 days prior to every local, primary and general election, clerks must report their polling place(s) to the Secretary of State's office. Locations may only be changed within 30 days of an election in cases of emergency, and in such cases, the change of location must be reported to the SOS within 24 hours. On election day, if a change of polling place is necessary due to an emergency, the SOS office now has the authority to provide assistance on the relocation. (17 VSA sec. 2502)
-The primary election is moved from the 4th Tuesday in August to the 2nd Tuesday in August. This will be effective for the 2016 primary election. (17 VSA sec. 2351). For 2014, the primary date remains the fourth Tuesday in August: August 26.
-Clerks are required to enter early/absentee voter data into the Secretary of State's absentee ballot portal upon receipt of the applications. Clerks will no longer be required to provide copies of absentee voter lists upon request. Requests for lists will all go through the SOS office. This is for primary and

2016 Response:

-17 V.S.A. § 2144 Amended, Election Day Voter Registration and becomes effective on January 1, 2017.
-17 V.S.A. § 2145a. Amended, Automatic Voter Registration at the Department of Motor Vehicle and becomes effective July 1, 2017.
-17 V.S.A. § 2546a. Added, Day Preceding Election; Deposit of Early Voter Absentee Ballots in Vote Tabulator and becomes effective January 1, 2017.
- 17 V.S.A. § 2491. Amended, Mandatory use of Vote Tabulators for towns with 1,000 or more registered voters as of December 31 in even-numbered years. Effective date July 1, 2016.

SECTION B: VOTER REGISTRATION

B1. Is your state's voter registration database system best described as a bottom-up, a top-down, or a hybrid? (Note: A bottom-up system generally uploads information retained at the local level and compiled at regular intervals to form the statewide voter registration list. A top-down system is hosted on a single, central platform/mainframe and is generally maintained by the state with information supplied by local jurisdictions. A hybrid is some combination of both systems described above.)

☐ **No Change since 2014** ☒ **Changed since 2014**

2014 Response:

Our statewide voter registration database system is top down hosted on servers in our office. Town and City Clerks use a remote desktop connection to enter data directly into the system.

2016 Response:

Vermont launched a new Statewide Elections Management System in October of 2015. The new system allows for Online Voter Registration and once registered allows voters to access their My Voter Registration page to update their address, request an early/absentee ballot, track the ballot, find their polling place as well as see a sample ballot. The system is still a top down system.

If your state uses a bottom-up or hybrid system, how often do local jurisdictions transmit registration information to the state list?

☒ **No Change since 2014** ☐ **Changed since 2014**

2014 Response:

N/A

2016 Response:

B2. Please describe the process used in your state to move voters from the active list to the inactive list, and from the inactive list to the active list. Is a different process used for UOCAVA voters?

☒ **No Change since 2014** ☐ **Changed since 2014**

2014 Response:

When the local election board believes a voter has moved out of the town or city, it directs the clerk to send a letter to the voter (there is a form letter in the statewide voter registration database) along with a response form for the voter to complete and return. The letter states that the board believes the voter has left the jurisdiction and is no longer entitled to be on the voter registration checklist and asks the voter to complete the response form, sign it and return it to the town clerk.
For UOCAVA voter the form letter is modified to state that the local board believes that the voter has left the military or has returned to reside somewhere else in the United States and asks the voter to complete the response form that either he is still in the military or still living outside the U.S. or checks a box that he is no longer qualified to remain on the checklist.
A voter is returned to the active list if and when the voter returns the response form swearing that he continues to reside at a physical location within the town or city OR for

2016 Response:

B3. Please describe your state's process for removing voters from the voter registration rolls (not merely moving them from active to inactive). Please include information regarding notices and confirmations. Are these procedures the same for UOCAVA voters?

☒ **No Change since 2014** ☐ **Changed since 2014**

2014 Response:

A voter can be moved from active or challenged to purged (history) when any of the following occurs:
-the voter submits a change of address form to the town or to the DMV showing that the voter has moved to a different town or city for voting purposes,
-when the voter signs and returns the response form to the challenge letter stating that that he has moved from the town or city and stating that he can be removed from the checklist,
-when a death certificate or public notice of death is received,
-when a notice of voter registration in another town, city or state with the voter authorizing removal is received,
-or when any written authorization by the voter to remove his name from the checklist is provided to the town or city clerk.

Yes, the procedures are the same for UOCAVA voters except as explained above, it would occur when the voter left the military or an overseas citizen returned to reside in the United States.

If a voter does not respond to a challenge letter "the board of civil authority shall remove the voter's name from the

2016 Response:

B4. Can your state's voter registration database (or equivalent) share information electronically with your state's driver's license agency (for example, to match records or trace changes in address)? Can your voter registration database be similarly linked with databases in any other state or Federal agencies? Please describe these links, including any use of database matching to verify voter registration applications.

☐ **No Change since 2014** ☒ **Changed since 2014**

2014 Response:

Vermont DMV sends a file each night to a FTP site that our database automatically finds and uploads to our database so that the town clerk can click a button to find out if the DL# entered by the clerk matches the Driver's license information provided by DMV. So it is not real time but only a 24 delay before the town clerk can verify all DMV data.

We match Driver's license numbers as described above. For voters who do not have a DMV PID#, our staff deliver information to DMV staff who then use the AAMVA SSA system to verify the last 4 digits of the SSNs.

2016 Response:

Vermont;s new Election Management system receives all files from the DMV electronically through SFTP.
The DMV files are:
1) All DMV Driver's License Records.
2) All new VT voter registrations.
3) All VT DMV address changes.
4) Last 4 digits of SSN AAMVA SSA verifications.

B5. Please describe how your state uses National Change of Address (NCOA). What has been your state's experience with NCOA?

☒ **No Change since 2014** ☐ **Changed since 2014**

2014 Response:

Vermont does not use the NCOA on a statewide basis. A limited number of large towns or cities may use the NCOA. Our understanding from past users is that this was not effective in providing better information to locate voters or to locate duplicates.

2016 Response:

B6. Please describe your state's voting eligibility requirements as they relate to individuals with a felony conviction. (For example, are convicted felons allowed to vote while in prison or while on parole or probation? Are voting rights automatically restored or does the individual have to apply for a pardon, certificate of eligibility or other similar certificate? Does an individual whose voting rights have been restored have to produce documentation of his/her status when registering to vote?)

☒ **No Change since 2014** ☐ **Changed since 2014**

2014 Response:

Vermont law allows convicted felons to continue to vote in the last place of residence immediately prior to incarceration —voting rights are not lost by conviction of a felony in Vermont. 17 V.S.A. § 2122(a).

2016 Response:

B7. Does your state currently use the Internet in any way to facilitate voter registration? If yes, please describe how your state allows voters to use the Internet in the registration process (e.g., entire registration completed online; completed online but then must be printed, signed, and mailed by voter, etc.).

☐ **No Change since 2014** ☒ **Changed since 2014**

2014 Response:

We post a downloadable voter registration form that voter's can download, print, complete and mail.

2016 Response:

Vermont now has an Online Voter Registration website that allows voter's to submit the form electronically to their town clerk. Once the voter completes the online process the registration is automatically directed to the clerk's Dashboard in our Elections Management System.
https://www.olvr.sec.state.vt.us/

SECTION C: ELECTION ADMINISTRATION

C1. Please describe how all votes cast at a place other than the voter's precinct of registration are tabulated (for example, please include descriptions of such votes as absentee ballots, mail-in ballots, votes cast at vote centers, provisional ballots, early voting locations, etc.).

a. Are the votes counted centrally or at the precincts?

☒ **No Change since 2014** ☐ **Changed since 2014**

2014 Response:

All ballots are counted at the polling place including early absentee ballots which are commingled during Election Day with ballots being voted at the polling place. Vote-by-Telephone ballots and Provisional ballots, if any (because we have a sworn affidavit procedure to allow a voter to be added at the polling place we should not have any provisional ballots to count), are counted centrally at the office of the Secretary of State. For example, in our state Primary Election

2016 Response:

b. If centrally tabulated, are the votes redirected to the appropriate precinct for reporting in the canvass?

☒ **No Change since 2014** ☐ **Changed since 2014**

2014 Response:

The Vote by Telephone votes are added to the correct polling place for the final canvass.

2016 Response:

c. Are the absentee, mail, etc., votes reported separately for each precinct, or are they added to the in-precinct results and reported as just a single number?

☒ **No Change since 2014** ☐ **Changed since 2014**

2014 Response:

Early absentee ballots are commingled at each precinct or polling place and reported in one polling place total. The total number of absentee votes is reported on the ORV but the absentees are included in the total votes cast as a single number.

2016 Response:

d. How are UOCAVA ballots counted and reported?

☒ **No Change since 2014** ☐ **Changed since 2014**

2014 Response:

UOCAVA ballots are generally early absentee ballots and are commingled and reported in one polling place total.

2016 Response:

C2. Does your state require a reason for voting absentee, or does your state allow no-excuse absentee voting? (If a reason is required, please provide the legal citation.)

☒ **No Change since 2014** ☐ **Changed since 2014**

2014 Response:

No excuse needed.

2016 Response:

C3. Does your state provide for in-person early voting? If so, how is early voting defined? When early voting is used, are the ballots counted at the precinct or at a central location? How are these votes reported?

☐ **No Change since 2014** ☒ **Changed since 2014**

2014 Response:

Elections are administered at the town or city level in Vermont. Voters can go to the clerk's office to vote in the 45 days preceding the election. The early in-person ballots are commingled with all absentee ballots that are done through the mail and then all the early absentee ballots are brought to the polling place on the Election Day and commingled with the ballots being voted on Election Day. All ballot types are counted together and reported as total votes for that polling place or precinct.

2016 Response:

Elections are administered at the town or city level in Vermont. Voters can go to the clerk's office to vote in the 45 days preceding the election. The early in-person ballots are commingled with all absentee ballots that are done through the mail and then all the early absentee ballots are brought to the polling place on the Election Day and commingled with
the ballots being voted on Election Day. All ballot types are counted together and reported as total votes for that polling place or precinct. (This process can still be done. But the following statute can be used for vote tabulator towns, 17 V.S.A. § 2546a. now allows vote tabulator towns to process early/absentee ballots on the day preceding the election.)

C4. Do any jurisdictions in your state use a vote-by-mail system to replace (and not merely supplement) at-the-precinct voting in any elections?

☒ **No Change since 2014** ☐ **Changed since 2014**

2014 Response:

No. However, there are a number of towns that regularly have over 30% of the voters use the early absentee ballot system.

2016 Response:

C5. Please list each of the situations that require a provisional ballot in your state. Please provide the relevant legal citation for each situation.

☐ **No Change since 2014** ☒ **Changed since 2014**

2014 Response:

There should not be any provisional ballots in Vermont because our state law allows any voter who would qualify for a provisional ballot to complete a sworn affidavit that is provided by statute and be added to the regular checklist and vote a regular ballot. 17 V.S.A.§2147(4).
On very limited occasions a citizen will misunderstand media reports about provisional ballots and may go to a polling place in a city or town where the citizen is not a resident (for example, to a polling place in the town where he works not where he resides.) If a voter does not live in the jurisdiction and therefore does not qualify for a provisional ballot, but insists that he can vote a provisional ballot, a clerk may provide the ballot but will tell the voter that it will not be counted, and will mark the provisional ballot envelope accordingly.

2016 Response:

Provisional Voting - 17 V.S.A. § 2556(a). Amended, effective date January 1, 2017.

C6. Does your state count provisional ballots of voters who are registered in different precincts, or are those ballots automatically rejected? Please describe the process used by local election officials in determining whether to count a provisional ballot.

☒ **No Change since 2014** ☐ **Changed since 2014**

2014 Response:

No. The voter must come to the correct polling place in the town where the voter resides. The local election official completes the certificate on the ballot by checking the appropriate boxes. The instructions on the envelope provide that the clerk can only mark the envelope that the ballot should be counted IF the voter will swear that he or she submitted a timely voter registration application and is otherwise qualified to register (US Citizen, over 18 and resident of the city or town.) IF the voter will so swear and is qualified, then the clerk should have used the Vermont Sworn Affidavit form and provided a regular ballot. So if our election officials understand our training, we will not have any provisional ballots that would ever be marked by the clerk to be counted. However, we may continue to encounter a few officials who do not understand the law. If this happens, then the provisional ballots are sent to the Office of the Secretary of State with the Official Return of Vote to be counted here—in our last election there were none so our training appears to be working—after 3 previous elections where we received limited numbers of provisional ballots where sworn affidavits should have been used.

2016 Response:

C7. Please describe your state's laws regarding post-election audits, if any. A post-election audit refers to hand-counting votes on paper records and comparing those counts to the corresponding vote counts originally reported, as a check on the accuracy of election results, and resolving discrepancies using accurate hand counts of the paper records as the benchmark.

If your state has post-election auditing, consider including in your response information such as the unit being audited (e.g., precincts, machines); the sampling method (e.g., fixed percentages); whether there is a specific trigger for the audit; the location of the random selection (e.g., state, county); and the races that can be audited.

☐ **No Change since 2014** ☒ **Changed since 2014**

2014 Response:

Vermont law authorizes the Secretary to conduct random post election audits within 30 days of the election. 17 V.S.A.§2493(2). The Secretary decided to conduct audits of 4 polling places following the 2006 and the 2010 General Elections. If the Secretary decides to conduct audits, the secretary selects polling places and the ballots are transported to our office on the date set for the audit by two local election officials. Local election officials are recruited to assist with the counting which is done using the same procedures that are used in hand count towns on Election Day.

2016 Response:

17 V.S.A. § 2493. Authorizes the VT Secretary of State to conduct post-election audits. We are working on establishing rules for conducting. We have performed audits in the past and will continue to do them in the future.

C8. Please describe any state requirements for poll worker training.

☒ **No Change since 2014** ☐ **Changed since 2014**

2014 Response:

Currently, the Secretary of State's office is required to hold election workshops for clerks and other election officials. This is usually done in general election years, and clerks are required to attend such workshops at least once every two years. The new language says the SOS or his/her designee will hold the workshops. This allows VMCTA to partner with the SOS to hold additional trainings around the state. New language requires clerks to send a letter to the SOS in general election years, certifying that they have attended a training. (17 VSA sec. 2457)

2016 Response:

SECTION D: ELECTION DAY ACTIVITIES

D1. Please describe your state's process for capturing "over-vote" and "under-vote" counts.

☒ **No Change since 2014** ☐ **Changed since 2014**

2014 Response:

The optical scan tabulators provide a count of over-votes and under-votes for each race. Hand count towns use tally sheets and make a tic mark for each overvote (spoiled) or undervote (blank) for each race.

2016 Response:

D2. What identification does your state require from voters in the following situations:

a. registering to vote;

☐ **No Change since 2014** ☒ **Changed since 2014**

2014 Response:

None unless a voter is registering for the first time in VT and submits their registration form individually by mail—in this case the voter must also submit a copy of an approved form of ID as listed in the Help America Vote Act or the voter can provide the same range of id when he first votes.

2016 Response:

None unless a voter is registering for the first time in VT and submits their registration form individually by mail or through the online voter registration system—in this case the voter must also submit a copy of an approved form of ID as listed in the Help America Vote Act or the voter can provide the same range of id when they first vote.

b. casting an in-person ballot;

☐ **No Change since 2014** ☒ **Changed since 2014**

2014 Response:

None, unless it is a first time voter that registered alone by mail as explained above.

2016 Response:

None, unless it is a first time voter that registered alone by mail or through the OLVR site as explained above.

c. casting a mail-in or absentee vote;

☒ **No Change since 2014** ☐ **Changed since 2014**

2014 Response:

None, unless first time voter as explained above in a.

2016 Response:

d. casting a ballot under UOCAVA;

☒ **No Change since 2014** ☐ **Changed since 2014**

2014 Response:

None, unless first time voter as explained above in a.

2016 Response:

e. any other stage in registration or voting process in which identification is required (please specify).

☐ **No Change since 2014** ☒ **Changed since 2014**

2014 Response:

NONE, only first time voters registering individually by mail as set out in HAVA must provide ID either with the submission of the application or the first time the person votes.

2016 Response:

NONE, only first time voters registering individually by mail or through the OLVR site must provide ID either with the submission of the application or the first time the person votes.

D3. Please describe your state's laws regarding access to the polling place for election observers. Election observers are people allowed inside the polling place who are not poll workers, election officials or voters. If decisions on access to observers are left to local jurisdictions, please explain.

☒ **No Change since 2014** ☐ **Changed since 2014**

2014 Response:

Each organized political party, each candidate on the ballot not represented by a party, and each committee supporting or opposing any public question can have 2 representatives which we call poll watchers that can listen as names are given at the Entrance Checklist and observe the voting process. The "poll watchers" can only challenge a voter if they believe: 1. he is not in fact the person whose names appears on the checklist or 2. that he previously voted in the same election. 17 V.S.A. §2564

2016 Response:

SECTION E: OTHER

E1. Under HAVA, Section 402, states are required to establish and maintain administrative complaint procedures to remedy grievances. Has your state revised its administrative complaint procedures since they were first implemented? If so, how?

☒ **No Change since 2014** ☐ **Changed since 2014**

2014 Response:

VT adopted a detailed administrative complaint procedure to comply with HAVA and this has not been revised since its adoption. See 17 V.S.A. § 2458. Historically in Vermont, the Office of the Secretary of State has encouraged all citizens to contact this office with any questions or concerns about any aspect of municipal and state government including elections. Vermont has had a toll free number for calls for assistance since long before 1999 when I joined the agency. Any citizen calling on Election Day will have the opportunity to speak with the Secretary of State, the Deputy Secretary of State, or the Director of Elections to have questions answered.

2016 Response:

E2. Please add any additional comments or information about your state's election administration processes that would help to inform the EAC's interpretation of your data.

☒ **No Change since 2014** ☐ **Changed since 2014**

2014 Response:

When elections are administered at the municipal level with town clerks who are locally elected or appointed and elected boards of civil authority (local election boards), citizens are encouraged to observe the voting and counting process, the citizens tend to have confidence the election administration process. Since Vermont implemented the Sworn Affidavit to address the issues created by misdirected voter applications, local officials and our office receive very few complaints or concerns. Knock on wood, we have not yet had any citizen ask to file a written complaint.

2016 Response:

* The information collection associated with the Election Administration and Voting Survey is required for the EAC to meet its statutory requirements under the Help America Vote Act (HAVA) of 2002 (42 U.S.C. 15301), the National Voter Registration Act (NVRA) (42 U.S.C. 1973gg-1 et seq.), and the Uniformed and Overseas Citizens Absentee Voters Act (UOCAVA) (42 U.S.C. 1973ff-1). Respondent's obligation to reply to this information collection is mandatory as required under NVRA (42 U.S.C. 1973gg-1 et seq.) and UOCAVA (42 U.S.C. 1973ff-1). This part of the information collection is being requested to help the EAC to better understand state laws governing Federal elections. Respondents include the fifty states, the District of Columbia, and the U.S. Territories. This information will be made publicly available on the EAC website (www.eac.gov). According to the Paperwork Reduction Act of 1995, an agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is OMB Control No. 3265-0006 (expires 04/30/2017). The time required to complete this information collection is estimated to average 59 hours per state response. This estimate includes the time for reviewing the instructions, gathering information, and completing the form. Comments regarding this burden estimate should be sent the U.S. Election Assistance Commission – 2014 Election Administration and Voting Survey, 1335 East West Highway, Suite 4300, Silver Spring MD, 20910.

NOTES – please place longer responses below