

**ATTORNEY GENERAL  
DEPARTMENT OF JUSTICE**

33 CAPITOL STREET  
CONCORD, NEW HAMPSHIRE 03301-6397

MICHAEL A. DELANEY  
ATTORNEY GENERAL



ORVILLE B. "BUD" FITCH II  
DEPUTY ATTORNEY GENERAL

**SECTION 5 VOTING SUBMISSION**

TO: Chief, Voting Section  
Civil Rights Division  
Room 7254 – NWB  
Department of Justice  
950 Pennsylvania Ave. NW  
Washington, DC 20530

DATE: July 26, 2010

RE: Submissions Under Section 5 of the Voting Rights Act for:  
**Laws of 2006, Chapter 305**

Dear Voting Section Chief:

Pursuant to 42 U.S.C. § 1973(c), the State of New Hampshire, through the Office of the New Hampshire Attorney General, hereby submits **Laws of 2006, Chapter 305**, relative to centralized voter registration database information and relative to interference with campaign communications, for preclearance by the U.S. Department of Justice.

Submission: In accordance with 28 CFR §51.27 and 51.28, the submission is as follows:

**(a) A copy of any ordinance, enactment, order, or regulation embodying a change affecting voting (new law).**

Laws of 2006, Chapter 305, amending:

1. (Sec 1) RSA 654:31;
2. (Sec 2) RSA 654:45, VI;
3. (Sec 3) RSA 654:31-a;
4. (Sec 4) RSA 659:40-a;
5. (Sec 5) RSA 659:42.

See Attached Exhibit 2006:305, #1.

**(b) A copy of any ordinance, enactment, order, or regulation embodying the voting practice that is proposed to be repealed, amended or otherwise changed (prior law).**

1. (Sec 1) Laws of 1987, Chapter 337:1. See Attached Exhibit 2006:305, #2.
2. (Sec 2) Laws of 2003, Chapter 266. See Attached Exhibit 2006:305, #3.
3. (Sec 3) Laws of 2006, Chapter 94. See Attached Exhibit 2006:305, #4.
4. (Sec 4) Laws of 2003, Chapter 172. See Attached Exhibit 2006:305, #5.
5. (Sec 5) Laws of 2009, Chapter 436:1. See Attached Exhibit 2006:305, #6.

**(c) A clear statement of the change explaining the difference between the submitted change and the prior law or practice, or explanatory materials adequate to disclose to the Attorney General the difference between the prior and proposed situation with respect to voting.**

1. (Sec 1) amends RSA 654:3, Availability of the checklist to:
  - a. Provide definitions of terms used;
  - b. Establish in law the existence of a non-public checklist containing the names of individuals protected by domestic violence protective orders or who are participants in the Attorney General's address confidentiality program, which also serves primarily victims of domestic violence;
  - c. Update the provisions for the public obtaining copies of the checklist in light of the adoption of a statewide voter registration system which is now the repository for voter registration information for every town and city in New Hampshire. This includes setting a fee for copies of the checklist and authorizing clerks to provide the checklist in paper or electronic form;
  - d. Providing that the Secretary of State shall provide the public access to the public checklist information in the statewide voter registration database at the State archives building;
  - e. Providing that the Secretary of State shall sell only the entire statewide checklist and then only to a political committee of a political party and setting the fee. This preserves the town and city Supervisors/Clerks role as the primary point of access for copies of the checklist and preserves for towns and cities the related fees;
  - f. Provides that fees received by the Secretary of State from selling copies of the checklist shall be deposited in the election fund;
  - g. Establishes a crime for using checklist information obtained from the Secretary of State for commercial purposes.

2. (Sec 2) amends RSA 654:45, paragraph VI to include a specific explicit provision authorizing the release of statewide voter registration system record data to the State and Federal court systems in accordance with state and federal law to assist the courts in the preparation of jury lists. This is not a change in practice as the prior laws were construed to allow this transfer, it serves to ratify that construction of the laws by adding an explicit authorization.
3. (Sec 3) Amends RSA 654:31-a to include a voter's mailing address in the list of data elements in a voter registration record that are public information subject to the State's Right-to-Know (sunshine/FOIA) law, RSA Chapter 91-A.
4. (Sec 4) Amends RSA 659:40-a to make the crime of Interference with Communications a class B felony, previously it was a misdemeanor.
5. (Sec 5) Amends RSA 659:42 to include tampering with the software used in the casting or counting of ballots or designing such software so as to cause incorrect tabulation in the crime of Tampering with Voting Machines.

**(d) The name, title, address, and telephone number of the person making the submission.**

Orville B. Fitch II, Deputy Attorney General  
New Hampshire Attorney General's Office  
33 Capitol Street  
Concord, New Hampshire 03301  
(603) 271-1238

Between 8/1/2010 and 8/31/2010 contact:

Richard Head, Associate Attorney General  
New Hampshire Attorney General's Office  
33 Capitol Street  
Concord, New Hampshire 03301  
(603) 271-1248

**(e) The name of the submitting authority and the name of the jurisdiction responsible for the change, if different.**

Attorney General Michael A. Delaney  
State of New Hampshire

**(f) If the submission is not from a State or county, the name of the county and State in which the submitting authority is located.**

Not applicable

**(g) Identification of person or body responsible for making the change and the mode of decision (e.g. act of state legislature, ordinance of city council, administrative decision by the registrar).**

This change is an act of the New Hampshire General Court, New Hampshire's state legislature, with approval of the legislation by the Governor of the State of New Hampshire.

**(h) A statement identifying the statutory or other authority under which the jurisdiction undertakes the change and a description of the procedures the jurisdiction was required to follow in deciding to undertake the change.**

The New Hampshire Constitution Part Second, Article 2, grants supreme legislative power within the state to the House of Representatives and Senate, who with a right to negate each other are granted power to make law through Part Second, Article 5. The legislature, through a bicameral process passed each Chapter Law set forth above. Each bill was signed into law by the Governor or allowed to become law without signature, pursuant to New Hampshire Constitution Part Second, Article 44.

**(i) The date of adoption of the change affecting voting.**

June 19, 2006.

**(j) The date on which the change is to take effect.**

Sections 1-3: August 18, 2006.

Sections 4-5: January 1, 2007.

**(k) A statement that the change has not yet been enforced or administered, or an explanation of why such a statement cannot be made.**

This change to New Hampshire's voting laws has been enforced or administered.

As was exhaustively addressed in a 2004 letter to the federal Department of Justice, New Hampshire is engaged in an effort to catch up on preclearance submissions. This change is being submitted now to "catch up" the preclearance as

there is a 2010 change to statutes affected by this act, preclearance for which is being sought simultaneously through submission 2010:182.

**(l) Where the change will affect less than the entire jurisdiction, an explanation of the scope of the change.**

This change affects the entire State of New Hampshire.

**(m) A statement of the reasons for the change.**

1. (Sec 1) amends RSA 654:3, Availability of the checklist to:
  - a. Provide definitions of terms used. The reason for this change is to ensure understanding of the statute.
  - b. Establish in law the existence of a non-public checklist containing the names of individuals protected by domestic violence protective orders or who are participants in the Attorney General's address confidentiality program, which also serves primarily victims of domestic violence. The reason for this change was to establish in law how election officials were to manage the checklist entries for voters who as a result of being victims of domestic violence were entitled by law to have their existence on the checklist and their home addresses kept non-public.
  - c. Update the provisions for the public obtaining copies of the checklist in light of the adoption of a statewide voter registration system which is now the repository for voter registration information for every town and city in New Hampshire. This includes setting a fee for copies of the checklist and authorizing clerks to provide the checklist in paper or electronic form. The reason for this change was to resolve how municipal election officials would provide copies of the checklist now that the list would be maintained in the statewide voter registration database.
  - d. Providing that the Secretary of State shall provide the public access to the public checklist information in the statewide voter registration database at the State archives building. The reason for this change was to define the process and limits of access to the statewide voter registration records at the state level.
  - e. Providing that the Secretary of State shall sell only the entire statewide checklist and then only to a political committee of a political party and

setting the fee. This preserves the town and city Supervisors/Clerks role as the primary point of access for copies of the checklist and preserves for towns and cities the related fees. The reason for this provision was to establish who would be able to obtain public checklist information directly from the State now that the data was available in the statewide voter registration database, and what limitations and fees would be imposed.

- f. Provides that fees received by the Secretary of State from selling copies of the checklist shall be deposited in the election fund. This requires that any benefit or compensation for expenses related to the HAVA required statewide voter registration database would be paid back into the election fund created to comply with HAVA. This ensures compliance with federal requirements related to HAVA funds.
  - g. Establishes a crime for using checklist information obtained from the Secretary of State for commercial purposes. The reason for this change is to avoid chilling or deterring voting which might occur if voter registration meant that commercial marketers could use voter registration records to target voters with commercial advertising. The creation of the statewide voter registration database resulted in a state collection of names and addresses that are believed to be of significant interest to those engaging in commercial advertising.
2. (Sec 2) amends RSA 654:45, paragraph VI to include a specific explicit provision authorizing the release of statewide voter registration system record data to the State and Federal court systems in accordance with state and federal law to assist the courts in the preparation of jury lists. This is not a change in practice as the prior laws were construed to allow this transfer, it serves to ratify that construction of the laws by adding an explicit authorization. The reason for this change was to ensure no ambiguity existed regarding the Secretary of State's authority to provide this data to the courts for the purpose of establishing jury lists. Prior to the establishment of the statewide voter registration database this information was provided by each town or city, often in paper form. This change allows the State to provide the data for the entire state in one electronic file.
  3. (Sec 3) Amends RSA 654:31-a to include a voter's mailing address in the list of data elements in a voter registration record that are public information subject to the State's Right-to-Know (sunshine/FOIA) law, RSA Chapter 91-A. The reason for this change was to provide the public with the mailing address of voters.

4. (Sec 4) Amends RSA 659:40-a to make the crime of Interference with Communications a class B felony, previously it was a misdemeanor. The reason for this change was to increase the deterrence effect of this statute and any prosecutions under this statute by increasing the penalty.
5. (Sec 5) Amends RSA 659:42 to include tampering with the software used in the casting or counting of ballots or designing such software so as to cause incorrect tabulation in the crime of Tampering with Voting Machines. The reason for this change was to ensure our tampering statute would cover these additional variations of tampering with the technology used to assist in ballot counting and related administration of elections.

**(n) A statement of the anticipated effect of the change on members of racial or language minority groups.**

There is no anticipated adverse effect on members of racial or language minority groups.

**(o) Identify any past or pending litigation concerning the change or related voting practice.**

There is no known past or pending litigation concerning these changes or related voting practices.

**(p1) A Statement that the prior practice has been precleared, with the date, or is not subject to the preclearance requirement and**

1. (Sec 1) RSA 654:31, Laws of 1987, Chapter 337:1. See Attached Exhibit 2006:305, #2. RSA 654:31 as amended in 1987 was precleared on 11/17/2005 by Department of Justice non-objection letter 2005-3468.
2. (Sec 2) RSA 654:45, Laws of 2003, Chapter 266. See Attached Exhibit 2006:305, #3. RSA 654:45 as amended in 2003 was precleared on 6/22/2004 by Department of Justice non-objection letter 2004-2563, 2581, 2582.
3. (Sec 3) RSA 654:31-a, Laws of 2006, Chapter 94. See Attached Exhibit 2006:305, #4. RSA 654:31-a as amended in 2003 was precleared on 11/16/2005 by Department of Justice non-objection letter 2005-3462. The amendment to RSA 654:31-a by Laws of 2006, Chapter 94 is being submitted for preclearance simultaneously with this submission, see submission 2006:94.

4. (Sec 4) RSA 659:40-a, Laws of 2003, Chapter 172. See Attached Exhibit 2006:305, #5. The 2003 act establishing RSA 659:40-a is being submitted for preclearance simultaneously with this submission, see submission 2003:172.
5. (Sec 5) RSA 659:42, Laws of 1979, Chapter 436:1. See Attached Exhibit 2006:305, #6. RSA 659:42 as amended in 1979 was precleared on 6/22/2004 by Department of Justice non-objection letter 2004-2563, 2581, 2582.

**(p2) A statement that the procedure for the adoption of the change has been precleared, with the date, or is not subject to the preclearance requirement, or an explanation of why such statements cannot be made.**

New Hampshire's Constitution, in its current form, was adopted June 2, 1784, four years before the United States Constitution took effect upon its ratification by New Hampshire on June 21, 1788. No amendments to Part Second, article 2 or Part Second, article 44 have occurred since 1784, therefore the authority for adopting law changes predates New Hampshire's ten towns becoming subject to Preclearance on effective November 1, 1968.

**(q) For redistrictings and annexations.**

Not applicable.

**(r) Supplemental**

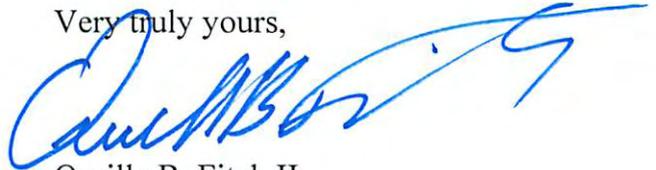
None.

**§51.28 (g) Public notice that announce the submission to the Attorney General, inform the public that a complete duplicate copy of the submission is available for public inspection and invites comments for the consideration of the Attorney General and statements regarding where such public notices appeared.**

Exhibit A is a copy of a press release issued July 19, 2010 announcing the 2010 round of Preclearance submissions, the availability of copies at the New Hampshire Attorney General's Website and Office, and inviting comments to the United States Attorney General.

I expect the foregoing information is sufficient to enable the United States Attorney General to make the required determination pursuant to Section 5 of the Voting Rights Act. If further information is required or would be helpful, please contact me.

Very truly yours,



Orville B. Fitch II  
Deputy Attorney General  
bud.fitch@doj.nh.gov  
(603) 271-1238

Attachments

CC: Secretary of State William M. Gardner

494430.doc





CHAPTER 305

HB 1238-FN – FINAL VERSION

15Feb2006... 0548h

04/13/06 1670s

04/13/06 1779s

04/13/06 1803s

24May2006... 2293cofc

24May2006... 2387eba

2006 SESSION

06-2135

03/09

HOUSE BILL ***1238-FN***

AN ACT relative to centralized voter registration database information and relative to interference with campaign communications.

SPONSORS: Rep. O'Brien, Hills 4; Rep. O'Neil, Rock 15

COMMITTEE: Election Law

AMENDED ANALYSIS

This bill:

- I. Modifies fees and procedures for obtaining copies of voter checklist information.
- II. Prohibits the use of checklist information provided by the secretary of state for commercial purposes.
- III. Permits the secretary of state to make voter database record data available to assist in the preparation of jury lists.
- IV. Adds the mailing address contained on the checklist to the public information subject to RSA 91-A.
- V. Increases the penalty for interference with campaign communications.
- VI. Prohibits tampering with voting machine software.

Explanation: Matter added to current law appears in ***bold italics***.

Matter removed from current law appears [~~in brackets and struck through.~~]

Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

15Feb2006... 0548h

04/13/06 1670s

04/13/06 1779s

04/13/06 1803s

24May2006... 2293cofc

24May2006... 2387eba

06-2135

03/09

## STATE OF NEW HAMPSHIRE

*In the Year of Our Lord Two Thousand Six*

AN ACT relative to centralized voter registration database information and relative to interference with campaign communications.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

305:1 Availability of Checklist. Amend RSA 654:31 to read as follows:

654:31 Availability of Checklist.

***I. In this section:***

***(a) "Checklist information" means the data, in any form, required to be placed on the public checklist by RSA 654:25, when that data is obtained or derived from a checklist or from the statewide centralized voter registration database maintained by the secretary of state.***

***(b) "Commercial purposes" means knowingly using, selling, giving, or receiving the checklist information for the purpose of selling or offering for sale any property or service unrelated to an election or political campaign.***

***(c) "Nonpublic checklist" means the checklist bearing the names of voters who by law are entitled to have their status as a voter kept nonpublic.***

***(d) "Public checklist" means the checklist required by RSA 654:25 which contains the names of voters who by law are to be listed on a checklist available to the public in accordance with the restrictions established by this section.***

***II. In towns and cities, the public checklist as corrected by the supervisors shall be open for the examination of any person at all times before the opening of a meeting or election at which the list is to be used. The supervisors of the checklist shall furnish one or more copies of the most recent public checklist of their town or city to any person requesting such copies. ~~[If the supervisors maintain or have access to the checklist or information from which the checklist was derived in more than one form, the person requesting copies shall be furnished copies in any of those forms according to his preference. The supervisors may charge~~***

~~a reasonable fee for copies that is based on the actual costs incurred when reproducing an existing checklist, except that in no event shall the fee for paper copies of any single town or ward checklist be less than \$5 nor more than \$25 per checklist. The fee charged for checklists on computer disk or tape, or in any form other than paper, shall be based solely on the additional costs incurred to provide such checklist to the individual requesting it. The fee shall be for the use of the town or city.]~~ *The supervisors of the checklist may only provide checklist information for their town or city. The supervisors of the checklist may charge a fee of up to \$25 for each copy of the public checklist for a town or ward. For public checklists containing more than 2,500 names, the supervisors of the checklist may charge a fee of up to \$25, plus \$0.50 per thousand names or portion thereof in excess of 2,500, plus any shipping costs. The supervisors of the checklist may provide public checklist information on paper, computer disk, computer tape, electronic transfer, or any other form.*

*III. Any person may view the data that would be available on the public checklist, as corrected by the supervisors of the checklist, on the statewide centralized voter registration database maintained by the secretary of state at the state records and archives center during normal business hours, but the person viewing data at the state records and archives center may not print, duplicate, transmit, or alter the data. The secretary of state may only provide copies of the most recent public checklist to a political committee of a political party as defined in RSA 664:2, V, or to a candidate who has filed for consideration for any office in any primary or general election or who has been nominated for any office in a general election. The secretary of state may not provide public checklists of less than the entire state. The secretary of state may charge a fee of up to \$25 plus \$0.50 per thousand names or portion thereof in excess of 2,500 plus shipping charges for each copy of the statewide public checklist. The secretary of state may provide public checklists as prescribed in this section on paper, computer disk, computer tape, electronic transfer, or any other form.*

*IV. Fees collected by the secretary of state under this section shall be deposited in the election fund established pursuant to RSA 5:6-d. Fees collected by a town or city under this section shall be for the use of the town or city.*

*V. No person shall use or permit the use of checklist information provided by the secretary of state for commercial purposes. Whoever knowingly violates any of the provisions of this section shall be guilty of a misdemeanor if a natural person or guilty of a felony if any other person.*

*VI. This section shall not be construed to restrict the transfer of checklist information to the state or federal courts as required by RSA 654:45 for any lawful purpose.*

305:2 Centralized Voter Registration Database; Jury Lists. Amend RSA 654:45, VI to read as follows:

*VI. The voter database shall be private and confidential and shall not be subject to RSA 91-A and RSA 654:31. The secretary of state is authorized to provide voter database record data to the administrative office of the courts to assist in the preparation of master jury lists pursuant to RSA 500-A and to the clerk of the District Court of the United States for the District of New Hampshire to assist in the preparation of federal court jury lists. The voter checklist for a town or city shall be available pursuant to RSA 654:31. Any person who discloses information from the voter database in any manner not authorized by this section shall be guilty of a misdemeanor.*

305:3 Right to Know Exemption; Public Information; Mailing Address. Amend RSA 654:31-a to read as follows:

*654:31-a Right to Know Exemption. The information contained on the checklist of a town or city, specifically, the name, street address, mailing address, town or city, and party affiliation, if any, of registered voters, except as otherwise provided by statute, is public information subject to RSA 91-A. All other information on the voter registration form, absentee registration affidavit, citizenship and domicile affidavits, and application for absentee ballot shall be treated as confidential information and the records containing this information shall be exempt from the public disclosure provisions of RSA 91-A, except as provided by statutes*

other than RSA 91-A. Notwithstanding the foregoing, citizenship and domicile affidavits are public records subject to RSA 91-A for the sole purpose of challenging an individual registering to vote or voting, challenging ballots to be recounted, to the extent that such ballot challenges are specifically authorized by law, or determining the accuracy of any citizenship or domicile affidavit. Election officials and law enforcement personnel in furtherance of their official duties may access and may disclose information from the voter registration form, citizenship and domicile affidavits, absentee registration affidavits, and applications for absentee ballots, if necessary to resolve a challenge to an individual registering to vote or voting, or if necessary to investigate or prosecute election law violations or any crime. Law enforcement access and use of such records for the investigation or prosecution of crimes unrelated to election law violations shall be limited to the records of the specific individuals who are the subject of the investigation or prosecution.

305:4 Election Procedure; Prohibited Acts; Interference With Communications; Penalty. Amend RSA 659:40-a to read as follows:

659:40-a Interference With Communications. Any person who, on the day of any election, knowingly blocks, or solicits another person to block, the access of any candidate or committee to the candidate's or the committee's communications equipment or services with the intent of interfering with campaign activity shall be guilty of a class ~~A misdemeanor~~ **B felony**.

305:5 Election Procedure; Prohibited Acts; Tampering with Voting Machines; Software. Amend RSA 659:42 to read as follows:

659:42 Tampering with Voting Machines. Whoever shall tamper with or injure or attempt to injure any voting machine or device for the computerized casting and counting of ballots to be used or being used in an election or whoever shall prevent or attempt to prevent the correct operation of such machine or device *or whoever shall tamper with software used in the casting or counting of ballots or design such software so as to cause incorrect tabulation of the ballots* or any unauthorized person who shall make or have in his *or her* possession a key to a voting machine to be used or being used in an election shall be guilty of a class B felony if a natural person or guilty of a felony if any other person.

305:6 Effective Date.

I. Sections 4-5 of this act shall take effect January 1, 2007.

II. The remainder of this act shall take effect 60 days after its passage.

Approved: June 19, 2006

Effective: I. Sections 4-5 shall take effect January 1, 2007

II. Remainder shall take effect August 18, 2006

II. RSA 100-A:36-c, relative to the transfer of state prison employees to group II.

**335:10 Effective Date.** This act shall take effect 60 days after its passage.

[Approved May 25, 1987.]

[Effective Date July 24, 1987.]

### CHAPTER 336 (HB 700)

AN ACT PERMITTING GROUP II MEMBERS WHO REACH AGE 65  
TO MAKE AN ELECTION FOR RETIREMENT BENEFITS.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**336:1 Retirement Benefits for Certain Group II Members.** Amend RSA 100-A:5, II(a) to read as follows:

(a) Any group II member in service who has attained age 45 and completed 20 years of creditable service, or who has attained age 65 regardless of the number of years of his creditable service, may retire on a service retirement allowance upon written application to the board of trustees setting forth at what time not less than 30 days nor more than 90 days subsequent to the filing thereof, he desires to be retired, notwithstanding that during such period of notification he may have separated from service.

**336:2 Effective Date.** This act shall take effect July 1, 1987.

[Approved May 25, 1987.]

[Effective Date July 1, 1987.]

### CHAPTER 337 (HB 701)

AN ACT RELATIVE TO THE FEE CHARGED  
FOR COPIES OF THE CHECKLIST.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**337:1 Availability of Checklist; Copies.** Amend RSA 654:31 to read as follows:

**654:31 Availability of Checklist.** The checklist as corrected by the supervisors shall be open for the examination of any person at all times before the opening of a meeting or election at which the list is to be used. The supervisors shall furnish one or more copies of the most recent checklist to any person requesting such copies. If the supervisors maintain or have access to the checklist or information from which the checklist was derived in more than one form, the person requesting copies shall be furnished copies in any of those forms according to his preference. The supervisors may charge a reasonable fee for copies that is based on the actual costs incurred when reproducing an existing checklist, except that in no event shall the fee for paper copies of any single town or ward checklist be less

than \$5 nor more than \$10 for a computer disk or for additional copies. The fee shall be for the use of the town or ward.

**337:2 Contents of Checklist.** Amend RSA 654:25

**654:25 Preparing Checklist.** The secretary shall prepare guidelines for the composition and style of the checklist and data related to checklists by which the checklist shall be maintained and corrected. Such guidelines shall be maintained and updated by the secretary. The guidelines shall include standard forms and procedures for the collection and use of such information. The information to be maintained shall include the full name, address and party affiliation of each person who has voted in such elections and such other information as the secretary may determine. The information so maintained and updated shall be used for the preparation of the checklist. Every checklist used at any election shall include the full name, mailing address and party affiliation of each voter on the checklist.

**337:3 Effective Date.** This act shall take effect July 1, 1987.

[Approved May 25, 1987.]

[Effective Date July 24, 1987.]

### CHAPTER 338 (HB 702)

AN ACT INCREASING THE FEE CHARGED  
FOR COUNTY DEPUTIES.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**338:1 Compensation Increased.** Amend RSA 24:9-ee

**24:9-ee Compensation for County Deputies.** Notwithstanding to the contrary, county deputies shall receive from the county treasury a stipend for their attendance at meetings of their respective county conventions. The stipend shall be in addition to the per diem expenses to and from the place of meeting and shall be at the rate allowed by the United States Internal Revenue Code for the respective county convention. They shall also receive for their transportation or mileage for attending such meetings a stipend at the rate allowed by the state house in Concord on a legislative day.

**338:2 Effective Date.** This act shall take effect July 1, 1987.

[Approved May 25, 1987.]

[Effective Date July 24, 1987.]



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B 700)

ERS WHO REACH AGE 65  
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*Representatives in General Court*

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*Representatives in General Court*

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1987]

CHAPTER 338

363

than \$5 nor more than \$25 per checklist. The fee charged for checklists on com-  
puter disk or tape, or in any form other than paper, shall be based solely on the  
additional costs incurred to provide such checklist to the individual requesting it.  
The fee shall be for the use of the town or city.

**337:2 Contents of Checklist.** Amend RSA 654:25 to read as follows:

**654:25 Preparing Checklist.** The secretary of state shall issue and distribute  
guidelines for the composition and style of checklists and for the maintenance of  
data related to checklists by which the supervisors of the checklist shall compile  
and correct the checklist. Such guidelines shall specify the information which is to  
be maintained and updated by the supervisors. The secretary shall establish  
standard forms and procedures for the use of the supervisors for the maintenance  
of such information. The information to be maintained and updated shall include  
the full name, address and party affiliation, if any, of each voter on the checklist  
and such other information as the secretary requires. The supervisors shall use  
the information so maintained and updated to prepare the checklist for all state  
elections. Every checklist used at any state election shall contain as a minimum  
the full name, mailing address and party affiliation, if any, of each voter on the  
checklist.

**337:3 Effective Date.** This act shall take effect 60 days after its passage.

[Approved May 25, 1987.]

[Effective Date July 24, 1987.]

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## CHAPTER 338 (HB 706)

AN ACT INCREASING THE PER DIEM ALLOWANCE  
FOR COUNTY DELEGATION MEETINGS.

*Be it Enacted by the Senate and House of Representatives in General Court  
convened:*

**338:1 Compensation Increased.** Amend RSA 24:9-ee to read as follows:

**24:9-ee Compensation for County Conventions.** Notwithstanding the provi-  
sions of RSA 24:9-e to the contrary, members of each county convention may  
receive from the county treasury a sum not to exceed \$25 per day for actual  
attendance at meetings of their respective conventions and an allowance for trav-  
el expenses to and from the place of meeting at a rate per mile not in excess of the  
rate allowed by the United States Internal Revenue Service to be set by a vote of  
the respective county convention. They are not entitled to receive any compensa-  
tion or mileage for attending such meetings when such meetings are held at the  
state house in Concord on a legislative day.

**338:2 Effective Date.** This act shall take effect 60 days after its passage.

[Approved May 25, 1987.]

[Effective Date July 24, 1987.]



CHAPTER 266

HB 577-FN-A-LOCAL - FINAL VERSION

12mar03... 0449h

10apr03... 0970h

05/22/03 1638s

06/05/03 1947s

24jun03... 2154CofC

30jun03... 2281eba

2003 SESSION

03-0675

03/10

HOUSE BILL ***577-FN-A-LOCAL***

AN ACT relative to implementing the Help America Vote Act of 2002.

SPONSORS: Rep. Flanagan, Rock 78; Rep. Kennedy, Merr 34; Sen. Larsen, Dist 15

COMMITTEE: Election Law

AMENDED ANALYSIS

This bill:

I. Establishes an election fund for moneys appropriated to the state pursuant to the Help America Vote Act of 2002 and requires that certain fees and fines be deposited in the fund.

II. Authorizes a statewide centralized voter registration database and communications network.

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Explanation: Matter added to current law appears in ***bold italics***.

Matter removed from current law appears [~~in brackets and struck through.~~]

Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

12mar03... 0449h

10apr03... 0970h

05/22/03 1638s

06/05/03 1947s

24jun03... 2154CofC

30jun03... 2281eba

03-0675

03/10

## STATE OF NEW HAMPSHIRE

*In the Year of Our Lord Two Thousand Three*

AN ACT relative to implementing the Help America Vote Act of 2002.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

266:1 New Section; Election Fund. Amend RSA 5 by inserting after section 6-c the following new section:

5:6-d Election Fund.

I. There is established in the office of the state treasurer a nonlapsing fund to be known as the election fund which shall be kept distinct and separate from all other funds. The election fund is established to meet the requirements of section 254(b) of the Help America Vote Act, Public Law 107-252.

II. The treasurer shall deposit in the election fund all monies received by the state pursuant to the Help America Vote Act of 2002, Public Law 107-252 and all civil or administrative fines or penalties or filing fees collected by the secretary of state pursuant RSA 655; RSA 659; and RSA 664. The treasurer shall also deposit in the election fund such other funds received under state or federal law, or donated to the state by private parties, for the purposes of conducting elections, voter and election official education, election law enforcement, and related information technology projects and improvements, and shall credit any interest or income earned on monies on deposit to the fund.

III. The secretary of state is authorized to accept, budget, and, subject to the limitations of this paragraph, expend monies in the election fund received from any party for the purposes of conducting elections, voter and election official education, the purchase or lease of voting equipment which complies with Help America Vote Act of 2002, Public Law 107-252, election law enforcement, and improvements to related information technology. The secretary of state shall not expend any monies in the election fund unless the balance in the fund following such expenditures shall be at least 20 times the estimated annual cost of maintaining the programs established to comply with the Help America Vote Act of 2002, Public Law 107-252.

IV. All monies in the election fund shall be continually appropriated to the department of state and shall not lapse.

V. The treasurer, upon approval of the secretary of state shall pay the expenses of planning, equipping, administering, staffing, maintaining, and improving the election services provided by the secretary of state and related services provided by the department of safety, the department of health and human services, and the department of justice out of any monies in the election fund, subject to the limitations established in paragraph III, notwithstanding any other provision of law.

VI. The secretary of state shall include appropriations from the election fund in the department budget submitted pursuant to RSA 9:4.

266:2 New Subparagraph; General Revenue Exceptions; Election Fund. Amend RSA 6:12, I by inserting after subparagraph (IIIIIIII) the following new subparagraph:

(mmmmmmmm) Moneys deposited in the election fund under RSA 5:6-d.

266:3 New Subdivision; Centralized Voter Registration Database. Amend RSA 654 by inserting after section 44 the following new subdivision:

#### Centralized Voter Registration Database

654:45 Centralized Voter Registration Database.

I. The secretary of state is authorized to plan, develop, equip, establish, site, and maintain a statewide centralized voter registration database and communications system, hereinafter referred to as the voter database, connecting users throughout the state. The voter database shall include the information on the voter registration form and the voter checklists maintained by each city, ward, and town in the state.

II. Any election official in the state authorized by this chapter to have direct access to the voter database may obtain immediate electronic access to the information contained in the voter database related to individuals registered or registering to vote in the election official's jurisdiction. The office of the clerk is hereby designated as a database access point for each town or city. The secretary of state may authorize additional database access points in a town or city, including election day access points at polling places.

III. The voter database shall, upon certification by the secretary of state, be the official record of eligible voters for the conduct of all elections held in this state.

IV.(a) The voter database shall have the following minimum components:

(1) An electronic communications system that provides access for election officials from at least one point in each city and town within the state.

(2) An interactive computer program allowing local election officials access to records contained in the database with a process to add, delete, modify, or print a voter registration record related to the election official's jurisdiction. The system shall be designed so that there can be regular updates to the database, the records reflect the name of each registered voter with no duplication, and the names of ineligible voters are removed. The system shall contain safeguards to ensure that the names of properly registered voters are not removed in error.

(b) Voter database record data shall be verified by matching the records with those of the department of safety and the federal social security administration as are required by law, and with the records of the state agency or division charged with maintaining vital records. For this purpose the voter registration record database may be linked to the state agency or division charged with maintaining vital records and the department of safety, provided that no linked agency or division may save or retain voter information or use it for purposes other than verifying the accuracy of the information contained in the voter database. The link authorized by this subparagraph shall not allow the department of state or election officials direct access to the motor vehicle registration or driver's license records maintained by the division of motor vehicles. The commissioner of safety may authorize the release of information from motor vehicle registration and driver's license records to the extent that the information is necessary to department of state and department of safety cooperation in a joint notification to individuals of apparent discrepancies in their records and to the extent that the information is necessary to resolve those discrepancies. The commissioner of safety and the secretary of state are authorized to enter into an agreement that establishes the services to be provided by the department of safety and the cost for those services. The department of safety shall not be required to provide any services under this subparagraph unless an agreement is in place and there are sufficient funds in the election fund to pay the cost for the services. The system shall facilitate the identification and correction of voter registration records whenever a registered voter has died or has been

disenfranchised pursuant to part I, article 11 of the New Hampshire constitution or RSA 654:5 through RSA 654:6, or when the domicile address does not match the address provided by the same individual to the department of safety.

(c) Access by local election officials to the voter database shall be limited to the supervisors of the checklist, city registrars and deputy registrars, and town or city clerks and their deputies, as determined by the secretary of state. Access by local election officials shall be subject to the limitations of paragraph VI, and shall be limited to the records of individuals who are currently registered to vote in the official's jurisdiction and individuals who are applying to register to vote in the official's jurisdiction.

V. The secretary of state shall:

(a) Specify the employees of the department of state authorized to access records contained in the voter database, subject to the limitations of paragraph VI.

(b) Provide adequate technological security measures to deter unauthorized access to the records contained in the voter database.

(c) Issue guidelines to implement the voter database.

VI. The voter database shall be private and confidential and shall not be subject to RSA 91-A and RSA 654:31. The voter checklist for a town or city shall be available pursuant to RSA 654:31. Any person who discloses information from the voter database in any manner not authorized by this section shall be guilty of a misdemeanor.

~~266:4 Filing Fees; Deposit of Fees. Amend RSA 655:19, II to read as follows:~~

~~II. The fees paid to a town or city clerk by candidates for state representative shall be forwarded to the treasurer of the town or city and shall be for the use of the town or city. The fees paid to the secretary of state shall be deposited by ~~[him]~~ *the secretary of state* in the ~~[general]~~ *election* fund *established pursuant to RSA 5:6-d*.~~

~~266:5 Administrative Assessment; Deposit of Assessment. Amend RSA 655:19-c, II to read as follows:~~

~~II. The administrative assessment paid to a town or city clerk by candidates for state representative shall be forwarded to the treasurer of the town or city and shall be for the use of the town or city. The administrative assessment paid to the secretary of state shall be deposited by ~~[him]~~ *the secretary of state* into the ~~[general]~~ *election* fund *established pursuant to RSA 5:6-d*.~~

~~266:6 Registration of Political Committees; Deposit of Fees. Amend RSA 664:3, I to read as follows:~~

~~I. Any political committee, except the political committee of a political party, shall register with the secretary of state as provided in this section. The committee shall register with the secretary of state not later than 24 hours after receiving any contribution in excess of \$500 or before making any expenditure in excess of \$500. The registration shall be accompanied by a fee of \$50, which shall be deposited by the secretary of state into the ~~[general]~~ *election* fund *established pursuant to RSA 5:6-d*; provided, however, that the political committee of a candidate which registers under this section shall not be required to pay the \$50 fee. Each political committee shall designate a treasurer or agent who is a citizen of this state and who is authorized to receive all process and other legal documents on behalf of the political committee, and through whom may be obtained access to all books and records of the political committee. The political committee shall file with the secretary of state a statement of the purpose of the committee and shall indicate whether the committee will be making independent expenditures in support of or in opposition to any candidate including a statement of the name, address, occupation, and principal place of business of its chairperson, treasurer or agent, and other officers.~~

266:7 Political Expenditures and Contributions; Penalty; Fines. Amend RSA 664:21, II to read as follows:

II. Any fine assessed under the provision of this section shall be paid to the secretary of state for deposit into the ~~[general]~~ *election fund established pursuant to RSA 5:6-d.*

266:8 Ballot Law Commission; Additional Jurisdiction. Amend RSA 665:7 to read as follows:

665:7 Additional Jurisdiction. In addition to the jurisdiction of issues conveyed to the ballot law commission by other sections of this chapter, the commission shall hear and determine all disputes involving alleged violations of New Hampshire election laws of a non-criminal nature for which no specific statutory appeal procedure has already been provided. The commission shall also hear and determine petitions for review of cease and desist orders issued by the attorney general under RSA 664:18, II, if such petitions are filed within 3 days of the order, *and shall hear and resolve complaints of federal voting law violations, pursuant to the Help America Vote Act of 2002, Public Law 107-252, as provided in RSA 666:14.*

266:9 New Subdivision; Administrative Complaint Procedures. Amend RSA 666 by inserting after section 13 the following new subdivision:

#### Administrative Complaint Procedures

666:14 Administrative Complaint Procedures. The attorney general may establish an administrative complaint procedure for the resolution of complaints of federal voting law violations, pursuant to the Help America Vote Act of 2002, Public Law 107-252. The attorney general may adopt administrative rules under RSA 541-A to implement the complaint resolution procedures. The ballot law commission is hereby designated as the body providing alternative dispute resolution as required by section 402(a)(2)(I) of the Help America Vote Act of 2002, Public Law 107-252.

266:10 Initial Funding; Appropriation.

I. The secretary of state shall develop a budget for the biennium ending June 30, 2005 for the purposes of funding costs associated with the Help America Vote Act of 2002, Public Law 107-252, and shall submit the budget to the fiscal committee of the general court for final approval.

II. The secretary of state is hereby authorized to accept money allocated to the state by the federal government pursuant to the Help America Vote Act of 2002, Public Law 107-252. Said sum shall be deposited into the election fund established in RSA 5:6-d for funding costs associated with the Help America Vote Act, including costs associated with positions and other program expenses.

III. Notwithstanding any other provision of law, the secretary of state is authorized to establish positions necessary to implement the Help America Vote Act of 2002, Public Law 107-252.

266:11 New Section; Ballot Law Commission; Administrative Complaint Resolution. Amend RSA 665 by inserting after section 9 the following new section:

665:9-a Administrative Complaint Resolution. The ballot law commission shall hear and resolve complaints of federal voting law violations, pursuant to the Help America Vote Act of 2002, Public Law 107-252, as provided in RSA 666:14.

266:12 Contingency. If HB 693-FN of the 2003 regular session becomes law, section 11 of this act shall take effect at 12:01 a.m. on the effective date of HB 693-FN. If HB 693-FN of the 2003 regular session does not become law, section 11 of this act shall not take effect.

266:13 Effective Date.

I. Section 11 of this act shall take effect as provided in section 12 of this act.

II. The remainder of this act shall take effect upon its passage.

(Approved: July 15, 2003)

(Effective Date: I. Section 11 shall take effect as provided in section 12.

II. Remainder shall take effect July 15, 2003)



CHAPTER 94

HB 391 - FINAL VERSION

01Feb2006... 0208h

01Feb2006... 0486h

2006 SESSION

05-0468

03/10

HOUSE BILL **391**

AN ACT relative to election affidavits.

SPONSORS: Rep. Weed, Ches 3; Rep. Pratt, Ches 2

COMMITTEE: Election Law

AMENDED ANALYSIS

This bill makes citizenship and domicile affidavits public records subject to RSA 91-A for the purpose of voter challenges and modifies requirements for their execution and preservation.

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Explanation: Matter added to current law appears in *bold italics*.

Matter removed from current law appears [~~in brackets and struckthrough.~~]

Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

01Feb2006... 0208h

01Feb2006... 0486h

05-0468

03/10

STATE OF NEW HAMPSHIRE

*In the Year of Our Lord Two Thousand Six*

AN ACT relative to election affidavits.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

94:1 Right to Know Exemption. Amend RSA 654:31-a to read as follows:

654:31-a Right to Know Exemption. The information contained on the checklist of a town or city, specifically, the name, street address, town or city, and party affiliation, if any, of registered voters, except as otherwise provided by statute, is public information subject to RSA 91-A. All other information on the voter registration form, absentee registration affidavit, *citizenship and domicile affidavits*, and application for absentee ballot shall be treated as confidential information and the records containing this information shall be exempt from the public disclosure provisions of RSA 91-A, except as provided by statutes other than RSA 91-A. *Notwithstanding the foregoing, citizenship and domicile affidavits are public records subject to RSA 91-A for the sole purpose of challenging an individual registering to vote or voting, challenging ballots to be recounted, to the extent that such ballot challenges are specifically authorized by law, or determining the accuracy of any citizenship or domicile affidavit.* Election officials and law enforcement personnel in furtherance of their official duties may access and may disclose information from the voter registration form, *citizenship and domicile affidavits*, absentee registration affidavits, and applications for absentee ballots, if necessary to resolve a challenge to an individual registering to vote or voting, or if necessary to investigate or prosecute election law violations or any crime. Law enforcement access and use of such records for the investigation or prosecution of crimes unrelated to election law violations shall be limited to the records of the specific individuals who are the subject of the investigation or prosecution.

94:2 Affidavit. Amend RSA 659:30 to read as follows:

659:30 Affidavit. The affidavit of a challenged voter, a voter citizenship affidavit, a voter domicile affidavit, or any other affidavit required by the election statutes may be sworn before ~~[any person authorized by law to administer oaths or before]~~ any election officer.

94:3 Preservation of Voting Materials. Amend RSA 659:101 to read as follows:

659:101 Preservation of Absentee Voting Materials, Election Day Affidavits, and Domicile Affidavits. The affidavit envelopes and application forms processed by the moderator as provided in RSA 659:50, and the citizenship affidavits and domicile affidavits as provided in RSA 654:12 and any other documentary proof of qualifications retained by the town or city clerk, the supervisors of the checklist, or other election official may be preserved in the same manner that ballots are preserved. ~~[and]~~ *Citizenship, voter registration, and domicile affidavits shall be retained for 3 years after the election in which they are used, and other materials* may be destroyed one year after the first state general election at which the individual may vote.

94:4 Effective Date. This act shall take effect 60 days after its passage.

Approved: May 9, 2006

Effective: July 8, 2006



CHAPTER 172

HB 605-FN - FINAL VERSION

25mar03... 0732h

05/22/03 1639s

2003 SESSION

03-1010

03/09

HOUSE BILL **605-FN**

AN ACT relative to prohibited election day activity and relative to electioneering by public employees.

SPONSORS: Rep. Buckley, Hills 56

COMMITTEE: Election Law

AMENDED ANALYSIS

This bill prohibits blocking the access of any candidate or committee to communications equipment or services on election day. This bill also prohibits public employees from electioneering while in the performance of their official duties or using government property for electioneering.

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Explanation: Matter added to current law appears in *bold italics*.

Matter removed from current law appears [~~in brackets and struck through~~].

Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

25mar03... 0732h

05/22/03 1639s

03-1010

03/09

STATE OF NEW HAMPSHIRE

*In the Year of Our Lord Two Thousand Three*

AN ACT relative to prohibited election day activity and relative to electioneering by public employees.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

172:1 New Section; Election Procedure; Prohibited Acts; Interference With Communications. Amend RSA 659 by inserting after section 40 the following new section:

659:40-a Interference With Communications. Any person who, on the day of any election, knowingly blocks, or solicits another person to block, the access of any candidate or committee to the candidate's or the committee's communications equipment or services with the intent of interfering with campaign activity shall be guilty of a class A misdemeanor.

~~172:2 New Section; Electioneering by Public Employees. Amend RSA 659 by inserting after section 44 the following new section:~~

~~659:44-a Electioneering by Public Employees. No public employee, as defined in RSA 273-A:1, IX, shall electioneer while in the performance of his or her official duties or use government property, including, but not limited to, telephones, facsimile machines, vehicles, and computers, for electioneering. For the purposes of this section, "electioneer" means to act in any way specifically designed to influence the vote of a voter on any question or office. Any person who violates this section shall be guilty of a misdemeanor.~~

172:3 Effective Date. This act shall take effect upon its passage.

(Approved: Enacted in accordance with Article 44, Part II, N.H. Constitution, without signature of Governor, June 18, 2003)

(Effective Date: June 18, 2003)



**Affidavit Blanks.** The secretary of own and ward clerks before every wits required by RSA 659:27.

**and Presidential Primary Elec-** al primary election may challenge is a member of a party or to vote the ll not be allowed to so declare or so hat he affiliates with and generally

f a challenged voter may be sworn inister oaths or before the modera- r supervisors of the checklist. Any s such affidavit shall be deemed ordingly.

ll not receive the vote of any voter : an affidavit as required by RSA eive the vote of such voter shall be

clerk shall record the name and s, the name of the person challeng-

clerk shall preserve all affidavits 9:103.

cts ll be guilty of a misdemeanor if,

ed for at such election; or i his own; or r he has once voted in person; or id be

examination as to his qualifica- checklist.

**ballot.** y any person with the intention cept as provided in RSA 659:20. ark upon his ballot nor write in e intention of thereby placing a

allot not given him by the ballot prohibited by paragraph I or II

provisions of this section shall

rs. No mark of any nature shall er except as provided in RSA ly violates this section shall be

**659:37 Interfering with Voter, etc.** No person shall interfere or attempt to interfere with any voter when such voter is in the space within the guardrail or endeavor to induce any voter before voting to show how he marks or has marked his ballot. Whoever knowingly violates this section shall be guilty of a misdemeanor if a natural person or guilty of a felony if any other person.

**659:38 Forgery; Removing Ballot.** No person shall forge or falsely make the official endorsement on any official ballot or furnish to any voter a ballot with the intent that such voter shall use the same in voting instead of the ballot given him by the ballot clerk or take or remove any ballot outside the guardrail before the close of the polls or knowingly delay the delivery of any ballots. Whoever knowingly violates this provision shall be guilty of a misdemeanor if a natural person or guilty of a felony if any other person.

**659:39 Giving Liquor.** Any person who shall directly or indirectly give intoxicating liquor to a voter at any time with a view to influencing any election shall be guilty as provided in RSA 640:2.

**659:40 Bribing; Intimidation.** No person shall directly or indirectly bribe or intimidate any voter not to vote or to vote for or against any question submitted to voters or to vote for or against any ticket or candidate for office at any election. Whoever violates the provisions of this section shall be guilty as provided in RSA 640:2 or RSA 640:3.

**659:41 Assault, Etc.** Any person who shall assault a town, city, or ward officer as provided in RSA 631 in the discharge of any duty of his office at any election shall be guilty of a class A felony or a class B felony, but never less than a class B felony other provisions of the law to the contrary notwithstanding. Any person who shall take away, injure or destroy the ballot box or checklist when in use at any election shall be guilty of a class B felony.

**659:42 Tampering with Voting Machines.** Whoever shall tamper with or injure or attempt to injure any voting machine or device for the computerized casting and counting of ballots to be used or being used in an election or whoever shall prevent or attempt to prevent the correct operation of such machine or device or any unauthorized person who shall make or have in his possession a key to a voting machine to be used or being used in an election shall be guilty of a class B felony if a natural person or guilty of a felony if any other person.

**659:43 Distributing Campaign Materials at Polling Place.** No person who is a candidate for office or who is representing or working for a candidate shall, within the building where an election is being held, distribute or post any cards or other printed or written matter. Whoever violates any of the provisions of this section shall be guilty of a violation.

**659:44 Electioneering at the Polling Place.** No election officer shall electioneer while in the performance of his official duties. For the purposes of this section, "electioneer" shall mean to act in any way specifically designed to influence the vote of a voter on any question or office. Any person who violates this provision shall be guilty of a misdemeanor.

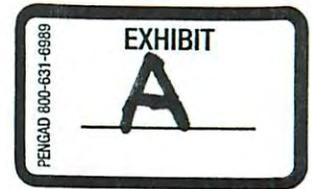
**659:45 General Provisions.** It shall be the responsibility of the moderator to report any violation occurring under RSA 659:34 through 659:44 to the attorney general. All fines imposed under these sections shall be paid to the county in which the offense was committed.

**Processing Absentee Ballots**

**659:46 Delivery of Absentee Ballots to Moderator.** Prior to the closing of

**ATTORNEY GENERAL  
DEPARTMENT OF JUSTICE**

33 CAPITOL STREET  
CONCORD, NEW HAMPSHIRE 03301-6397



MICHAEL A. DELANEY  
ATTORNEY GENERAL



ORVILLE B. "BUD" FITCH II  
DEPUTY ATTORNEY GENERAL

News Release

RELEASED BY: Attorney General Michael A. Delaney

SUBJECT: Voting Rights Act – Submissions of requests for preclearance of 2010 changes to New Hampshire Voting laws and procedures

DATE: July 19, 2010

RELEASE TIME: Immediate

Contact: Deputy Attorney General Bud Fitch (603) 271-1238

Attorney General Michael A. Delaney announces the submission of requests for preclearance of changes made to the election laws in New Hampshire to the Federal Department of Justice. Preclearance submissions will address changes made to New Hampshire's election laws since jurisdictions in the State became subject to preclearance. Submissions will be made over the next several weeks until all 2010 changes to New Hampshire's election laws have been submitted.

Ten New Hampshire towns are subject to section 5 of the federal Voting Rights Act. Changes to New Hampshire election laws that affect any of these ten towns must be submitted for review by either the Federal Department of Justice or the Federal District Court for Washington D.C. The federal Department of Justice will review the changes to New Hampshire's election laws to ensure that the changes do not have the effect of denying or abridging the right to vote on account of race or color, or membership in a language minority group. Changes to New Hampshire redistricting statutes have been submitted to, and approved by, the U.S. Justice Department since the 1980 census. The State has submitted preclearance requests for most of the changes made to New Hampshire voting law and is in the process of completing that updating of preclearance.

Federal regulations require that the public be notified that the State has filed requests for preclearance and that the submissions be available for public inspection.

Copies of each submission by the Attorney General for the State of New Hampshire are available at the office of the Attorney General at 33 Capitol Street, Concord New Hampshire, 03301. Each document will also be made available at the Attorney General's Office web site at:

<http://www.doj.nh.gov/elections/>

Attorney General Delaney and the federal Department of Justice invite persons interested in pending submissions to submit comments and information, in writing or by telephone, to the Voting Section of the Civil Rights Division at the earliest possible date to assure that they may be considered during the preclearance review time period. Telephone 1-800-253-3931 or (202) 307-2385 or write Chief, Voting Section, Civil Rights Division, Room 7254 - NWB, Department of Justice, 950 Pennsylvania Ave., NW, Washington D.C. 20530 (the envelope and first page should be marked "Comment under Section 5"). Further information on the federal Department of Justice's Voting Rights Section can be found at:

<http://www.justice.gov/crt/voting/>

The New Hampshire Attorney General's Office Voting section can be contacted at:

<http://www.doj.nh.gov/elections/>  
New Hampshire Toll Free 1-866-868-3703  
or 1-866-VOTER03  
[electionlaw@doj.nh.gov](mailto:electionlaw@doj.nh.gov)

A Letter describing the historical circumstances of the ten New Hampshire towns becoming subject to the Voting Rights Act preclearance requirements, originally sent to the federal Department of Justice in 2004, is available at:

<http://www.doj.nh.gov/elections/>

# # #