

## **Report requested under Sec. 14 of Act 44 (2015)**

### **Early Processing of Absentee Ballots; Internet Access at Polling Places; Automatic Voter Registration through DMV; Public Service Announcements regarding Early Registration; Improvements to the DMV Registration Process; Identification Requirements for Election Day Registration in Other States.**

To: Senate and House Committees on Government Operations

From: Secretary of State's Office, Elections Division

Date: January 15, 2016

Under Section 14 of Act 44 (2015), the election-day voter registration law, the House and Senate Committees on Government Operations requested the Secretary of State (SOS) to report on the proposed process and any recommendations or concerns regarding the following:

- permitting a town clerk to deposit in a vote tabulator on the day before an election any early voter absentee ballots he or she has received, while still complying with other provisions of election law;
- ensuring that all towns have internet access at each polling place on the day of an election;
- permitting automatic voter registration through the Department of Motor Vehicles; and
- public service announcements that encourage people to register to vote prior to the day of an election.

The report shall also address:

- any improvements in the registration of voters through the Department of Motor Vehicles;
- other states that require identification for Election Day voter registration and whether Vermont should also require such identification; and
- any other recommendations regarding the administration of Election Day registration.

The SOS was directed to consult with town clerks in the preparation of his report. An initial meeting to gather input from clerks regarding the report was held on July 23, 2015 with the Secretary of State's Clerks Advisory Group. After a draft of the report was prepared by the SOS, a follow up meeting with the Secretary of State's Clerk's Advisory Group was held on December 8, 2015 to receive their feedback on the report draft. The following week, on December 16, 2015, the SOS met with the legislative committee of the Vermont Municipal Clerks and Treasurer's Association (VMCTA) to gather their input on the draft report. The VMCTA legislative committee prepared a written response to the SOS's initial draft, which was reviewed at the meeting. Following these meetings, this final draft of the report was prepared incorporating feedback from the clerks.

The SOS will address each of the above items individually. The SOS would like to emphasize that in its responses to 5 of the 7 items requested (see (a)(1)(3) and (4) and (b)(1) and (3)), it is either willing to take, is supportive of, or has already undertaken, actions which should significantly reduce the burden of administering Election Day registration (EDR) or will reduce other burdens such that more resources are available to perform EDR. The cumulative impact of these actions should alleviate many of the clerk's concerns regarding the difficulty of administering EDR.

## **Executive Summary**

### ***(1) permitting a town clerk to deposit in a vote tabulator on the day before an election any early voter absentee ballots he or she has received, while still complying with other provisions of election law.***

The SOS is not opposed to the concept of allowing towns to process absentee ballots through the vote tabulator prior to the election. Our tabulator supplier has indicated that the machines can safely and accurately store the count for any ballots processed early and continue that count on Election Day. The SOS's primary concern regarding this concept is to structure the law and process in such a way as to maintain voter confidence in the integrity of the vote count. This can be accomplished by carefully crafting the process to maximize transparency and security in the early vote counting process. The SOS would suggest that any such change to the law be made during the 2017 legislative session for implementation in the 2018 election cycle.

### ***(2) ensuring that all towns have Internet access at each polling place on the day of an election;***

The SOS does not believe that the availability of internet access at all polling places is necessary for the proper administration of EDR. The provision of internet access to all polling places without the adoption of an e-poll book system would only allow clerks to check whether a person is registered in another town, but not whether they had already voted in the election. Although the SOS feels strongly that such a system need not be in place in order to implement EDR, the SOS is committed to actively pursuing the implementation of such a system. We believe it is reasonable to expect that such a system could be in place before the next presidential election year in 2020.

### ***(3) permitting automatic voter registration through the Department of Motor Vehicles;***

Automatic voter registration would be a simple, cost effective, and efficient means of registering more people to vote. At the same time, it would drastically reduce any potential burden on election officials associated with EDR by reducing the number of people who would need to register on Election Day in the first place. H.458, introduced in the house in 2015, would implement automatic voter registration. The SOS supports passage of Automatic Voter Registration and notes that, if it were to pass and be put in effect next year (2017), the process could be in place prior to the implementation of EDR.

### ***(4) public service announcements that encourage people to register to vote prior to the day of an election.***

The SOS is committed to doing everything it can with the resources it has to publicize the need to register to vote prior to an election. Encouraging civic participation, especially in the elections process, is part of the mission of the office, and the Elections Division in particular. In addition to our traditional forms of outreach, this year the SOS is significantly expanding its use of social media (such as Facebook and Twitter) to ensure that as many Vermonters as possible are aware of how to register, including our new online registration system. By aggressively promoting the online registration option, and the concept of registering before Election Day by any means, the vast majority of eligible Vermonters should be registered by the time the election arrives. Additionally, we will explore the ability of using both audio and visual recordings encouraging voter participation.

***(5) any improvements in the registration of voters through the Department of Motor Vehicles;***

Since the passage of S.29, the SOS has made a significant improvement to this process. With the implementation of the SOS's new election management system this past October, all voter registration applications from the DMV are now submitted electronically, directly to the appropriate town clerk for processing. By transmitting and processing these applications at a significantly faster rate, there should be far fewer, if any, individuals arriving at the polling place who registered to vote at the DMV but who do not yet appear on the checklist. Having all but eliminated the need for the use of this affidavit through the electronic transfer of all voter registrations from the DMV, it is the expectation of the SOS that clerks will find they have more time and poll workers available to administer EDR.

***(6) other states that require identification for Election Day voter registration and whether Vermont should also require such identification;***

The SOS remains strongly opposed to the concept of requiring identification or other proof of residency in order for a person to register on Election Day. It is the SOS's opinion that an ID requirement is an unnecessary impediment to the ability to register and vote on Election Day. Unlike other states that require ID or proof of residency to register on Election Day, in Vermont no additional documentation or verification is required for all other applications, so there is no reason to impose an ID or proof of residency requirement on Election Day. Some clerks do feel strongly that some form of proof of residency, if not personal identification, should be required. This question was vigorously debated by both committees during the course of testimony on the bill, and by both houses as the bill moved to final passage. The record is replete with the arguments on both sides and the Legislature chose, ultimately, that an ID or proof of residency requirement did not fit with Vermont's existing voter registration scheme. The SOS continues to agree with this decision.

***(7) any other recommendations regarding the administration of Election Day registration.***

Any measures that encourage Vermonters to register to vote before they get to the polling place are critical to the successful administration of EDR. A major feature of the new election management system and statewide voter checklist released this year by the SOS is the ability for Vermonters to register to vote online. Providing Vermonters with the ability to register online is perhaps the most effective means of reducing the burden on clerks of administering EDR.

In their response to the initial draft of this report, the VMCTA legislative committee requested that all voter registration and all early/absentee voting be cut-off at the end of the day on the Friday before the election. The SOS is willing to consider, at most, a cut off time of noon on the day preceding the election for the submission of new registrations and/or requests for absentee ballots. While we hesitate to implement any new rules that limit voter participation in the election process, we understand that some period of time for clerks to work on the administrative tasks of cleaning up their checklist (without worrying about processing new registrations or new absentee ballot requests) would be highly beneficial to them. The SOS is willing to work with the committees and the clerks to consider whether such gap time makes sense in Vermont and would represent a net positive to the overall administration of the election.

Sec. 14. SECRETARY OF STATE REPORT

*(a) The Secretary of State shall consult with town clerks and report on or before January 15, 2016, to the Senate and House Committees on Government Operations with his or her proposed process and any recommendations or concerns regarding the following:*

***(1) permitting a town clerk to deposit in a vote tabulator on the day before an election any early voter absentee ballots he or she has received, while still complying with other provisions of election law.***

One of the main concerns raised by Clerks and other officials regarding the implementation of Election Day registration (EDR) is the time and resources it will take away from the other duties that have to be performed at the polling place. In simple terms, the clerks are concerned that they are busy enough already on Election Day that adding another administrative responsibility will be too much. The Secretary of State's Office (SOS) recognizes that this is a real concern; that election workers can be hard to come by, and that election budgets are already thin.

The EDR law was crafted with an eye toward making the process as easy as possible to administer. Additionally, the SOS will focus its elections training on ways in which the clerks can reduce the burden that EDR will place on election workers. Still, it is equally important to ask whether there are other ways that the election process can be simplified to ensure more time and attention for EDR.

During the course of testimony on the EDR law, certain clerks pointed to the processing of absentee ballots on Election Day as one responsibility that takes up a lot of time from their election workers. They suggested that, if this processing of absentee ballots could take place prior to Election Day, those workers could spend their time on Election Day administering registrations and performing other duties.

To be clear, when we speak about "processing absentee ballots" on Election Day, we are referring to the process of removing those ballots from the certificate envelope and feeding them into the tabulator or ballot box for vote processing. Current law already affords the option, during the 30 days preceding the election, to remove the certificate envelope from the exterior mailing envelope, to check the voter off the checklist as having voted by absentee, and to place the certificate envelopes in a secure container for processing on Election Day. See 17 V.S.A. § 2546. In towns with less than 300 voters, this same process may occur during the 48 hours preceding Election Day.

As such, through section 2546, the legislature has already acknowledged that the processing of absentee ballots on Election Day can be a burden for the poll workers. That section allows the election officials to undertake as much of this process as possible before Election Day, except for the final step of opening the certificate envelope and placing the ballot in the tabulator or ballot box. The suggestion from the clerks during testimony was to allow this final step to also be performed before Election Day, meaning the ballots would be fed through the tabulator or placed in the ballot box prior to Election Day.

There was significant consensus among the clerk's involved in the consultation process that this would be a beneficial change and would save time and resources on Election Day. Both the clerks and the SOS agree that this process should be an optional one for towns – so that a town only needs to do this early processing if the elections officials in that town decide it is necessary. We would caution that this would be a substantial change and would require significant redrafting of the law and training for the clerks. The SOS is not opposed to this concept but will want to ensure that the process is designed in a way that maintains the integrity and accuracy of the vote count and the public's confidence in that count. If the

committees decide to move forward with allowing this early processing of absentee ballots, the SOS offers the following considerations/suggestions for this process.

1. Technical capabilities – the SOS has discussed this concept with the manufacturer/supplier of our vote tabulators, LHS Associates. LHS has assured us that the tabulators are capable of being turned off and holding a vote count, such that they could be turned back on and could pick back up with the vote count from the point at which they are turned off. LHS has clients in other states which use this feature to process votes in early voting centers where the law provides for that.

The clerk would essentially start the election on the machine at some point prior to the election date, as they do now when the polls open on Election Day, process the absentee ballots, and then turn the machine off. The machine could then be turned back on Election Day and the vote count would continue from the point where it left off when it was turned off after counting the absentee ballots.

Because these machines are stand-alone devices – they are not connected externally to any network or outside software – there should be little concern with the memory card, and the vote count it contains, being altered or tampered with in the time between the early vote processing and Election Day. LHS could also provide, at a low cost, locks which could secure the memory card in place in the machine during this time frame (between the early vote processing and the day of the election). This would provide a physical layer of security over the memory card to ensure it was not removed from the machine and tampered with by the clerk or anyone else after the election has been initiated on the card.

Because of the assurances we have received from LHS, and the option of providing a physical lock on the memory card to be used when the election has been started on the card, the SOS is confident that this process could be administered with no additional threat to the integrity or accuracy of the vote count.

*However, despite the SOS confidence in this process, we are very much aware that there will be a significant number of Vermonters who are skeptical of the security of the vote count using this process.*

Currently, the entire process of the election from the standpoint of the tabulator – from inserting the card and starting the election, to ending the election and running through the “ender card” which closes the election – takes place in public, at the polling place, and is open to viewing by the public. Under this proposal, the election will be started on the memory card prior to the election, most likely in the clerk’s office, and, following the processing of early ballots, the election will stay open during overnight periods when the tabulator is secured in the clerk’s office and away from the public eye. This will inevitably result in skepticism, no matter how unfounded, in the integrity of the vote count. It will be up to the committees to decide whether this increased skepticism is worth the benefit that will be derived for poll workers on Election Day who no longer have to take this last step in the processing of absentee ballots.

## 2. Parameters for the process

The SOS suggests that, if this process is adopted, the committees will have to define when, how, and under what type of notice this process will take place.

- a. Timeframe: with input from the clerks, the committees will need to decide when this processing will occur, for example: during the week before the election, only the day before the election, or a specific day, for example the Friday before the election.

- b. Process: Who will be allowed to perform this process, for example: the clerk, his or her assistant(s), justices of the peace, BCA members, and/or other appointed election officials. Also, what actions must be taken should be clearly defined, from starting the election to turning the machine off and securing the memory card in place prior to storage. This entire process should be open to the public and part of the warned actions taking place (see below).
- c. Notice: The SOS recommends that this vote processing process be publicly noticed, at least five days in advance, by posting in the same places the election is warned, and publication in the newspaper in the week prior to the date of processing. This will help address concerns regarding public viewing and transparency of the vote counting process.
- d. Which ballots: will all absentee ballots be processed early, or only those voted in person at the clerk's office. For example, the Brattleboro clerk reported that a recent charter change there allows them to process the early in-person votes early, but not those received by mail.
- e. Storage of machine with Vote Count Started - Other clerks also noted that storing the machine in the vault after vote processing has begun may cause a problem, as it is often the case that more than one person in the town office has a key to the vault.
- f. Hand Count towns – the clerks suggested that, in hand count towns, the ballots could simply be placed in a secure box that would then become the same box for depositing ballots on election day. This would at least save the elections officials the time of opening the absentee envelopes on election day. (Note: most towns that have a volume of ballots cast that would necessitate this process will be towns that use tabulators, but considering how the option will work in hand count towns is an important consideration raised by the clerks.)

The SOS would advise that the committees consult closely with the town clerks and the SOS in defining the parameters of the process. Attached to their response to the SOS's initial report draft, the VMCTA legislative committee provided sample language from the Maine statutes that describe the process in that state for early processing of ballots. This language could serve as a model and starting point for the discussion of how the process could work in Vermont.

The goal should be to maximize transparency and public confidence in the integrity of the vote count. If done properly, the SOS feels that the concept of early vote processing could be a benefit to the smoother conduct of the election at the polling place, especially in light of the new responsibilities faced by election workers under the Election Day Registration law.

Although the SOS can support this idea, it is important to note that this will be a substantial change in the election law that will require significant training for town clerks and public education about the process. The SOS would not recommend implementing this change in process during the current election year, but would suggest that the changes be made during the 2017 legislative session for implementation in the 2018 election cycle.

***(2) ensuring that all towns have Internet access at each polling place on the day of an election;***

The SOS does not believe that the availability of internet access at all polling places is necessary for the proper administration of EDR. The suggestion that all polling places should be required to have internet access is one of two items in this report that relate to concerns regarding voter fraud associated with

EDR. Specifically the concern is about individuals who might use EDR to vote multiple times in the same election in different locations. The SOS believes that the necessary systems and protections are currently in place to adequately prevent any such voter fraud from occurring – or to prosecute it if it does.

The Secretary of State takes his responsibility to protect the integrity of elections very seriously, and supports the aggressive pursuit of any individuals that may engage in voter fraud of any kind. At the same time, the SOS strongly believes that concerns regarding in-person voter fraud, specifically one individual voting in multiple locations in the same election, are greatly exaggerated and that the threat of this occurring is far less than what is sometimes suggested and perceived.

The voter registration application requires an individual to swear to the truth of the statements made thereon, and informs the applicant that providing false information comes with a penalty of up to a \$15,000 fine and ten years in prison, or both. The SOS believes that these penalties alone are an effective deterrent to instances of EDR-associated voter fraud.

The suggestion that internet should be available at all polling places is in theory meant to enable a clerk to check whether an individual who is asking to register on Election Day is already registered in another town, *and whether that individual has already voted in the election*. EDR allows for an individual to change their registration status from one town to another, even on Election Day. Finding that a person is registered in another town is not evidence of any type of fraud, it simply means the person wants to re-register in the town they now reside, and they are allowed to do so. The fraud only occurs if the person who is found to be previously registered in another town has already also voted in that town, and they are attempting to vote again.

Clerks involved in the consultation process report that currently, simply having a laptop with access to the statewide checklist will be a form of deterrent in many cases to attempted fraud. Simply seeing the clerk check the statewide checklist for any instances of duplicate registration may make someone who is thinking about voting twice, think twice. This is possible currently, for any clerk who can bring a laptop to the polling place with the new Election Management system installed. It is the SOS hope that the presence of a laptop with the new EMS system in every polling place, even without internet access, will act as a deterrent to fraud in many cases.

Even if all polling places were equipped with internet access, checking whether an individual has already voted in a given election would require the development and/or purchase of an e-poll book system, where voters are checked off the checklist electronically and that information is available in real time to all users of the statewide checklist to search for people who have already voted in another location. The provision of internet access to all polling places without the adoption of an e-poll book system would only allow clerks to check whether a person is registered in another town, but not whether they had already voted in the election.

As such, the suggestion that internet connectivity at all polling places will, on its own, eliminate the perceived risk of people voting in multiple locations, is false. If the committees feel that the threat is significant enough, the use of e-poll books should be required by law and the SOS will undertake to procure, implement, and train the town clerks on this new technology. There is significant interest in the use of e-poll books among the clerks involved in the consultation process, and some have offered to pilot any such technology. This interest is based in both the e-poll book's administrative benefits and its

potential for fraud prevention. The SOS would support the adoption of the use of e-poll books, however their implementation without the availability of internet at all polling places would not represent a significant improvement from the current elections system/voter checklist that is currently in place.

The easiest solution to providing internet access at all polling locations is to achieve universal broadband access throughout the state that would be available in all polling locations. Short of this, there are a range of remote access internet technologies including satellite internet and wi-fi hot spots. These technologies range in effectiveness and price, which are closely related. The purchase and use of these technologies would need to be linked with purchase and use of an e-poll book system.

The SOS supports moving in this direction and has already begun exploring the market for e-poll book technology. The relevant question for the purpose of this report, however, is whether that technology must be in place in order to effectively implement EDR. The SOS feels strongly that this is not the case. In fact, the SOS interest in the adoption and use of e-poll books is primarily because of the administrative benefits we feel these e-poll book systems will produce. Improved tracking of voter participation, higher quality turnout and voting method statistics, and ease of polling place administration are a few of the many reasons why adoption of an e-poll book system makes sense.

As such, the SOS can commit to continuing to actively pursue the concept of purchasing and implementing an e-poll book system statewide. In consult with the town clerks, there will be many considerations to make any such implementation effective, including:

- 1) E-poll book technology is developing rapidly and ever-changing; when to enter the market and make a purchase will be an important consideration;
- 2) Any remote internet connection must be relatively mobile to account for the frequent changes that occur to polling locations across the state (this is a concern shared by the clerks); and
- 3) The allocation of costs for such a system and internet connection among the towns, state, and federal funds must be considered.

The SOS reminds the committees that of the 15 states now with EDR: three states began EDR over 40 years ago, and three more states 20 years ago – BEFORE computers were being used in election processes.

Although the SOS feels strongly that such a system need not be in place in order to implement EDR, the SOS is committed to actively pursuing the implementation of such a system. We believe it is reasonable to expect that such a system could be in place before the next presidential election year in 2020.

### ***(3) permitting automatic voter registration through the Department of Motor Vehicles; and***

The SOS strongly supports the concept of automatic voter registration for all persons who apply for a driver's license from the Department of Motor Vehicles (DMV). The concept is fairly simple – every person who applies for a driver's license or other license from the DMV that meets the eligibility requirements to vote would be automatically registered to vote, unless they choose to opt out of voter registration. Under current law, everyone who applies for a driver's license is provided the opportunity to register to vote, but they must actively choose to do so on the form. Automatic voter registration



through the DMV would simply change the default, and require persons to opt out, rather than opt in, to voter registration.

In a broad sense, the SOS supports automatic voter registration as an effort to make sure as many eligible Vermonters as possible are registered to vote. This would remove one more barrier -- the need to register -- from the voting process. In the context of EDR, implementation of automatic voter registration should drastically reduce the need for Election Day registrations, as only those people who have not applied for a license from the DMV, and who have not otherwise registered to vote, will need to register on Election Day in order to cast a ballot. In this way, introduction of automatic voter registration could be a major step towards addressing a main concern of the clerks regarding EDR: the volume of people who would request to register and the time that would take from election officials at the polling place.

H. 458, introduced in the house in 2015, would implement automatic voter registration. The SOS supports passage of Automatic Voter Registration and notes that, if it were to pass and be put in effect in 2018, the process could be in place prior to the implementation of EDR during the 2018 elections.

Support for automatic voter registration is growing across the country. Automatic voter registration has been signed into law in Oregon and California. There is broad tri-partisan support for this concept. At least two bills have been introduced in Congress that would implement it across the country. Please see this link for a detailed summary by the Brennan Center of the status of automatic voter registration legislation nationwide: <https://www.brennancenter.org/analysis/automatic-voter-registration>.

With the introduction of our new election management system and statewide voter checklist, the SOS has already taken a significant step forward by implementing the electronic transfer to the town clerks of voter registration applications accepted at the DMV. See below for a detailed description. Having already implemented the electronic transfer of these records, it will be significantly easier for DMV and SOS to implement a system of automatic voter registration.

Currently, if an applicant at the DMV checks the box saying he or she wants the information provided to be used to register to vote, that data is entered by DMV staff and transferred electronically to the appropriate town clerk for approval and processing. If automatic voter registration were implemented, we would simply engage in the same process, but would send data to towns for voter registration from all applications where the applicant did not check "No" (instead of those where they checked "yes").

The SOS will need to verify that information against the current voter records, and only send new information to the clerks for either updates to registrations or transfers of voters from town to town.

Automatic voter registration would be a simple, cost effective, and efficient means of registering more people to vote. At the same time, it would drastically reduce any potential burden on election officials by reducing the number of people who would need to register on Election Day in the first place. The SOS supports this idea and sees it as the best of any of the recommendations in this report for addressing the concerns raised by clerks regarding Election Day registration.

***(4) public service announcements that encourage people to register to vote prior to the day of an election.***

The SOS has been and continues to be committed to doing everything it can with the resources it has to publicize the need to register to vote prior to an election. Encouraging civic participation, especially in the elections process, is part of the mission of the office, and the Elections Division in particular.

The SOS can commit to continuing its public outreach regarding voter registration through the following means:

- Announcements and reminders on our website;
- Highlighting voter registration deadlines on all election calendars;
- Press releases before every statewide election reminding the public of registration deadlines and the need to register before you vote;
- Press appearances in statewide and local media by the Secretary reminding people to register before they come to the polls;
- Celebration and promotion of Voter Registration month every year in September including a registration drive at the SOS office; and
- Outreach through social media, particularly the SOS Facebook and Twitter accounts.

The Secretary is also willing to develop actual “public service announcements” for broadcast on television and online, reminding Vermonters of the need to register and the benefit of doing so before Election Day. The only limitation in this area is staff time and resources in the production of these messages and the budget required to do so. If the SOS can produce such announcements at little or no cost and using minimal staff time, it will do so.

The SOS would also note that it has done, and continues to do, significant public outreach promoting the newly implemented ability for Vermonters to register online. With the option now to register online, it is easier than ever for Vermonters to do so, at a time and place that is convenient for them, twenty four hours a day. The SOS feels that, as awareness of this option increases, it will significantly reduce the number of people that will ask to be registered on Election Day. The SOS has provided graphic links to both the online registration page and My Voter Page to the clerks to put on their own individual town websites to further promote these systems at the local level.

The SOS did a significant media campaign announcing the launch of the new online registration system. The Secretary wrote an Op-Ed that was widely published, a press release that got even greater circulation, and a large number of television media spots promoting the system. We plan to continue and even broaden the scope of this media outreach (including social media such as Facebook and Twitter) to ensure that as many Vermonters as possible are aware of this new option.

With the availability of online registration, and the potential for automatic registration (see above), the demand for Election Day registration should be significantly reduced. By aggressively promoting the online registration option, and at the same time promoting the concept of registering before Election Day by any means, the vast majority of eligible Vermonters should be registered by the time the election arrives.

*(b) The report described in subsection (a) of this section shall also address:*

***(1) any improvements in the registration of voters through the Department of Motor Vehicles;***

One of the primary duties that currently takes inordinate time at the polling place is the administration of affidavits to individuals who registered at the DMV prior to the deadline, but who have not been added to the voter checklist.

This issue is included in this report because of the clerk's concern about the time and resources needed at the polling place to administer EDR.

With the introduction this past October of the SOS's new election management system and statewide voter checklist, there have been significant, fundamental improvements to the voter registration process through the DMV. The improvements made with the new elections system should all but eliminate the need to administer affidavits regarding DMV applications at the polling place, thereby freeing up significant time and resources for the administration of EDR.

Under federal law, all applicants to the DMV are required to be offered the opportunity to register to vote. This has been occurring since the law first passed in the mid-2000s. The difficulty has never been the registration process at the DMV itself, but rather the transfer of those applications to the town clerks. Under the previous system, paper voter registration applications submitted at the DMV were compiled and sent to the SOS. The SOS would then sort those applications and mail them out to the appropriate town clerks. The issue was that far too often an application submitted at the DMV prior to the deadline would not arrive at the appropriate town clerk until after the election. This led to many instances of voters coming to the polls and not finding their names on the voter checklist. To address this problem, an affidavit was developed for these individuals to sign to say that they had submitted an application prior to the deadline and were not on the checklist through no fault of their own.

With the implementation of the new election management system, all voter registration applications from the DMV are submitted electronically, directly to the appropriate town clerk for processing. Information from the DMV is transferred on a nightly basis, meaning most registrations (with the exception of those submitted at remote sites that are physically transported to Montpelier for data entry by DMV) will arrive to the appropriate clerk within 24 hours of being submitted at the DMV.

Each clerk has a "dashboard" in the system that notifies him or her of pending DMV applications. The clerk reviews the information and approves the application. In addition to receiving the new applications daily, instead of the days or weeks it could take in the past, the clerks no longer have to perform data entry into the system, typing in the information that they read from the paper application. Instead, the data is pre-filled and simply needs to be reviewed and approved. (An added benefit here is the continued clean-up and greater accuracy of the data).

Clerks involved in the consultation process uniformly reported how pleased they are with the new electronic transfer of these applications. After sorting out some initial issues with the data being received from DMV, clerks have commented that the processing of these applications is much faster and easier than it was under the paper-based system. One clerk reported recently processing approximately 40 registrations in less than an hour, something which would have taken "much longer" using the previous registration system and paper forms.

By transmitting and processing these applications at a significantly faster rate, there should be far fewer, if any, individuals arriving at the polling place who registered to vote at the DMV but who do not yet appear on the checklist. The administration of the DMV affidavit is one responsibility that has, in the past, used significant time and resources at the polling place. Many clerks report having to dedicate at least one poll worker to this task throughout the day. Having all but eliminated the need for the use of this affidavit through the electronic transfer of all voter registrations from the DMV, it is the expectation of the SOS that clerks will find they have more time and poll workers available to administer EDR<sup>1</sup>.

***(2) other states that require identification for Election Day voter registration and whether Vermont should also require such identification;***

The SOS remains strongly opposed to the concept of requiring identification or other proof of residency (ID) in order for individuals to register on Election Day. It is the SOS's opinion that the inclusion of an ID requirement is an unnecessary impediment to the ability to register and vote on Election Day. Instead of protecting the integrity of the election by discouraging in-person voter fraud, we believe an ID requirement would threaten the integrity of the election by denying many otherwise eligible Vermonters their right to cast a ballot. In the same way we currently have to deny eligible Vermonters the opportunity to vote because they are not aware of the current registration deadline, we would turn away a similar number of people who are unaware of or unable to comply with an ID requirement.

Please see the attached chart displaying other states that allow Election Day registration and the form of ID, if any, they require before a person can register on Election Day (Attachment A). This chart was prepared in April of 2014 by the National Conference of State Legislatures and was submitted to the committees during testimony on S. 29. You will see that all but one state, Montana, require some form of ID in order to register on Election Day. What is important to note is that all of the states requiring ID on Election Day also require some form of ID for registrations *prior to Election Day*, or have a verification process for the information provided on an application before an individual is added to the checklist.

For example, some states will send a piece of non-forwardable mail to the address provided on the application. If the mail is returned, the person's name is not added. Other states will verify driver's license numbers with the DMV and if they will not verify, the person is not added. Still other states will verify the signature contained in an application with a signature on file, and will not add the person if a match is not confirmed. In all of these cases, the requirement to present identification or proof of residency on Election Day is used as a substitute for an already onerous verification process that cannot be performed when a person applies on Election Day.

In Vermont, no further verification of the information provided on the voter registration application is required before a person's name is added to the voter checklist. When a person signs the application, they swear that the information provided is true, and are subject to the penalties of perjury for providing false information<sup>2</sup>. In fact, the law prohibits the clerk or the BCA from requiring any

---

<sup>1</sup> This electronic transfer of registrations from the DMV has been occurring successfully since the launch of the system in October. The SOS would like to thank the team at the DMV for all of its hard work and cooperation in making this significant improvement. The DMV takes its voter registration responsibilities very seriously and devoted significant time and resources toward developing this new process.

<sup>2</sup> These penalties are up to a \$15,000 fine and ten (10) years in prison, or both.

supporting documentation in addition to the application from any individual or group of applicants as a matter of course. See 17 VSA §2145(c), which states:

*“ . . . (c) A board of civil authority or town clerk may not . . . routinely or as a matter of policy require applicants to submit additional information to verify or otherwise support the information contained in the application form.”*

The Legislature clearly considered whether it should be the role of the clerk and other election officials to scrutinize and verify the information provided on the form, and chose that it should not be. That role is left to a judge, to whom an individual can appeal if their application is denied by the BCA. See 17 V.S.A. §2148. In all other cases, the information provided on the form is assumed to be true, and the person’s name is added to the checklist as long as the information on the form is complete.

If a clerk questions the veracity or validity of the information provided in an application he or she can refer that application to the BCA for their review and action. 17 V.S.A. §2144b(c). The BCA may review the application and may even bring the applicant in front of the board to testify under oath. 17 V.S.A. §2146. On Election Day, this review by the BCA can occur with any members of the BCA that are present. If the board decides to reject an application, the applicant may appeal to superior court, either before or on the day of an election.

The SOS believes that the approval process for an application should be the same on Election Day as it is for all other applications. Unlike other states that require ID or proof of residency to register on Election Day, in Vermont the registration process on Election Day can occur in the same manner as all other registrations – the application is reviewed by the clerk and the person’s name is added to the checklist if the information is complete and the person meets the requirements based on the information provided. Because no further verification takes place for all other applications, there is no reason to impose an ID or proof of residency requirement on Election Day.

Perhaps even more important, however, is that the definition of residency for voting purposes contained in Title 17 does not contain the type of objective standards that could be proven by the forms of documentation suggested. In Vermont, a person can arrive in the town they intend to make their permanent residence and can register to vote there on that same day. They may not have a driver’s license showing that town as their address, they may have received no utility bills, signed no lease, or have any other form of documentation that ties them to that place. But if they have just arrived and consider that place their permanent residence, then they are eligible to vote and should be allowed to do so. An ID or proof of residency requirement, in these cases, would deny an eligible resident the right to vote, simply because they have not been in town long enough to have generated any of these documents.

Residency for voting purposes is defined as follows: *“For the purpose of this chapter, “resident” shall mean a person who is domiciled in the town as evidenced by an intent to maintain a principal dwelling place in the town indefinitely and to return there if temporarily absent, coupled with an act or acts consistent with that intent.”* 17 V.S.A. §2122(b).

As soon as a person has “an intent to maintain a principal dwelling place in the town indefinitely . . . coupled with an act or acts consistent with that intent,” the person qualifies as a resident for voting purposes. There is no specific act, such as signing a lease, receiving a utility bill, or spending a certain

number of nights in the town, that is necessary. Whether a person can show the necessary act or acts to evidence their intent is determined by a judge, if their application is denied and they choose to appeal.

In light of the subjective nature of the definition of residency for voting purposes, it is easy to see why the Legislature decided that no additional documentation should be required along with the application. There are cases where the required intent can exist without any documentation that could prove that intent. This calculus is no different whether or not the application is being submitted on Election Day, or weeks before.

Finally, however, the most important reason that the SOS does not support an ID or other proof of residency requirement is that otherwise eligible Vermonters may not have the required documentation, or may not know to bring it with them to the polling place if they do. Many eligible Vermonters could be turned away for no other reason that they were not aware of the registration requirements, simply perpetuating the problem we see today with voters who were unaware of the registration deadline.

For all of these reasons, the SOS strongly opposes the addition of any ID or proof of residency requirement for EDR. The SOS does acknowledge, however, that many clerks feel very strongly that some form of identification and/or proof of residency should be required for persons registering on Election Day. Clerks involved in the consultation process very clearly expressed how uncomfortable they feel simply accepting the word of a person on a registration application who is then immediately allowed to cast a ballot. Although they acknowledge that our verification process is solely administrative, and that someone who is not yet verified may still vote under current law, it simply *feels* uncomfortable to allow this on Election Day. These clerks take their role as presiding officer seriously, and genuinely want to protect the integrity of the election by allowing only eligible persons to vote.

Other clerks commented that the SOS's reasoning above makes sense to them, and that they would not want to be put in the position of determining a person's eligibility based on documentation provided at the polling place. With the current subjective nature of the residency definition, they understand that a documentation requirement doesn't necessarily make sense, couldn't be effectively administered, and would often require them to make judgment calls that they do not feel comfortable having to make.

This question was vigorously debated by both committees during the course of testimony on the bill, and by both houses as the bill moved to final passage. The record is replete with the arguments on both sides and the Legislature chose, ultimately, that an ID or proof of residency requirement did not fit with Vermont's existing voter registration scheme. The SOS continues to agree with this decision and Secretary Condos reiterates that he takes his responsibility to protect the integrity of elections very seriously, and supports the aggressive pursuit and prosecution of any individuals who may engage in voter fraud of any kind under existing criminal penalties.

### ***(3) any other recommendations regarding the administration of Election Day registration.***

A major feature of the new election management system and statewide voter checklist released this year by the SOS is the ability for Vermonters to register to vote online. One of the main concerns raised by clerks and other election officials regarding the administration of EDR is the availability of resources at the polling place to process applications. The most direct way to address this concern is to reduce the number of people who would request to register on Election Day. Any measures that encourage Vermonters to register to vote before they get to the polling place are therefore critical to the successful

administration of EDR. Providing Vermonters with the ability to register online coupled with educating and promoting online registration is perhaps the most effective means of accomplishing this goal.

Using the online registration system, any eligible Vermonter can fill out the registration form and submit it to the appropriate town clerk online. This allows Vermonters to submit their application any time, from anywhere they have an internet connection. They are now able to do so from the comfort of their home or work, at a time that is convenient for them without taking time away from work, child care, or their many other responsibilities.

The application appears instantly on the dashboard of the clerk of the town or city in which the person is applying to register. The clerk reviews the information and can approve the application with just a few clicks through the system. The individual is not added to the checklist until the clerk approves the application, and a notice is sent to the voter once the clerk has done so. A clerk may also refer an online application to the BCA for its review, just as they are able to with an application submitted on paper.

Having provided this ability to register online, the SOS is confident that the number of people who may request to register at the polling place should be significantly reduced. Since the online registration system was made available in October, more than 1,100 registrations have been processed through the online system. This represents 1,100 more people who will not have to potentially request to register on Election Day. By reducing the number of registrations occurring on Election Day, we can reduce the burden on clerks and other election officials of administering EDR. Combined with the other measures described in this report, the SOS is confident that our local election administrators have the capacity and the resources they need to easily and effectively implement Election Day registration.

#### Gap Time -

In their response to the initial draft of this report, the VMCTA legislative committee began by noting that S.29 did not amend the law to allow for some period of “gap time” prior to the election. They describe this “gap time” as some period of time prior to the election during which early/absentee voting and/or voter registrations are halted to allow the clerk to prepare for the election. They specifically requested that all voter registration and all early/absentee voting be cut-off at the end of the day on the Friday before the election.

The rationale given by the clerks is that this gap time would give them time to process absentee ballots (and even run them through the tabulator if that change is implemented) and to add the names of any recent applicants to the checklist. They comment that it would give the clerks the time, over the weekend and on Monday, “to feel confident in the veracity of their checklists”. In discussion with the clerks they specifically described this gap time as allowing them to be able to have their checklist perfectly current up until the time of the cut-off, have all absentee ballots processed, and have those voters marked as having returned an absentee ballot.

The SOS is willing to consider implementing some degree of gap time for both the voter registration and absentee voting process, but we note that any such change would reduce access to the voting process for Vermonters, when all of our other efforts have been geared toward increasing participation in the elections process. We understand that some period of gap time would allow some clerks to make sure that all absentee ballot and voter registration activity is accurately reflected on the checklist used at the polls. The Friday before the election is too early but would be willing to explore a shorter period.

The SOS notes that clerks may end up spending as much time turning people away who are trying to make these requests as they would spend processing them, which is important for the committee to consider. Additionally, there is every opportunity, using the new election management system, to keep up with this record keeping as registrations are processed and as absentee ballots are returned. Features included in the new system make both of these administrative tasks much easier and faster than they have been in the past. We think that any suggested change in this area, reducing the time frame for voter registration and absentee voting, should be considered carefully and the benefits should be weighed against the drawback of limiting participation.

In their reply to the SOS's initial draft of this report, the VMCTA legislative committee stated that "[a]ll the states that currently have EDR stop early voting and voter registration in advance of the election." This is not the case. The clear implication is that this gap time is a necessary prerequisite to EDR, however there are states that have implemented EDR that do not have any gap time for either absentee ballot requests or new voter registrations.

Our research shows that the rules regarding cut-off time for absentee ballot requests and new voter registrations vary widely between the states that have implemented EDR. Please see the attached table (Attachment B). Examples of states with EDR that have no gap time for one or both of these processes include: Colorado – no gap time for new registrations; Connecticut – no gap time for absentee ballot requests; Illinois – no gap time for absentee ballot requests; Maine – no gap time for in-person registrations; Minnesota – no gap time for absentee ballot requests; District of Columbia – no gap time for absentee ballot requests; Wyoming – no gap time for absentee ballot requests.

There are, however, many instances in the states that have EDR where some period of gap time does exist for new voter registrations, absentee ballot requests, or both. Whether and how far in advance of the election the deadlines are set for these activities depends on the process by which voter registrations and absentee ballots are processed. As is the case in most instances involving election law, it is difficult to compare and equate the procedures in one state to another because the underlying election procedures can vary so widely.

The SOS is willing to explore, at most, a cut off time of noon on the day preceding the election for the submission of new registrations and/or requests for absentee ballots. While we hesitate to implement any new rules that limit voter participation in the election process, we understand that some period of time for clerks to work on the administrative tasks of cleaning up their checklist (without worrying about processing new registrations or new absentee ballot requests) would be beneficial to them. It is our opinion that the features in the new election management system make both of these tasks much easier and reduce the perceived need for this gap time to some extent. Still, we are willing to work with the committees and the clerks to consider whether such gap time makes sense in Vermont and would represent a net positive to the overall administration of the election.

## **Conclusion**

The Secretary of State's Office has been working diligently on several fronts to encourage voter registration prior to Election Day in order to reduce the burden of EDR. We work hard to assist the municipal clerks and elections officials in efficiently administering elections, reducing their



administrative burdens wherever possible. We have made significant progress on these fronts in recent years and continue to advance legislative changes and technological innovation in furtherance of the goals of voter access, ease of election administration, and fair and accurate elections that all Vermonters can trust.

Of the six subject areas we were asked to address in this report, with the exception of internet access and voter ID, we support and have already made progress on each. We have done this to help address the clerks' concerns expressed through this report. Each of these initiatives, whether it is online registration, electronic transmission of DMV applications, voter outreach, or automatic voter registration, should help improve the process on election day and should alleviate any increased burden caused by Election Day Registration. We look forward to our continued collaboration with the clerks and remain open to their further suggestions.



NATIONAL CONFERENCE *of* STATE LEGISLATURES

*The Forum for America's Ideas*

## **Process for Same-Day Voter Registration**

Note: Information in this document was obtained in November 2012 from conversations with state election directors, and updated in April 2014 with information on Connecticut and Colorado.

All states required proof of identify (some with a photo) AND proof of residency to register and vote on the same day.

### **Typical process for regular registration:**

- The local election official mails out a confirmation card to the voter at the stated address, a card that will not be forwarded.
- If that card comes back to the office as undeliverable, then there is a question about whether the voter really lives there, and the registration is not considered complete.
- If the card is not returned to the office by the postal service, then that is taken to mean that the newly registered voter does in fact live there.

### **Typical process for same-day registration:**

- When a voter wishes to register and vote in the same day, there isn't time to mail out a card so the person must prove two things:
  - Proof of residency
  - Proof of identity
- A current driver's license with the correct address may serve both purposes, or an out-of-state license might prove identity and a current utility bill with the name and address on it could be used to prove residency.
- Each state has its own variations of exactly what documents are accepted as proof of identity or residency.

### **Post-election process:**

Source: National Conference of State Legislatures  
April 2014

For questions or updates, contact NCSL's elections team at 303-364-7700

- If a voter can't provide the required identification to register and vote, some states will permit the voter to vote provisionally and return within a certain number of days after the election to show valid identification in order for the ballot to be counted.
- Administrators typically send a letter to the address listed on Election Day registrants' forms to ensure that the voter does in fact live at the address indicated. If the letter comes back undeliverable, the voter's information may be forwarded to law enforcement.

Source: National Conference of State Legislatures  
April 2014

For questions or updates, contact NCSL's elections team at 303-364-7700

|                                    | <b>Acceptable identification for SDR</b>  | <b>Process if documentation is insufficient</b>  | <b>Location of SDR</b>                                      | <b>Post-election process</b>   |
|------------------------------------|---|--|---|--|
| <b>Colorado</b>                    | <b>Proof of identity:</b><br>Same ID required for registration<br><b>Proof of residency:</b><br>A document listing current address  | Vote a provisional ballot  | At any voter service and polling center                     | If a voter voted provisionally due to lack of identification, he must show ID in days following election   |
| <a href="#"><u>Connecticut</u></a> | <b>Proof of identity:</b><br>Photo ID<br><b>Proof of residency:</b><br>Document showing current address (if not included on ID)   | Vote a provisional ballot  | Designated locations in the municipality (not at the polls) |  |
| <a href="#"><u>Idaho</u></a>       | <b>Proof of identity:</b><br>Photo ID<br><b>Proof of residency:</b><br>A document which contains a valid address in the precinct. A registered voter from that person's precinct can vouch for residency. | Without adequate proof of both ID and residency, there is no registration and no vote is cast. Provisional voting is not provided. | At the polls  |  |
| <a href="#"><u>Iowa</u></a>        | <b>Proof of identity:</b> A photo ID with an expiration date.<br><b>Proof of residency:</b><br>A document containing name and current address.  | A registered voter from that person's precinct can sign an oath vouching for identity and residency.                               | At the correct precinct polling place                       | All same-day registrants are sent 2 notices to the stated address; if these are returned as undeliverable, the case will be forwarded to law enforcement |
| <a href="#"><u>Maine</u></a>       | <b>Proof of ID:</b> Photo ID<br><b>Proof of residency:</b><br>A document containing name and current address  | Vote a provisional ballot  | Town office or city hall                                    |  |
| <a href="#"><u>Minnesota</u></a>   | <b>Proof of ID:</b> Photo ID (may be expired)<br><b>Proof of residency:</b><br>A document showing current address. A  |  | At the polls  | If "usual checks and balances" are questionable, forwarded to law enforcement  |

Source: National Conference of State Legislatures  
April 2014

For questions or updates, contact NCSL's elections team at 303-364-7700

|                           |  |  |                                   |   |
|---------------------------|--|--|-----------------------------------|---|
|                           | registered voter can vouch for residency   |  |                                   |   |
| <a href="#">Montana</a>   | <b>Proof of ID:</b> State ID number or the last 4 digits of the SSN<br><b>Proof of residency:</b> Self-affirmation                     | Vote a provisional ballot  | Office of local election official | If a voter voted provisionally due to lack of identification, he must return within three days after the election to provide the required proof. A confirmation of registration card is sent to the mailing address of all registrants. |
| <b>New Hampshire</b>      | <b>Proof of ID:</b> Photo ID<br><b>Proof of residency:</b> A document showing name and current address                                 | If either the ID or proof of residency is lacking, a registrant can sign an <a href="#">affidavit</a> for self for him- or herself and then vote.  | At the polls                      | Sent letter after Election Day, and if no response, forwarded to law enforcement  |
| <a href="#">Wisconsin</a> | <b>Proof of ID:</b> Must include complete name<br><b>Proof of residency:</b> document containing a complete residential address        | If the registrant does not have the required ID or proof of residency, he or she votes on a provisional ballot and must return to show that ID within a few days of the election. Otherwise the vote is not counted.             | At the polls                      | If a voter voted provisionally due to lack of identification, he must show ID in days following election  |
| <a href="#">Wyoming</a>   | <b>Proof of identity:</b> Valid driver's license or last four of SSN<br><b>Proof of residency:</b> Document that shows current address | If the registrant does not have the required ID or proof of residency, he or she votes on a provisional ballot and must return to show that ID by the close of business on the following day. Otherwise the vote is not counted. | At the polls                      | If a voter voted provisionally due to lack of identification, he must show ID in days following election  |

Source: National Conference of State Legislatures  
April 2014

For questions or updates, contact NCSL's elections team at 303-364-7700

**Attachment B**

| <b>State</b>       | <b>Voter Reg Break</b>   | <b>Absentee Break</b>   |
|--------------------|--|---|
| <b>California</b>  | not implemented yet  | not implemented yet   |
| <b>Colorado</b>    | no break, if register after the 8th day to election, ballot is mailed<br>( <a href="http://www.sos.state.co.us/pubs/elections/FAQs/VoterRegistrationFAQ.html">http://www.sos.state.co.us/pubs/elections/FAQs/VoterRegistrationFAQ.html</a> )                     | vote by mail state, ballot must be received by 7 pm day of election<br>( <a href="http://www.sos.state.co.us/pubs/elections/vote/electionFactSheet.html">http://www.sos.state.co.us/pubs/elections/vote/electionFactSheet.html</a> )          |
| <b>Connecticut</b> | 5 days prior to primary and 7 days prior to general election last day to receive by mail or in person a voter reg<br>( <a href="http://www.sots.ct.gov/sots/cwp/view.asp?a=3179&amp;q=491324">http://www.sots.ct.gov/sots/cwp/view.asp?a=3179&amp;q=491324</a> ) | No break, must be received by close of polls<br>( <a href="http://www.sots.ct.gov/sots/cwp/view.asp?a=3179&amp;q=491324">http://www.sots.ct.gov/sots/cwp/view.asp?a=3179&amp;q=491324</a> )   |
| <b>Hawaii</b>      | 13 days prior to an election receive in person or by mail<br>( <a href="http://elections.hawaii.gov/voters/registration/">http://elections.hawaii.gov/voters/registration/</a> )   | 7 days prior to election ballot must be received (<br><a href="http://elections.hawaii.gov/voters/early-voting/">http://elections.hawaii.gov/voters/early-voting/</a> )   |
| <b>Idaho</b>       | 25 days prior to the election ( <a href="http://www.idahovotes.gov/registration_faqs.html">http://www.idahovotes.gov/registration_faqs.html</a> )  | Request 6 days prior to the election<br>( <a href="http://www.idahovotes.gov/absentee.shtml">http://www.idahovotes.gov/absentee.shtml</a> )   |
| <b>Illinois</b>    | 27 days prior to an election and two days after the election<br>( <a href="https://www.elections.il.gov/downloads/electioninformation/pdf/registervote.pdf">https://www.elections.il.gov/downloads/electioninformation/pdf/registervote.pdf</a> )                | no break, can request up to the day prior to the election<br>( <a href="https://www.elections.il.gov/downloads/electioninformation/pdf/votebymail.pdf">https://www.elections.il.gov/downloads/electioninformation/pdf/votebymail.pdf</a> )    |
| <b>Iowa</b>        | 10 days prior to a general election, 11 days before all other<br>( <a href="https://www.legis.iowa.gov/docs/code/2015/53.pdf">https://www.legis.iowa.gov/docs/code/2015/53.pdf</a> )   | Friday before the election<br>( <a href="https://www.legis.iowa.gov/docs/code/2015/53.pdf">https://www.legis.iowa.gov/docs/code/2015/53.pdf</a> )   |
| <b>Maine</b>       | no in person cut off, mail cut off 21 days prior<br>( <a href="http://www.maine.gov/sos/cec/elec/voter-info/voterguide.html">http://www.maine.gov/sos/cec/elec/voter-info/voterguide.html</a> )  | Thursday prior to the election last day to request unless there are "special circumstances" ( <a href="http://www.maine.gov/sos/cec/elec/voter-info/absenteeguide.html">http://www.maine.gov/sos/cec/elec/voter-info/absenteeguide.html</a> ) |
| <b>Minnesota</b>   | must register 21 days prior or on election day w/ ID<br>( <a href="http://mnvotesinfo.sos.state.mn.us/voters/voter-registration/register-on-election-day/">http://mnvotesinfo.sos.state.mn.us/voters/voter-registration/register-on-election-day/</a> )          | no break, ballot must arrive on election day (mail) or by 3 pm election day (in person) file:///C:/Users/jean.paul.isabelle/Downloads/2014-ab-guide.pdf   |

|                       |  |   |
|-----------------------|--|---|
| <b>Montana</b>        | Noon prior to election day ( <a href="http://sos.mt.gov/MontanaVoterGuide.pdf">http://sos.mt.gov/MontanaVoterGuide.pdf</a> )   | Noon prior to election day ( <a href="http://sos.mt.gov/MontanaVoterGuide.pdf">http://sos.mt.gov/MontanaVoterGuide.pdf</a> )  |
| <b>New Hampshire</b>  | 10 days prior ( <a href="http://sos.nh.gov/VoterRegFAQ.aspx">http://sos.nh.gov/VoterRegFAQ.aspx</a> )  | 5 pm day before election ( <a href="http://sos.nh.gov/RegVote.aspx">http://sos.nh.gov/RegVote.aspx</a> )  |
| <b>Washington, DC</b> | by mail 30 days prior, no stoppage if in person<br>( <a href="https://www.dcboee.org/faq/voter_reg.asp#4">https://www.dcboee.org/faq/voter_reg.asp#4</a> )   | no break<br>( <a href="https://www.dcboee.org/pdf_files/GeneralElectionCalendar_110816.pdf">https://www.dcboee.org/pdf_files/GeneralElectionCalendar_110816.pdf</a> ) |
| <b>Wisconsin</b>      | 20 days prior by mail, in person up to 5 pm in clerk's office Friday before election, and election day no registration Sat, Sun, or Mon prior to election<br>( <a href="http://www.gab.wi.gov/sites/default/files/publication/154/voter_registration_guide_pdf_13359.pdf">http://www.gab.wi.gov/sites/default/files/publication/154/voter_registration_guide_pdf_13359.pdf</a> ) | by mail 5 pm Thurs before election, in person until 5pm Friday before election<br>( <a href="http://www.gab.wi.gov/node/91">http://www.gab.wi.gov/node/91</a> )       |
| <b>Wyoming</b>        | 14 Days prior to election (WS 22.3.-102)   | no break, process up through 7 pm of election day (WS 22-6-107)   |