

## Case #1: Transient Student Voting Rights

New legislation introduced by New Hampshire State Representative Gregory Sorg, HB 176, specifically addresses the rights of students to vote. According to HB 176, “The domicile for voting purposes of a person attending an institution of learning shall not be the place where the institution is located unless the person was domiciled in that place prior to matriculation.”<sup>1</sup> The force of HB 176 is to require that students vote in their hometowns and not the town in which they reside for educational purposes. The bill would not allow students to register to vote in the town in which they attend university unless they lived in that town prior to enrolling.

Supporters of HB 176 include House Representative and University of New Hampshire student Michael Weeden. Weeden argues, “each individual person should vote where [he or she] resides long-term, not just where [he or she] resides for a semester.”<sup>2</sup> The bill’s sponsor, Gregory Sorg, defends the initiative saying, “This is a reasonable classification to account for one demographic group that is unlike any other and threatens to overwhelm the legitimate residents of a town or city.”<sup>3</sup> House Speaker William O’ Brien says, “I look at towns like Plymouth and Keene and Hanover, and particularly Plymouth. They’ve lost the ability to govern themselves.”<sup>4</sup> Other arguments from O’Brien and Sorg suggest that HB 176 is aimed at preventing voter fraud.

HB 176 has provided a rare moment of solidarity between Young Republicans and College Democrats who joined forces to lobby against the bill. Both groups maintain that the bill is an effort by politicians to disenfranchise the youth vote. Adding fuel to this contention, New Hampshire Speaker of the House, O’Brien, defended the bill saying, “Voting as a liberal. That’s what kids do.” According to The Washington Post, O’Brien also stated that, “[s]tudents lack ‘life experience,’ and ‘they just vote their feelings.’”<sup>5</sup> Others see this bill as part of a broader strategy of voter suppression in New Hampshire, including House Bill 223, proposed to eliminate same-day registration, and Senate Bill 129, which would require voters to present a state-issued identification in order to vote. Tom Bates of Rock the Vote has called these measures “A War on Voting.”<sup>6</sup>

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<sup>1</sup> New Hampshire House Bill 176, Section 654:2-b(I.) (March 2010), sponsored by Gregory Sorg, <http://www.gencourt.state.nh.us/legislation/2011/HB0176.html>, last accessed June 20, 2010.

<sup>2</sup> Justin Doubleday, “Student Senate opposes HB 176” The New Hampshire, <http://www.tnhonline.com/student-senate-opposes-hb-176-1.1980712>, February 15, 2011.

<sup>3</sup> Josh Rodgers, “Bill to limit student voting draws crowd,” New Hampshire Public Radio, <http://www.nhpr.org/bill-limit-student-voting-draws-crowd>, February 25, 2011.

<sup>4</sup> TNH Editorial Staff, “Editorial: Students Refute HB 176: Opposition’s argument has failed to evolve,” The New Hampshire, <http://www.tnhonline.com/editorial-students-refute-hb-176-1.2037962>, March 1, 2011.

<sup>5</sup> Peter Wallsten, “In states, parties clash over voting laws that would affect college students, others,” The Washington Post, <http://www.washingtonpost.com/wp-dyn/content/article/2011/03/06/AR2011030602662.html>, March 8, 2011; NHDP, “Bill O’Brien Speaking @ the Rochester 9/12 Project Part 2,” Youtube, <http://www.youtube.com/watch?v=B8tqpBzLNzE>, January 13, 2011.

<sup>6</sup> **NOTE: HB 176 failed to pass the legislative committee by a vote of 13-5, the committee finding that the bill would be “inexpedient to legislate.”** Tobin Van Ostern, “Update: Voting-Rights Victories Occur in NH, but Fight Is Not Yet Over,” Campus Progress, [http://www.campusprogress.org/articles/update\\_voting-rights\\_victories\\_occur\\_in\\_nh\\_but\\_fight\\_is\\_not\\_yet\\_over/](http://www.campusprogress.org/articles/update_voting-rights_victories_occur_in_nh_but_fight_is_not_yet_over/), March 10, 2011.