



LEAGUE OF WOMEN VOTERS OF MASSACHUSETTS

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Testimony submitted to the Joint Committee on Election Laws
In support of
HB 1106: An Act to Establish Election Day Registration
by
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The League of Women Voters urges you to support “An Act to Establish Election Day Registration.” The right to vote is the foundation of our democracy, and voting should be as easy and accessible as possible. The National Voter Registration Act also known as the Motor Voter Registration Act states that citizens of the United States have a fundamental right to vote.

Lead Sponsors: Representatives Gloria L. Fox and Jennifer E Benson

Background: Election Day registration (EDR) is currently working in eight states – Idaho, Iowa, Minnesota, Montana, New Hampshire, North Carolina, Wisconsin, and Wyoming. In the 2007-2008 session, the bill passed in the Senate by a 33 to 5 vote. It remained in the House Ways and Means Committee, but failed to reach the House Floor before the end of the 185th session. It has been refiled in 2009 and 2011.

Until recently, Maine was as an EDR state. While Maine has a history of EDR working effectively to increase voter participation for thirty years, Maine’s current governor and legislature overturned same day registration. There were charges of registration fraud due to EDR; these have been thoroughly investigated by the Secretary of State and found to be false.

The current bill has been modified to meet concerns expressed by city and town clerks. It includes the formation of an advisory committee on the implementation of EDR. The committee will study resources and costs associated with EDR and the feasibility of providing every polling location with real-time electronic access to the central registry of voters.

Purpose of the Bill: The bill will allow any eligible voter to register and vote in local, statewide, and national elections at their local polling place on Election Day. At the time of registration, the individual must provide proof of identify and residency. The voter must also sign an oath as certifying citizenship, age, and lack of any impediments that would prohibit him/her from voting. This includes substantial penalties for giving false information.

Benefits of EDR

- EDR increases voter participation - In 2006, 5 of the 7 states with EDR made the year’s list of top 10 voter-turnout states; and EDR states had a turnout rate of 50.9%, non-EDR states had a turnout rate of 41.6%. The Brennan Center for Justice reported that Maine, Minnesota and Wisconsin had average voter turnout rates that were 12% higher than the national average.

- Registered Voters benefit from EDR. It alleviates the problem of registered voters being turned away because of inaccurate or incomplete voter lists. A 2003 MIT/Caltech Voting Technology Project report found that 122,000 registered Massachusetts voters did not cast ballots in 2000 due to registration problems. The MIT Cal Tech Project estimates that as many as 3 million US citizens were disenfranchised by wrongful purging of voter rolls or failure to add newly registered voters to the lists. With EDR, they could have re-registered at the polls.
- Election officials benefit from EDR - It shifts the administrative burden of processing new voter registrations from the busy pre-election session to after Election Day, a much less hectic time for election officials. Election officials in EDR states report that the work of adding newly-registered voters to the rolls has been manageable and relatively inexpensive.
- EDR does not increase voter fraud. Multiple independent studies by, among others, the Brennan Center for Justice, Demos and the New Hampshire Attorney General's Office, found that voter fraud is as low in EDR states as it is in non-EDR states. The amount of voter fraud has been greatly exaggerated by opponents of EDR and may be a 'red herring'. Most voter misconduct is due to confusion and ignorance rather than any intent to deceive.
- EDR may eliminate the need for Provisional Ballots. They have been controversial and are not always counted. Provisional Ballots can be problematic in close elections.
- Voting should be as easy as possible. EDR allows students, young adults, new residents and others who move to vote in greater numbers. Estimates from the Brennan Center are an average increase of 5 to 7 % in the number of voters when EDR is implemented.
- EDR is not a partisan issue and has not been a burden where used. With proper consultation with election officials and poll worker training, it can be implemented and used effectively. In this bill, the hours for EDR are 9 to 5 on election day and do not interfere with poll closing operations.
- Joan Grove, former Secretary of State of Minnesota, stated, "The system, as much as people think it [does], does not belong to the political candidates, ... to the political parties and...the election administrators. It belongs to the electorate."

The League of Women Voters of Massachusetts strongly urges the Joint Committee on Election Laws to pass House Bill 1106 out of Committee with a positive vote and do everything you can to make it the law in Massachusetts.