



LEAGUE OF WOMEN VOTERS OF MAINE

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TO: The Honorable Senator Garrett P. Mason
The Honorable Representative Louis J. Luchini, Co-chairs
Members of the Joint Standing Committee on Veterans and Legal Affairs

DATE: February 15, 2017

RE: LD 155, An Act To Protect Voting Integrity by Establishing a Residency Verification Requirement for Purposes of Voting

Senator Mason, Representative Luchini, members of the Joint Standing Committee of Veterans and Legal Affairs, my name is Ann Luther. I am a resident of Trenton. I am here today as a volunteer member of the League of Women Voter's Advocacy Committee to testify in opposition to LD 155, An Act To Protect Voting Integrity by Establishing a Residency Verification Requirement for Purposes of Voting.

Protecting the right of every citizen to vote and encouraging citizens to exercise the right to vote are keys to our democracy and central to the mission of the League of Women Voters. Because LD 155 would have the effect of limiting citizen access to the ballot box, we urge you to vote "Ought Not To Pass" on this bill.

Maine has among the most inclusive voting laws in the country, making Maine one of the most truly democratic states in the Union. We should continue to encourage young voters to be involved in the democratic process. When young people vote, they establish a life-long voting habit that pays off for our democracy with higher voter turnout in the years ahead. This is a matter of civic well-being for our state and our country as a whole, whether these young people remain in Maine or not – and of course we hope they will.

Under current Maine law, students have the right to register in the municipality where they attend school if they have established residency there. Students must meet the same residency requirements as all other potential voters but *may not be asked to meet any additional requirements*.

This is consistent with federal law, which has clearly established that students have the right to vote where they go to school. In *Symm v. United States*, 439 U.S. 1105, (1979), the U.S. Supreme Court upheld, without comment, a Texas Federal District Court holding that students should receive the same presumption of residency as other citizens. LD 155 would almost certainly be challenged under this SCOTUS ruling.

By setting a higher proof-of-residency standard for students residing in campus housing, LD 155 would treat some college students differently than others based on a purely practical choice of housing accommodations. This would seem to be a violation of their Constitutional right to equal protection under the law. For example, if a student who otherwise qualified to register to vote, lived in a college dorm, she or he would have to meet the higher residency test. If, on the other hand, the same student lived in a private apartment or home off-campus, he or she would be allowed to register under the same test as any other Maine resident. That discrepancy does not pass even a minimal definition of equal protection.

Maine should not diminish these established rights. The proposal that students should face additional voter registration barriers just because they live in college housing is inconsistent with the basic democratic principles of allowing all citizens to exercise the right to vote. On behalf of the League of Women Voters of Maine, I urge that you vote "Ought Not to Pass" on LD 155.