

**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 19, 2010

RE: Submissions Under Section 5 of the Voting Rights Act for:  
Laws of 2010, Chapter 103 and Laws of 2009, Chapter 278:3

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 2010, Chapter 103**, relative to observing voter check-in and challenged voter affidavits, and a prior change of an effected statute enacted by **Laws of 2009, Chapter 278:3**, relative to Challenge of Voter; Affidavit, 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 2010, Chapter 103, establishing RSA 659:13-a and amending RSA 659:27. See Attached Exhibit 2010:103, #1

Laws of 2009, Chapter 278, only section 3, amending RSA 659:27. See attached Exhibit 2010:103, #2.

**(b) A copy of any ordinance, enactment, order, or regulation embodying the voting practice that is proposed to be repealed, amended or otherwise changed (prior law).**

RSA 659:13-a is a new provision of law, there is no prior statute.

RSA 659:27 See Attached Exhibit 2010:103 #3

**(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.**

RSA 659:13-a is a new provision of law, establishing for the first time that no person other than an election official or officially appointed challenger may stand or sit within 6 feet of the table where voters check-in without permission of the moderator. Under New Hampshire law the moderator is the official in charge of the polling place, he or she is the top ranking election official with ultimate responsibility for the conduct of the election at a polling place. The effect of this provision is to limit how close observers can be to voters as they check in. For New Hampshire polling place purposes an "observer" is any person who is not an election official, an officially appointed challenger, a voter in the process of voting, or a person approved by the moderator to assist a voter while engaged in assisting a voter. The practical implication is that campaign workers who typically "observe" polling places to track who has voted as part of their get-out-the-vote effort will require permission of the moderator to be closer than 6 feet to voters as the voters check in.

The 2010 change to RSA 659:27 adds the words "under penalty of voter fraud" to the mandatory contents of the challenged voter affidavit. This is a reference to RSA 659:34, which establishes the crime of voter fraud, a civil sanction for voter fraud, and sets forth the penalties. Most other election forms that are completed by voters already make this reference, typically with a paragraph at the bottom of the form.

The 2010 change to RSA 659:27 strikes a reference to allowing the use of a qualified voter affidavit as an alternative to a challenged voter affidavit.

The 2009 change to RSA 659:27 for the first time inserted authorization for a person registered as a voter challenged when seeking to vote, to use a qualified voter affidavit as an alternative to the challenged voter affidavit. The qualified voter affidavit is not otherwise a component of this submission for preclearance, it will be addressed in a different submission. It modified a longstanding citizenship affidavit,

which may be used as proof of citizenship when the preferred forms of proof are unavailable, to formally encompass identity, citizenship, and age. While the qualified voter affidavit remains in use for voter registration, the 2010 change in effect reverses or repeals this 2009 change to RSA 659:27. The net effect of both changes to that aspect of RSA 659:27 is that future practice will be that a voter who is successfully challenged, in order to be allowed to vote will have to complete the challenged voter affidavit in the same form as was previously pre-cleared, except that the words “under penalty of voter fraud” have been added to the language of the affidavit.

The 2009 change to RSA 659:27 also corrected a pronoun reference by adding “or she.”

**(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.**

Laws of 2010, Chapter 103, establishing RSA 659:13-a and amending RSA 659:27. See Attached Exhibit 2010:103, #1. May 26, 2010.

Laws of 2009, Chapter 278, only section 3, amending RSA 659:27. See attached Exhibit 2010:103, #2. July 29, 2009.

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

Laws of 2010, Chapter 103, establishing RSA 659:13-a and amending RSA 659:27. See Attached Exhibit 2010:103, #1. July 25, 2010.

Laws of 2009, Chapter 278, only section 3, amending RSA 659:27. See attached Exhibit 2010:103, #2. January 1, 2010.

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

The 2010 change to New Hampshire's voting laws has not been enforced or administered.

The 2009 change to New Hampshire's voting laws has not been enforced or administered at a Statewide election. We have no information with which to determine if it was enforced at municipal elections during 2010.

**(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.**

The 2010 change establishing RSA 659:13-a provides moderators with explicit authority, which previously existed implicitly, to control the location of observers within the polling place, in particular limiting access within 6 feet of the check-in table. This change strengthens the moderator's ability to prevent voter intimidation.

The 2010 change to RSA 659:27 simplifies the procedures for a successfully challenged voter being allowed to vote by limiting the choices of permitted forms to the Challenged Voter Affidavit. This simplification will make voter and election official training easier and will improve the administration of elections. The change also reinforces the applicability of the voter fraud statute to a person who is completing the Challenged Voter Affidavit, thereby, increasing the deterrence of voting fraud and improving the administration of elections.

The 2009 change to RSA 659:27 extended use of a newly revised qualified voter affidavit to allow its use both in voter registration and when a voter is successfully challenged. Prior to this alternative being used at any statewide election the General Court (NH Legislature) determined the better public policy was having one form for each separate purpose.

**(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**

RSA 659:13-a is a new voting statute/practice, therefore there is no prior practice to have been precleared.

RSA 659:27 was precleared for changes through 1979 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.

July 19, 2010

Page 7 of 7

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  
OBF/psm

Attachments

CC: Secretary of State William M. Gardner

492675.doc

CHAPTER 103  
HB 1528 - FINAL VERSION



05/05/10 1637s

05/05/10 1885s

2010 SESSION

10-2389

03/04

HOUSE BILL **1528**

AN ACT relative to observing voter check-in, relative to challenged voter affidavits, and ratifying certain actions of the Salem school district.

SPONSORS: Rep. Pierce, Graf 9

COMMITTEE: Election Law

AMENDED ANALYSIS

This bill:

- I. Prohibits standing or sitting within 6 feet of the ballot clerk to observe voter check-in without the permission of the moderator.
- II. Eliminates the authorization for a challenged voter to vote after filling out and signing a qualified voter affidavit and modifies the wording of the challenged voter affidavit.
- III. Ratifies certain actions taken at the 2010 Salem school district meeting.

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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.

05/05/10 1637s

05/05/10 1885s

10-2389

03/04

STATE OF NEW HAMPSHIRE

*In the Year of Our Lord Two Thousand Ten*

AN ACT relative to observing voter check-in, relative to challenged voter affidavits, and ratifying certain actions of the Salem school district.

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

103:1 New Section; Observing Voter Check-In. Amend RSA 659 by inserting after section 13 the following new section:

659:13-a Observing Voter Check-In. No person not authorized by law may stand or sit within 6 feet of the ballot clerk for purposes of observing the check-in of voters without the express permission of the moderator.

103:2 Challenge of Voter; Affidavit. Amend RSA 659:27 to read as follows:

659:27 Challenge of Voter; Affidavit. Any voter at any state election may challenge any other voter offering to vote at such election, and the moderator shall not receive the vote of the person so challenged until he or she shall sign and give to the moderator an affidavit in the following form: I, \_\_\_\_\_, do solemnly swear (or affirm), *under penalties of voter fraud*, that I am the identical person whom I represent myself to be, that I am a duly qualified voter of this town (or ward) and have a legal domicile therein. [~~In the alternative, a challenged voter may fill out and sign a qualified voter affidavit.~~]

103:3 Ratification of Salem School District Meeting. All acts, notices, and proceedings at the annual Salem school district meeting held on February 4, 2010 and March 9, 2010, and the public hearing held on January 14, 2010, concerning Article 2, a bond for the construction and equipping of additions and renovations to Barron, Lancaster, and North Salem Elementary Schools, which passed by more than the required 3/5 vote, are hereby legalized, ratified, and confirmed.

103:4 Effective Date.

I. Sections 1-2 of this act shall take effect 60 days after its passage.

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

Approved: May 26, 2010

Effective Date: I. Sections 1-2 shall take effect July 25, 2010.

II. Remainder shall take effect May 26, 2010.

CHAPTER 278  
HB 265 – FINAL VERSION



05/27/09 1706s

2009 SESSION

09-0793

03/01

HOUSE BILL **265**

AN ACT relative to proving qualifications to vote.

SPONSORS: Rep. Pierce, Graf 9

COMMITTEE: Election Law

*Pre-clearance for only SECTION 3 is sought in this submission.*

AMENDED ANALYSIS

This bill modifies and renames the voter citizenship affidavit.

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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.

05/27/09 1706s

09-0793

03/01

STATE OF NEW HAMPSHIRE

*In the Year of Our Lord Two Thousand Nine*

AN ACT relative to proving qualifications to vote.

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

~~278:1 Determining Qualifications of Applicant. Amend RSA 654:12, I-III to read as follows:~~

When determining the qualifications of an applicant, the supervisors of the checklist, or the town or city clerk, shall require the applicant to present proof of citizenship, age, and domicile, as provided in the following categories:

(a) CITIZENSHIP. The supervisors of the checklist, or the town or city clerk, shall accept from the applicant any one of the following as proof of citizenship: the applicant's birth certificate, passport, naturalization papers if the applicant is a naturalized citizen, a [citizenship] *qualified voter* affidavit, or any other reasonable documentation which indicates the applicant is a United States citizen. The [citizenship] *qualified voter* affidavit shall be in the following form:

Date: \_\_\_\_\_

[CITIZENSHIP] **QUALIFIED VOTER AFFIDAVIT (Identity, Citizenship, Age)**

Name: \_\_\_\_\_

Name at birth if different: \_\_\_\_\_

Place of birth: \_\_\_\_\_

Date of birth: \_\_\_\_\_

Date and Place of Naturalization: \_\_\_\_\_

I hereby swear and affirm, under the penalties for voting fraud set forth below, *that I am the identical person whom I represent myself to be, that I am a duly qualified voter of this town (or ward), that I am a United States citizen, that I am at least 18 years of age as of this date or will be at the next election,* and that to the best of my knowledge and belief the information above is true and correct.

\_\_\_\_\_

(Signature of applicant)

In accordance with RSA 659:34, the penalty for knowingly or purposefully providing false information when registering to vote or voting is a class A misdemeanor with a maximum sentence of imprisonment not to exceed one year and a fine not to exceed \$2,000. Fraudulently registering to vote or voting is subject to a civil penalty not to exceed \$5,000.

On the date shown above, before me, \_\_\_\_\_ (print name of notary public, justice of the peace, election officer), appeared \_\_\_\_\_ (print name of person whose signature is being notarized), (known to me or satisfactorily proven (circle one)) to be the person whose name appears above, and he or she subscribed his or her name to the foregoing affidavit and swore that the facts contained in this affidavit are true to the best of his or her knowledge and belief.

\_\_\_\_\_  
Notary Public/Justice of the Peace/

Official Authorized by RSA 659:30

(b) AGE. Any reasonable documentation indicating the applicant is 18 years of age or older [·], ***or, if the applicant does not have reasonable documentation in his or her possession at the place and time of voter registration, a qualified voter affidavit.***

(c) DOMICILE. Any reasonable documentation which indicates that the applicant has a domicile and intends to maintain a domicile, as defined in this chapter, in the town, city, or ward in which he or she desires to vote, or, if the applicant does not have reasonable documentation in his or her possession at the place and time of voter registration, an affidavit in the following form:

DOMICILE AFFIDAVIT

Date: \_\_\_\_\_

Name: \_\_\_\_\_

Current Domicile Address: \_\_\_\_\_

Street Ward Number  
\_\_\_\_\_

Town or City Zip Code

Date when current domicile was established: Month: \_\_\_\_\_ Year: \_\_\_\_\_

Place and date of birth: \_\_\_\_\_

Address of last previous domicile: \_\_\_\_\_

Street Ward Number  
\_\_\_\_\_

Town or City Zip Code

I hereby swear and affirm, under the penalties for voting fraud set forth below, that my established domicile is at the current domicile address I have entered above. ***I understand that I can claim only one city/town as my domicile at a time. A domicile is that place, more than any other, where I sleep most nights of the year, or to which I intend to return after a temporary absence. By registering or voting***

*today, I acknowledge that I am not registering to vote or voting in any other city/town,* and that to the best of my knowledge and belief the information above is true and correct.

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(Signature of applicant)

In accordance with RSA 659:34, the penalty for knowingly or purposefully providing false information when registering to vote or voting is a class A misdemeanor with a maximum sentence of imprisonment not to exceed one year and a fine not to exceed \$2,000. Fraudulently registering to vote or voting is subject to a civil penalty not to exceed \$5,000.

On the date shown above, before me, \_\_\_\_\_ (print name of notary public, justice of the peace, election officer), appeared \_\_\_\_\_ (print name of person whose signature is being notarized), (known to me or satisfactorily proven (circle one)) to be the person whose name appears above, and he or she subscribed his or her name to the foregoing affidavit and swore that the facts contained in this affidavit are true to the best of his or her knowledge and belief.

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Notary Public/Justice of the Peace/ Official Authorized by RSA 659:30

II. The supervisors may refuse to add the name of an applicant to the checklist if he or she fails to present the evidence or an affidavit as required by this section. Without limiting the acceptance of other forms of proof of domicile or identity deemed reasonable by the supervisors:

(a) Any one of the following documents is presumptive evidence that the individual seeking to vote meets the domicile requirement, provided the document is currently valid, was issued to or in the name of the applicant, and shows the address the applicant claims as a domicile:

- (1) New Hampshire driver's license.
- (2) New Hampshire vehicle registration.
- (3) Armed services identification, or other photo identification issued by the United States government.

(b) Any one of the following is presumptive evidence of the identity of an applicant sufficient to satisfy the identity requirement for an official authorized by RSA 659:30 to take the oath of an applicant swearing to a [citizenship] *qualified voter*, domicile, or election day affidavit:

- (1) Photo driver's license issued by any state or the federal government.

(2) United States passport, armed services identification, or other photo identification issued by the United States government.

(3) Photo identification issued by local or state government.

(c) The presumptions established in this paragraph may be defeated by evidence establishing that it is more likely than not that the applicant is not qualified as a voter.

III. To prove the qualifications set forth in paragraphs I and II, an applicant for registration as a voter must prove his or her identity to establish that the evidence used to prove age, citizenship, and domicile relate to the applicant. A person who has in his or her immediate possession a photo identification approved for use by paragraph II must present that identification when applying for registration. A person who does not have an approved photo identification with him or her may establish identity through any reasonable means, including, but not limited to: photo identification not approved by paragraph II, but determined to be legitimate by the supervisors of the checklist or clerk, verification of the person's identity by another person registered as a voter and known to the supervisor or clerk, or completion of the *qualified voter* affidavit [~~to be completed by a challenged voter~~]. Residents of a nursing home or similar facility may prove their identity through verification of identity by the administrator of the facility or by his or her designee. For the purposes of this section, the application of a person whose identity has been verified by an official of a nursing home or similar facility shall be treated in the same manner as the application of a person who proved his or her identity with a photo identification.

278:2 Reference Changed. 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~~]-*qualified voter* 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~~] *qualified voter* 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~~] *qualified voter* 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~~] *qualified voter* 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.

278:3 Challenge of Voter; Affidavit. Amend RSA 659:27 to read as follows:

659:27 Challenge of Voter; Affidavit. Any voter at any state election may challenge any other voter offering to vote at such election, and the moderator shall not receive the vote of the person so challenged until he *or she* shall sign and give to the moderator an affidavit in the following form: I, \_\_\_\_\_, do solemnly swear (or affirm) that I am the identical person whom I represent myself to be, that I am a duly qualified voter of this town (or ward) and have a legal domicile therein. *In the alternative, a challenged voter may fill out and sign a qualified voter affidavit.*

278:4 Reference Changed. Amend RSA 659:30 to read as follows:

659:30 Affidavit. The affidavit of a challenged voter, a *qualified* 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.

278:5 Reference Changed. Amend RSA 659:34, I(a) to read as follows:

(a) When registering to vote; when obtaining an official ballot; or when casting a vote by official ballot, makes a false material statement regarding his or her qualifications as a voter to an election officer or submits a voter registration form, an election day registration affidavit, a [~~citizenship~~] *qualified voter* affidavit, a domicile affidavit, or an absentee registration affidavit containing false material information regarding his or her qualifications as a voter;

278:6 Reference Changed. 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~~] *qualified voter* 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. [~~Citizenship~~] *Qualified voter*, 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.

278:7 Effective Date. This act shall take effect January 1, 2010.

Approved: July 29, 2009

Effective Date: January 1, 2010

## CJS

C.J.S. Elections § 223.

## Challenges

## CROSS REFERENCES

Challenge of absentee ballot, see RSA 659:51.  
 Challengers appointed by attorney, generally, see RSA 666:5.  
 Challengers appointed by party committee, see RSA 666:4.

**659:27 Challenge of Voter; Affidavit.** Any voter at any state election may challenge any other voter offering to vote at such election, and the moderator shall not receive the vote of the person so challenged until he shall sign and give to the moderator an affidavit in the following form: I, \_\_\_\_\_, do solemnly swear (or affirm) that I am the identical person whom I represent myself to be, that I am a duly qualified voter of this town (or ward) and have a legal domicile therein.

## HISTORY

Source. 1979, 436:1, eff. July 1, 1979.

## CROSS REFERENCES

Moderators shall not receive votes of challenged voters who refuse to make an affidavit, see RSA 659:31.  
 Obtaining ballot at polling place, see RSA 659:13.  
 Posting of statute at polling place, see RSA 658:29.  
 Preservation of affidavits of challenged voters, see RSA 659:103.  
 Secretary of State to prepare affidavit blanks for voters challenged by other voters, see RSA 659:28.

## LIBRARY REFERENCES

## West Key Number

Elections ⇨223.

## Westlaw Topic

Westlaw Topic No. 144.

## CJS

C.J.S. Elections § 209.

**659:28 Secretary of State to Prepare Affidavit Blanks.** The secretary of state shall prepare and distribute to the town and ward clerks before every state election printed blanks for the affidavits required by RSA 659:27.

## HISTORY

Source. 1979, 436:1, eff. July 1, 1979.



Obtaining ballot at pollin

## West Key Number

Elections ⇨223.

States ⇨68.

## Westlaw Topic

Westlaw Topic Nos. 14

## CJS

C.J.S. Elections § 209

**659:29 Special I  
 tions.** Any voter a  
 challenge any other  
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Source. 1979, 436:1,

Moderators shall not rec  
 see RSA 659:31.

Obtaining ballot at pollin

## West Key Number

Elections ⇨126(6).

## Westlaw Topic

Westlaw Topic No. 14

## CJS

C.J.S. Elections §§ 11

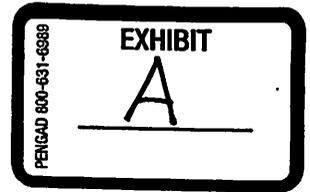
**659:30 Affidavit.**  
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Source. 1979, 436:1;  
 2006, 94:2. 2007, 217  
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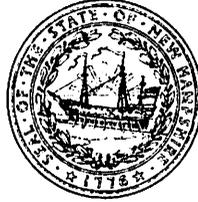
Amendments—2007.  
 son authorized by law to

**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 – Submission of a request 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

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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. Federal regulations require that the public be notified that the State has filed a request for preclearance and that the submission 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 We 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 1-866-8868-3703  
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/>

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