



LEAGUE OF WOMEN VOTERS OF MAINE

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TO: The Honorable Senator Lisa T. Marraché
The Honorable Representative John L. Patrick, Co-chairs
The Joint Standing Committee on Legal and Veterans Affairs

RE: LD 203, "An Act Concerning Student Voter Registration" Sponsor: Rep. Knight

Good afternoon. I'm Sarah Walton, vice president of the state Board of the League of Women Voters of Maine, and a volunteer member of its Legislative Lobby Corps. 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 203 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 lead the nation in allowing all of our citizens to vote. We should not now change our laws to allow practices that are less inclusive. 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.

As noted in the Maine Secretary of States' "Voter Eligibility" information (on its website at <http://www.maine.gov/sos/cec/elec/resident.htm>), "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.*" [emphasis added].

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. Passage of this bill also raises the specter of duplicate voter rolls: one for federal elections and another for state elections.

In addition, by refusing voter registration to students residing in housing owned by an institution of higher learning, L.D. 203 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 laws. For example, if a student who otherwise would qualify to register to vote, lived in a college dorm, she or he would not be allowed to register. If, on the other hand, the same student lived in a private apartment or home, or in a privately-owned fraternity or sorority, they would be allowed to register. That discrepancy does not pass even a minimal definition of equal protection.

Maine should not diminish these established rights. The proposal that students should be disenfranchised 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 203.

Sarah Walton, Vice President
League of Women Voters of Maine
January 31, 2007