



4 Park St Room 200
Concord, NH 03301

www.LWVNH.org

NH Voter, the newsletter of LWVNH

April 2020

4 news items from League of Women Voters New Hampshire

Item 1: Your League of Women Voters NH is sharing the news that after 3 years and 1 month of fighting against an onerous voter suppression law in our state, we have a court victory! Happy news! At the risk of making this newsletter a long one, I've pasted below the press release I issued April 9 regarding Senate Bill 3 (passed in 2017) being declared unconstitutional.

Concord: Today a New Hampshire Superior Court judge ruled with voters in the League of Women Voters of New Hampshire's lawsuit over New Hampshire's voter registration domicile documentation bill, Senate Bill 3. Judge David A. Anderson ruled that SB 3 procedures for voter registration are unconstitutional because they unreasonably burden voters and violate equal protection under the New Hampshire Constitution.

"As the League of Women Voters NH looks forward to the September 8 state primary and the November 3, 2020 general election, we are pleased that we do not have the added burden of explaining the cumbersome proof of domicile documents requirement to potential voters," said Liz Tentarelli, president of the League of Women Voters of New Hampshire.

Senate Bill 3 required that everyone seeking to register to vote present documentary evidence of a "verifiable act or acts carrying out" their intent to be domiciled in New Hampshire. The result was a complicated voter registration form that required voters without documentation with them agree to return with suitable documents later or face criminal penalties and fines.

The domicile documentation case has been in the courts three times since SB 3 was signed into law in 2017. The first preliminary injunction hearing in September of 2017 stayed the penalties. The next preliminary injunction ruling in October 2018 to stay implementation was favorable to the League but was then overturned by the state supreme court just in time for the November election. However, the law was stayed effective immediately after that election and has not been in effect since then. In December 2019 a trial that lasted nine days resulted in this week's favorable ruling.

With the domicile documentation requirement voided, voters will not experience that burden when they register to vote. However, the League of Women Voters of New Hampshire also look to the Secretary of State and the Governor and Attorney General to consider the needs of voters who will be registering for the first time in their towns. Some kind of online system of voter registration will be needed if town clerks' offices are still closed in late August through October, a system that will not require in-person queuing on election day with its attendant health risks.

"We thank Secretary of State William Gardner for his statement on April 8 that no voters will have to risk their health and safety by going to vote," president Liz Tentarelli offered. "The League assumes the current reasons to vote absentee will be expanded to include illness or vulnerability to illness in this heightened state of caution."

Item 2: Here are some points we all need to think about regarding the fall 2020 elections. **The Governor and Secretary of State have both said just in the last few days that no one will be**

denied their right to vote because of illness or fear of contagion. But the devil, as they say, is in the details. By this time next week the state may have developed some guidelines for those elections. We'll keep you informed. The following points are a starting place for planning:

No one should have to choose between their health and safety and their Constitutional right to vote. It is incumbent on our Secretary of State, along with the Attorney General's office, to immediately produce a plan to administer our elections with the assumption that COVID-19 will continue to be a health crisis come our primary in September. This pandemic cannot be the reason for a single voter to sacrifice their Constitutional right to vote.

For it to be a workable plan that ensures the health and safety of all Granite Staters, the plan must:

1. Ensure that all eligible Granite Staters can vote from home if they wish.
2. Ensure that all eligible Granite Staters can register to vote from home.
3. Provide clear and easily accessible information about any changes to voting procedures, along with a comprehensive plan to publicize these changes broadly and well in advance of the election.
4. Direct each town and municipality to have multiple options for voting, including early voting and absentee voting, and provide guidance for same day voting safety standards.

Feel free to forward this message to your friends who care about voting rights. You can put the idea in your own words and write to the Governor and the Secretary of State, encouraging them to plan now so we all can vote safely.

Governor Sununu can be reached via email at governorsununu@nh.gov or better yet send paper mail to his office: Office of the Governor, State House

107 North Main Street, Concord, NH 03301

The Secretary of State's email is elections@sos.nh.gov

His mailing address is Secretary of State Gardner

State House, Room 204

107 North Main Street, Concord, N.H. 03301

BREAKING NEWS AS I TYPE THIS—NH Secretary of State has just announced (4/10/20) that anyone who is ill or fears illness may vote absentee in the fall by checking the “disability” box on the absentee voter application. That’s a start; thank you, Mr. Gardner. Now please address voter registration!

Item 3: If you're still not sure why I keep talking about the need to support a bill in NH creating an **independent advisory redistricting commission...** Grab a cuppa and watch the Youtube video recorded by our coalition partner Open Democracy on gerrymandering and redistricting. My segment is first, but rest assured other presenters take over in a few minutes. <https://www.youtube.com/watch?v=wWItDA2LXm4&feature=youtu.be>

Item 4: What can you do today to protect democracy?

If you haven't already filled out the US Census, do it now, online. If you don't have the code sent by paper mail, not to worry. Your address will suffice. Does it take long? No, just a few minutes (and hey, none of us are going anywhere right now anyway).

Why does it matter? The census will determine many things, including federal money going to the states. It will help us create fair voting districts. But I don't need to sell you. Just do it, if you haven't yet, and keep everyone safe. No one will have to come to your home in person if you do this online!

Go to <https://2020census.gov/>