

checklist on or after a date specified in the notice, which date shall be at least 30 days after the date the notice is mailed. Enclosed with the notice shall be a form on which the voter may reply, either setting forth his current place of residence as the municipality in question and requesting that his name be retained upon the checklist, or alternatively consenting to the removal of his name. If the voter fails to return the form within 30 days, a second notice including the same information and form as the first shall be sent by registered mail to the most recent known address of the voter. Failure to return the second form within 14 days shall result in the removal of the voter's name from the checklist.

(4) If (A) the voter consents to removal of his name from the checklist, or (B) all diligent efforts to ascertain the current residence of the voter have failed, or (C) the voter has not voted in any election within the last four years and has not demonstrated current eligibility to vote in the municipality, or (D) the second form sent to the voter as provided above is not returned within 14 days, the board of civil authority shall remove the voter's name from the checklist. However, if at any subsequent time the board determines that the person was still qualified to vote and should not have had his name removed, the board shall add the person's name to the checklist as provided in section 2147 of this title. The provisions of this chapter shall be liberally construed, so that if there is any reasonable doubt whether a person's name should have been removed from the checklist the person shall have the right to have his name immediately returned to the checklist.

(5) The board of civil authority shall keep detailed records of its proceedings under this section. The records shall include: (A) in the case of each name removed from the checklist, a clear statement of the reason or reasons for which the name was removed, and (B) in the case of the updating of the checklist required by subsection (c) of this section, the working copy or copies of the checklist used in the name by name review conducted to ascertain continued eligibility to vote. Upon request of any superior or district judge the town clerk shall forward a certified copy of the records of checklist maintenance.

#### Sec. 41. VALIDITY OF AUSTRALIAN BALLOT VOTES

The validity of a vote taken by Australian ballot prior to the effective date of this act shall not be subject to challenge for failure to comply with the procedural requirements of section 2680 of title 17.

Sec. 42. 17 V.S.A. § 2501(c) is amended to read:

(c) In preparing the separate checklists, the board of civil authority shall be responsible for accurately determining the geographical location of the last known place of residence of each voter in order to place the voter on the proper separate checklist. If at any time except on election day the board determines that a voter should be on a different checklist from the one on which his name appears, the board shall remove the voter's name from the wrong checklist and place it on the proper checklist in accordance with section 2147 of this title.

Sec. 43. 17 V.S.A. § 2145(d) is amended to read:

(d) When the board of civil authority acts on an application to add a name to the checklist, it shall notify the applicant by returning one copy of the completed application to the applicant and shall send one copy of the completed application to the town in which the applicant was last registered to vote, whether within or without the state of Vermont, before adding the applicant's name to the checklist. The original application shall be filed in the office of the town clerk.

Sec. 44. 17 V.S.A. § 2563 is amended to read:

#### § 2563. ADMITTING VOTER

Before a person may be admitted within the guardrail, he shall announce his name and if requested, his place of residence in a clear and audible tone of voice, or present his name in writing, or otherwise identify himself by appropriate documentation. The election officials attending the entrance through the guardrail shall then verify that the person's name appears on one of the certified copies of the checklist for the polling place. If the name does appear, and if no one immediately challenges the person's right to vote on grounds of identity or having previously voted in the same election, the election officials shall:

- (1) repeat the name of the person;