



# LEAGUE OF WOMEN VOTERS OF MASSACHUSETTS

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## Testimony in support of H.579 and S.314 – An Act to Establish Election Day Registration

Submitted to the Joint Committee on Election Laws  
By Linda Freedman, LWVMA Specialist on Elections and Voting  
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The League of Women Voters urges you to support “An Act to Establish Election Day Registration (EDR).” 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 (VRA), also known as the Motor Voter Registration Act, states that citizens of the United States have a fundamental right to vote.

LWVMA and its members have supported the implementation of EDR legislation since its introduction in the 2007-2008 session, when the bill passed in the Senate by a 33 to 5 vote and then stalled the House Ways and Means Committee.

Election Day Registration (EDR) is popular and is currently working in 10 states – Colorado, Connecticut, Idaho, Iowa, Minnesota, Montana, New Hampshire, Maine, Wisconsin, Wyoming – and the District of Columbia. California will implement EDR in January, 2014. Several states allow same-day registration during their early voting period.

Maine had a history of EDR working effectively to increase voter participation for forty years. Maine’s governor and legislature overturned same-day registration in June 2011. Maine voters, however, reinstated Election Day registration in a citizen referendum in November 2011. Charges of registration fraud due to EDR were investigated by Maine’s Secretary of State and found to be false.

North Carolina recently repealed EDR in its campaign to roll back good voting laws. The League of Women Voters of North Carolina, the NAACP, the ACLU, Common Cause and the US Department of Justice, along with other civil and voting rights groups have filed lawsuits, alleging the repeal violates the VRA.

The bill before you insures that qualified voters cannot be turned away at the polls or only allowed to vote by provisional ballots – which may not be counted. The bill allows any eligible citizen to register and vote in local, state, and national elections at their local polling place on Election Day. At the time of registration, the individual must provide proof of identity and residency. The voter must also sign an oath 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, five of the seven states with EDR at that time made the year’s list of top 10 voter-turnout states. 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 errors in poll books 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 estimated 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.
- EDR has administrative benefits. It shifts the 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 the Brennan Center for Justice, Demos, the New Hampshire Attorney General's Office and others, found that voter fraud is as low in EDR states as it is in non-EDR states. The incidence 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 change addresses, 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 a.m. to 5p.m. on election day and do not interfere with poll closing operations.
- Joan Growe, 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 members of the Joint Committee on Election Laws to pass H.579/S.314 out of Committee with a positive vote and do everything you can to make it the law in Massachusetts.