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Concord, NH 03301

[www.LWVNH.org](http://www.LWVNH.org)

March 13, 2019

To: Senate Election Law Committee chair Levesque and committee members

From: Liz Tentarelli, president, League of Women Voters NH [LWVNewHampshire@gmail.com](mailto:LWVNewHampshire@gmail.com)

Re: **SB 67**, mitigating the unintended consequences of HB1264 (2018) re voter registration

The League of Women Voters is a non-partisan all-volunteer organization with voting rights at the core of our mission. 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.

We testified in opposition to HB1264 last year and were surprised that it eventually passed and became law, given the **court decisions in 2015 that are documented in the appendix to this testimony**. As we prepared our testimony last year, we had trouble explaining to some of our members and to the public why dropping one little phrase—for the indefinite future--makes a difference.

This body understands why that phrase matters. In considering SB67 you will be questioning why motor vehicle registrations and drivers licenses need to be tied to voter registration. An after-the-fact acquisition of a driver's license doesn't alter the vote cast. The ballot has been cast, and the vote has been counted. The cost of getting a new driver's license, particularly for those domiciled here who know they will be leaving the state before their current licenses expire, does nothing to authenticate a vote. Rather it serves as a post-election poll tax, likely to be challenged in court as the 2012 law was. The state lost that case. There is no reason to go through that again.

I would prefer HB1264 be overturned completely, eliminating confusion for voters and election officials alike. In the meantime, I urge you to **consider this bill as a compromise**, similar to laws in other states including Vermont. This bill carves out the groups most likely to be affected by HB1264. Deleting for them the Dept. of Motor Vehicles obligations makes sense in terms of motor vehicle laws and encouraging active participation in the election process where people are living right now.

**Please recommend SB 67 Ought To Pass.**

#### **Appendix:**

The attached documents (except for 2, which is on the General Court's website) can be found on the League of Women Voters NH website, on our "In The News page" (near the end of the page).  
[http://lwvnh.org/press\\_releases.html](http://lwvnh.org/press_releases.html)

1) Jan. 15, 2015 League testimony to the House Election Law Committee on proposed HB112, relative to domicile for voting purposes.

- 2) Copy of the bill as amended, HB112, Amendment 2015-0066H. The amended bill was tabled by a voice vote in the House on March 11, 2015, immediately followed by a “request opinion of Justices” statement. It died on the table on Nov. 18, 2015.
- 3) Feb. 3, 2015 Press release from ACLU of NH, reporting that they filed a motion in Strafford County Superior Court on Feb. 2, 2015, seeking an emergency court order requiring the Secretary of State to comply with a permanent injunction issued by that Court on July 24, 2014. That injunction prevented the Secretary of State from sending letters to voting registrants who executed domicile affidavits informing them of the “obligation” to obtain a NH driver’s license (referring back to a 2012 bill).
- 4) March 24, 2015 An editorial in *Foster’s Daily Democrat* by State Rep. Wayne M. Burton (Strafford Dist 6). Rep. Burton wrote the minority opinion blurb on HB112, which he includes in the editorial.
- 5) May 15, 2015 Press release from ACLU of NH, reporting that the NH Supreme Court “struck down a controversial 2012 NH law which added language to the state’s voter registration form that threatened to disenfranchise voters who live in this state....This added language requires those registering to vote to sign an affidavit agreeing that they are subject to the state’s residency laws.”