



ELECTIONS BULLETIN

TO: Town and City Clerks

FROM: Kathy DeWolfe

RE: **Revised Instructions for ID Requirements for 1st Time Voters who Register Individually by Mail**

DATE: November 20, 2003

We have done some further research and determined that we need to revise the advice we gave to you in a memo dated September 25, 2003. In Vermont, it originally seemed to us that the requirement to take the voter's oath and have a notary or official authorized to administer oaths certify that the applicant has taken the oath should satisfy the federal requirement for identification. However, on more reflection, and having heard more from federal officials, we think that our instructions must be that for applications that arrive individually by mail to your office from a voter that has not been registered to vote previously in Vermont, you must obtain a copy of one of the forms of acceptable identification and attach it to the application. Please remove the September 25th memo from your files and follow the instructions in this memo.

In order to comply with HAVA, Town and City Clerks must obtain a photocopy of an acceptable form of ID **from each voter who is registering to vote in Vermont for the first time and who submits his or her registration individually by mail.** Acceptable forms of identification for 1st time voters who register individually by mail are valid photo identification (Driver's License or Passport), a copy of a current utility bill, a copy of a current bank statement or a copy of another government document that shows current name and address of the voter.

In Vermont, we expect this to be a very small number of voters. In Vermont, most applications to the checklist are submitted in person, are received in a group of applications through a voter registration drive, are dropped off by candidates or party organizers, or are submitted through DMV or submitted through another state agency. You do not have to obtain identification unless the application arrives at your office individually by mail and the person has not voted in Vermont before.

The federal law requires that first time voters who submit the registration form **individually by mail** must provide identification before he or she can request an absentee ballot or vote in person for the first time. This applies only to 1st time voters who have not previously taken the voter's oath. If a person has already voted in Vermont and has therefore already taken the voter's oath, no identification is required because the person is not a first time voter in our jurisdiction.

Revised Instructions for ID Requirements
November 20, 2003

This should be a very small number of applications in most towns. If you receive an application individually by mail from a person who has not voted in Vermont before, we suggest that you send a letter to the applicant and request a copy of one of the forms of the acceptable identification. (See the sample letter below.) Also, mark your checklist records so that election officials at the entrance checklist table will know that the identification is required before the person can vote for the first time at the polls. If the person requests an absentee ballot and has not yet submitted identification, a letter can be sent reminding the person to send a copy of one of the acceptable forms of identification back in the outside envelope with his ballot.

Remember, you do not need to obtain identification if the person has already taken the oath in another Town in Vermont or if the application is submitted in person, or with a group of applications, from DMV or from another state agency.

Sample Letter to 1st time Voter:

Dear Applicant,

On _____, 2004, we received your application to be added to the checklist in the Town or City of _____.

Because you have submitted your application individually by mail, and you have not voted in Vermont before, federal law now requires that you must provide a copy of identification to us before we can add your name to the checklist.

Please send us a copy of one of the following forms of identification at your earliest convenience: valid photo identification (Driver's License or Passport), a copy of a current utility bill, a copy of a current bank statement or a copy of another government document that shows current name and address of the voter. We must receive a copy of identification before you vote for the first time either in person or by requesting an early voter or absentee ballot.

We appreciate your cooperation.

Sincerely,

Town Clerk