



**League of Women Voters
New Hampshire**

January 26, 2016

Rep. Kathleen Hoelzel, Chairman
House Election Law Committee
Re: CACR 17, RELATING TO: domicile for the purpose of voting

Dear Chairman Hoelzel and members of the committee,

Since its founding more than 90 years ago, the League of Women Voters has worked to see that the Constitution's guarantee of the right to vote is a reality for all of our citizens. We have promoted laws that would make voting more accessible and spoken against laws that create unnecessary barriers that discourage or even prevent qualified citizens from being able to register to vote or cast a ballot.

The League of Women Voters opposes CACR 17 and urges the House Election Law Committee to recommend the Legislature vote against this resolution.

This proposed constitutional amendment takes a very clear article in the NH Constitution and tries to amend it so that it will be confusing and contradictory to Article 11 which has worked perfectly well since 1784.

[Art.] 11. [Elections and Elective Franchises.] All elections are to be free, and every inhabitant of the state of 18 years of age and upwards shall have an equal right to vote in any election. Every person shall be considered an inhabitant for the purposes of voting in the town, ward, or unincorporated place where he has his domicile.

CACR 17 is confusing because ignores that the fact that every inhabitant of the state has a right to vote. That's what the first sentence of Article 11 says. The second sentence of the Article informs an inhabitant that he or she must vote in the town or ward where they live. A domicile for voting purposes is further defined in existing NH statutes which were written in response to Supreme Court decisions on who could vote in NH.

There are 700 or so different definitions of resident in NH statutes and this proposed constitutional amendment leaves the door open for any of them to be used to explain who may be living in a town or ward for voting purposes. Whether any of the various interpretations of resident in this context will stand up to court scrutiny is highly unlikely.

The League of Women Voters NH has worked since 1919 helping people to register to vote and explaining election laws to the public. We find it discouraging that in 2015, we should have to defend the right to vote to members of one of the oldest states in the union and the proud claimant to the First in the Nation Primaries.

We urge the House Election Law Committee recommend *Inexpedient to Legislate* on CACR 17.

Thank you,

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