



Election Law & Municipal Affairs

CACR 36

January 31, 2022

Election Law and Municipal Affairs Committee Members

My name is Ray Chadwick, Chairman of *Granite State Taxpayers (GST)*. Our Mission is to inform, educate and motivate New Hampshire taxpayers and to lobby the Legislature on their behalf.

Granite State Taxpayers has studied election law and advocated for improvements for nearly a decade.

Granite State Taxpayers Supports CACR 36

CACR 36: Providing that only residents of the state may vote in elections.

GST supports revising New Hampshire voter law to make our voting system simple to understand and execute, resistant to fraud, and available exclusively to bona fide residents of New Hampshire.

New Hampshire is unique in the country in allowing people to vote in-state who are residents of other states, a consequence of various interpretations of the meanings for residence and domicile for voting.

Currently, New Hampshire *RSA 659:13 Obtaining a Ballot* states: "If the photo identification is an out-of state driver's license The voter shall then be allowed to mark and cast his or her ballot."

When people can vote here, but live in another state, we have **Representation without Taxation**.

While an out of state driver's license provides proof of identity, it also proves residency in another state and, for Motor-Voter states, a near certainty of being a registered voter in that other state.

The Secretary of State reported that, in 2016, 6,540 people (2,246 of those from Massachusetts) used an out of state driver's license to register to vote in New Hampshire. Of that total, 491 used an out of state driver's license to change registration from one town to another town within New Hampshire.

CACR 36 accords with the United States Supreme Court decision in *DUNN v. BLUMSTEIN*, March 21, 1972, which stated: "We have in the past noted approvingly that the States have the power to require that voters be bona fide residents of the relevant political subdivision."

On July 12, 2018, a NH Supreme Court Opinion on whether New Hampshire should continue to allow residents of other states to vote in New Hampshire elections stated "not only does New Hampshire have no such constitutional obligation but, quite the contrary, it has a compelling state interest not to do so." Subsequently, a US District Court agreed.

Requiring residency, and providing proof thereof, is the case in 49 other states and District of Columbia.

Granite State Taxpayers recommends a vote FOR CACR 36.

Thank you for your attention and for your commitment to the citizens of New Hampshire.

Ray Chadwick, Chairman
Granite State Taxpayers