

## **Governor's Veto Message Regarding SB 318**

By the authority vested in me, pursuant to part II, Article 44 of the New Hampshire Constitution, on June 20, 2012, I vetoed SB 318, an act relative to voter registration.

"We need to encourage all New Hampshire citizens to vote and to participate fully in our democracy. We also need to ensure that our election laws do not unfairly burden those voters that have recently established a domicile in New Hampshire and are qualified to vote in this state. " With those words, I vetoed HB 1566 in 2006 because that legislation tied the constitutional right to vote to the registration of a voter's motor vehicle in New Hampshire and thereby disenfranchised New Hampshire voters.

SB 318, as passed by the legislature and presented to me, is a different bill, but the end results are the same. It will also disenfranchise eligible voters in New Hampshire and will only lead to confusion concerning the meaning of "domicile" and "residency. " These are the primary reasons for why I have vetoed this legislation.

SB 318 amends the voter registration form by requiring a person registering to vote to state: "In declaring New Hampshire as my domicile, I am subject to the laws of the state of New Hampshire, including the laws requiring a driver to register a motor vehicle and apply for a New Hampshire driver's license within 60 days of becoming a resident. " Thus, in one short sentence, the legislature has used the terms "domicile" and "resident" in a manner that suggests that they are interchangeable, even though these terms have different, distinct meanings and legal implications.

The requirements to register a car and apply for a license, moreover, could be read to apply to a person regardless of whether the person had a car in New Hampshire or even drove in New Hampshire. For example, seniors who are residents of New Hampshire but maintain cars and second homes in other states could be confused as to whether they must now register their out of state cars here in order to continue to vote in New Hampshire. Persons who are 18 and older who attend college in New Hampshire should be able to vote regardless of where they drive or have a license. This provision is overly broad and will effectively require resident seniors, as well as retirees and young persons coming from out of state, to register a car and apply for a New Hampshire license in order to vote. There is no compelling state interest for this requirement.

The New Hampshire City and Town Clerks Association is strongly opposed to SB 318 and has urged me to veto it. The legislation provides that a "supervisor of the checklist" is available to address questions or concerns of a person registering to vote regarding motor vehicle registration and licensing requirements. While the supervisors of the checklist are dedicated and hard working persons who work a few days each year to ensure the smooth operation of our election process, they neither are full-time employees nor are they trained in our motor vehicle laws.

Our election laws already establish that voters must be domiciled in New Hampshire in order to vote in this state, and that all New Hampshire residents must comply with motor vehicle registration and licensing requirements. This bill is unnecessary.

Any changes to our voting procedures must ensure a person's constitutional right to vote is protected. This bill does not meet that test.

For all of these reasons, I am vetoing SB 318.

Respectfully submitted,

John H. Lynch

Governor

Date: June 20, 2012