



**League of Women Voters
New Hampshire**

March 10, 2015

Senator Regina Birdsell, Chair
Public and Municipal Affairs Committee
Re: SB 4, AN ACT relative to domicile for voting purposes

Dear Senator Birdsell 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 that create barriers to voting that discourage or even prevent qualified citizens from being able to register to vote or cast a ballot.

Senate Bill 4 purports to be a bill that expands the definition of domicile for voting purposes but, in reality, it greatly restricts it.

It is a fundamental right of citizens to have a say in choosing the government representatives who make decisions that directly affect them and the town or ward where they live. The current definition of domicile for voting purposes protects that right. The proposed change does not.

The current definition of domicile for voting purposes calls for a person to have established a physical presence in the town or ward more than any other place. It goes on to describe living in a place as being engaged in domestic, social and civil pursuits that will be directly impacted by the results of elections. It's a combination of physical presence and domestic, social and civil life that defines living in a town or ward and gives a person the right to vote there.

The proposed change makes no reference to having a physical presence in a town or ward more than any other place. It doesn't make any reference to engaging in activities that would indicate a person is a member of the community and affected by the results of elections.

The proposed change defines domicile as the place where a person's "habitation is fixed" meaning that the person intends to make it a permanent home. In a society where the average person moves every five years, asking a person to declare a permanent home is unreasonable. The current standard of establishing a physical presence here more than any other place is clearer, reflects reality and is easily understood by election officials and citizens.

Senate Bill 4 eliminates any references to a person's activities in a community and suggests election officials use only financial resources as the criteria for whether a person should be allowed to vote. It limits considerations of a primary place of abode to business pursuits, income sources and residence for income or other tax purposes. It also allows someone who owns a car to register.

Anyone who is homeless or who lives in a home paid for by someone else and who doesn't own a car cannot meet the criteria set forth in SB4. For example, a non-driver, stay-at-home spouse whose name isn't on a mortgage or lease would not be able to vote, an unemployed homeless person would not be able to vote, and a student who isn't named on a lease and doesn't own a car would not be able to vote.

Senate Bill 4 clearly is putting a price on the right to vote. That's a poll tax and it's unconstitutional.

In addition, under the proposed RSA 654:1 1(b) (4), a person who moves to New Hampshire with the goal of working here for 5 years in order to earn enough money to retire to Florida would not be able to vote - neither would an intern at a hospital for 3 years or a student at a college for four years if they came here planning to move somewhere else in the future, or a member of the military on a two-year assignment.

Senate Bill 4 is a badly-written, confusing and imprecise bill. It removes the easily understood language of the current definition of domicile for voting and replaces it with language that will be interpreted in different ways by election officials across the state. Without a consistent statewide standard for registering to vote, New Hampshire citizens will be denied the equal right to vote required by the Constitution.

How sad it is that three days after people all over this country commemorated the 50th anniversary of the Selma March that we are here in New Hampshire with a bill that clearly was written to deny many citizens the right to vote. While most states have worked for the past fifty years to update and simplify voter registration procedures and to make voting itself more accessible, Republican members of this Legislature have spent the last few years doing everything they can to disenfranchise students, the homeless, disabled citizens, many senior citizens and the poor.

Senate Bill 4 serves no good purpose, and the League of Women Voters recommends a vote of "Inexpedient to Legislate."

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