



**League of Women Voters
New Hampshire**

April 4, 2016

Rep. Kathleen Hoelzel, Chair
House Election Law Committee

Re: SB 4, AN ACT relative to eligibility to vote and relative to availability of voter information.

Dear Chairman Hoelzel and members of the committee,

For more than 90 years, the League of Women Voters NH has worked to make sure that the Constitution's guarantee of the right to vote is a reality for the people of our state. Along with providing nonpartisan information about voting, LWVNH speaks out against laws and policies that discourage or even prevent citizens from being able to exercise their right to vote.

The League of Women Voters NH believes that Senate Bill 4 violates the United States Constitution, the New Hampshire Constitution, and the Voting Rights Act. The US Supreme Court has said durational residency requirements violate the Equal Protection Clause and, just last spring, the NH Supreme Court ruled that it is unconstitutional to unjustifiably restrict voting rights.

There is nothing in New Hampshire's current election procedures that justifies adding such a severe restriction on a citizen's right to vote. New Hampshire's elections have shown fairly consistent turnout over the years, within the expectations of the pollsters and pundits which indicates there isn't a fundamental problem with turnout. In addition, the instances of voter or election fraud are not out of line compared to any other states. Election procedures here may be out-of-date compared to other states, but even with our large Presidential Primary elections, the state hasn't suffered the kinds of election meltdowns seen so often in other states.

Same day registration states do not need an administrative period before an election because they can verify a voter's qualifications during the registration process. In New Hampshire, voters must appear in person before an election official and provide documentation that shows they are eligible to vote. That includes documentation of identity, citizenship and domicile. In addition, voters sign a legal document attesting to the veracity of the information provided.

For the past decade, New Hampshire has also taken the unprecedented step of conducting investigations of any voter who can't produce a driver's license or other limited kinds of photo ID when registering to vote or requesting a ballot. Those investigations have not produced any evidence to show that people who move to a new home in NH less than 30 days before an election are committing voter fraud. In fact, there is no evidence to show that a person who

moves to a new home in NH the day before an election is a person who is committing voter fraud.

The League of Women Voters believes that if the committee looks carefully at the US and NH Constitutions, the provisions of the Voting Rights Act and decisions of the US Supreme Court and the NH Supreme Court, the committee will find that SB 4 does not pass constitutional or legal muster.

We urge the House Election Law Committee to vote *Inexpedient to Legislate* on SB 4.

Thank you,

Liz Tentarelli, president
Joan Flood Ashwell, election law specialist
League of Women Voters NH
www.LWVNH.org