

A Candidate's Guide to Municipal Office

Manchester, New Hampshire



2019

*Prepared by the Office of the City Clerk
One City Hall Plaza
Manchester, NH 03101*

Version 5.0

Blank page

TABLE OF CONTENTS

	Page
Introduction	4
2019 Political Calendar	5-8
Filing for Office	9-10
Campaign Contributions and Expenditures	11
Political Committees	12
Ballots and Checklists	13-14
State Election Laws	14-16
Ward Boundaries	17
Polling Locations	18

INTRODUCTION

This guide has been prepared by the Office of the City Clerk in Manchester to provide candidates for city and ward offices with a general understanding of state and municipal election laws and other important information about filing and running for political office. This guide does not account for every law or procedure related to municipal elections.

If you have a question that is not answered in this guide, you can either call the City Clerk's Office at 624-6455 or e-mail us at cityclerk@manchesternh.gov. Additional election information may also be found at www.manchesternh.gov/elections.

The municipal primary election is held on the third Tuesday of September. In 2019 the primary election will be on **Tuesday, September 17, 2019**. The municipal general election, held on the first Tuesday following the first Monday of November, will be on **Tuesday, November 5, 2019**.



Office of the City Clerk
One City Hall Plaza
Manchester, NH 03101

Tel: 603-624-6455

Fax: 603-624-6481

E-mail: cityclerk@manchesternh.gov

2019 MUNICIPAL POLITICAL CALENDAR

Municipal Primary Election
Tuesday, September 17, 2019

Municipal General Election
Tuesday, November 5, 2019

JUNE

6/21/19 **Notice of session for correction of checklist (RSA 654:27)**
Last day to publish legal notice of Board of Registrars' July 5, 2019 session for correction of checklist prior to the filing period.

JULY

7/5/19 **Board of Registrars; Checklist Correction (RSA 669:5)**
Meeting at 4:30 p.m. at the Office of the City Clerk.

7/9/19 **Polling Hours (RSA 659:4)**
Board of Mayor and Aldermen to set polling hours for Municipal Elections.

7/8-7/19/19 **Municipal election filing period (Charter Section 5.05)**
Monday, July 8, 2019, 8:00 a.m. through Friday, July 19, 2019, 5:00 p.m. at the Office of the City Clerk.

7/30/19 **Posting Notice of Primary (Charter Section 5.21)**
Last day for Ward Clerks to post notice of Municipal Primary in three (3) public places in each ward.

AUGUST

8/2/19 **Registration of Political Committees with City Clerk (Charter Section 5.29(j))**
Last day to form a Political Committee prior to the Municipal Primary Election.

8/20/19 **Posting of the checklist (RSA 654:26)**
Last day to post a copy of the current checklist at the Office of the City Clerk.

8/30/19 **Notice of session for correction of checklist (RSA 654:33)**
Last day to publish notice of Board of Registrars' September 11, 2019 session for correction of checklist.

SEPTEMBER

9/11/19 **Deadline for voter registration applications (RSA 654:8)**
Last day for City Clerk to accept voter registration applications until Election Day.

Session for correction of checklist (RSA 654:27; 28)
Meeting at 4:30 p.m. at the Office of the City Clerk.

Checklist verification (RSA 654:36; 37; 44)
Reports of transfer, reports of death, removal of names.

9/13/19 **Last day to post final corrected checklist (RSA 654:28)**

Certification of checklist; two copies filed with City Clerk (RSA 654:29)

9/16/19 **Acceptance of completed absentee ballots (RSA 652:20)**
City Clerk must be available at least between 3:00 p.m. and 5:00 p.m. to accept completed absentee ballots filed in person.

Municipal Primary Election Campaign Expenditures (Charter Section 5.29(k))
Last day for candidates and political committees to file appropriate disclosure reports with the Office of the City Clerk prior to the Municipal Primary Election.

9/17/19 **Municipal Primary Election (Charter Section 5.03)**
Last day for City Clerk to accept completed absentee ballots by mail; no later than 5:00 p.m. (RSA 657:22)

9/19/19 **Recounts (Charter Section 5.24)**
Last day to apply to the City Clerk to request a recount.

9/27/19

**Municipal Primary Election Campaign Expenditures
(Charter Section 5.29(k))**

Last day for candidates and political committees to file appropriate disclosure reports with the Office of the City Clerk following the Municipal Primary Election.

Political advertising (RSA 664:17)

Last day for candidates not in Municipal General Election to remove political advertising.

**Last day for Board of Recount to complete recounts
(Charter Section 5.26)**

OCTOBER

10/8/19

Posting of the checklist (RSA 654:26)

Last day to post a copy of the current checklist at the Office of the City Clerk.

10/18/19

Notice of session for correction of checklist (RSA 654:33)

Last day to publish legal notice of Board of Registrars' November 1, 2019 session for correction of checklist.

10/22/19

Last day for Selectmen to post notice of Municipal General Election at the polling places in each ward and at City Hall (RSA 658:1)

10/30/19

Session for Correction of the Checklist (RSA 654:27; 28)

4:30 p.m. at the Office of the City Clerk.

Deadline for voter registration applications (RSA 654:8)

Last day for City Clerk to accept voter registration applications until Election Day.

Checklist verification (RSA 654:36; 37; 44)

Reports of transfer, reports of death, removal of names.

NOVEMBER

- 11/1/19 **Posting of checklist (RSA 654:28)**
Last day to post a copy of the current checklist at the Office of the City Clerk.
- Certification of checklist; two copies filed with City Clerk (RSA 654:29)**
- 11/4/19 **Acceptance of completed absentee ballots (RSA 652:20)**
City Clerk must be available at least between 3:00 p.m. and 5:00 p.m. to accept completed absentee ballots filed in person.
- Municipal General Election Campaign Expenditures (Charter Section 5.29(k))**
Last day for candidates and political committees to file appropriate disclosure reports with the Office of the City Clerk prior to the Municipal General Election.
- 11/5/19 **Municipal General Election (Charter Section 5.02)**
- Last day for City Clerk to accept completed absentee ballots by mail; no later than 5:00 p.m. (RSA 657:22)**
- 11/7/19 **Recounts (Charter Section 5.24)**
Last day to apply to the City Clerk to request a recount
- 11/15/19 **Political advertising (RSA 664:17)**
Last day for candidates to remove political advertising.
- Municipal General Election Campaign Expenditures (Charter Section 5.29(k))**
Last day for candidates and political committees to file appropriate disclosure reports with the Office of the City Clerk following the Municipal General Election.
- Last day for Board of Recounts to complete recounts (Charter Sec. 5.26)**

FILING FOR OFFICE

Manchester’s municipal elections are non-partisan and are held biennially in each odd-numbered year for various municipal offices. The filing period begins the second Monday in July and runs for ten consecutive working days. The filing period for the 2019 Municipal Election will begin at 8:00 a.m. on **Monday, July 8, 2019**, and end at 5:00 p.m. on **Friday, July 19, 2019**. Candidates filing on the last day of the filing period are required to do so in person at the Office of the City Clerk.

The following officers are elected by voters city-wide at every municipal general election:

# of Seats	Office	Term Length
1	Mayor	2 Years
2	Alderman At-Large	2 Years
2	School Committee At-Large	2 Years

The following officers are elected by voters in **each of the 12 wards** at every municipal general election:

# of Seats	Office	Term Length
1	Alderman	2 Years
1	School Committeeman	2 Years
1	Moderator	2 Years
1	Ward Clerk	2 Years
3	Selectman	2 Years

An individual filing for municipal office must be a citizen of the United States either by birth or naturalization, have and maintain a domicile in the city (or ward as the case may be) during the entire term of office, and be a registered and qualified voter in the city of Manchester. Additionally, a candidate for Mayor must have been a resident of the city for the full year immediately preceding filing and shall continue to reside in the city during the term of office. Each candidate must complete a *Declaration of Candidacy* form which must be signed by a notary public or a justice of the peace.

FILING FOR OFFICE (cont).

Candidates for Mayor, Alderman, and School Committee are required to pay a filing fee to run for office unless they exercise the option of presenting nominating petitions in lieu of paying the fee. No fee or petitions are required of the candidates for all other offices. The filing fee or number of petitions required for each office is listed below:

	Filing Fee	# of Petitions
Mayor	\$100	200
Alderman	\$50	100
School Committee	\$25	50

Candidates filing for office who choose to submit petitions instead of paying the filing fee must complete an *Assent to Candidacy* form, signed by a notary public or justice of the peace, which they will submit along with the required number of *Nominating Petitions*. Candidates are encouraged to collect more than the required number of petitions in case some cannot be certified. Certification must be completed by the end of the filing period on Friday, July 19, 2019. Candidates for ward offices must acquire signatures of registered voters residing in their wards. At-large and city-wide candidates may get signatures of any registered voters in the city.

Once the petitions have been certified and the *Assent to Candidacy* form has been completed, the candidate then fills out a *Declaration of Candidacy* form. If a candidate attempts to file using petitions but is not able to procure the necessary number, he or she has the option of paying the filing fee and thus being placed on the ballot. *Nominating Petitions* brought to the City Clerk's Office by a candidate or a representative thereof will be counted in the presence of that individual by City Clerk staff and a receipt will be issued. When the certification process is complete, the candidate or his representative will be notified so that the petitions may be picked up.

In each primary election, the two candidates (or four candidates in the case of at-large aldermanic and school committee elections) receiving the highest number of votes shall be placed on the general election ballot. If two candidates or fewer (or in the case of at-large aldermanic and school committee elections, four candidates or fewer) file for an elected office, the primary election for that office will be declared unnecessary by the City Clerk, who shall then declare the candidates nominated and place them on the municipal general election ballot. (*City Charter Section 5.07*)

CAMPAIGN CONTRIBUTIONS & EXPENDITURES

The Manchester City Charter does not place limitations on campaign contributions. However, each candidate and each political committee whose combined contributions or combined expenditures are equal to or exceed \$500 shall file a disclosure report with the City Clerk within ten (10) days immediately preceding and immediately following an election. ***Campaign Contributions Disclosure*** and ***Campaign Expenditures Disclosure*** forms are available online at www.manchesternh.gov/elections.

The disclosure report shall be itemized, signed and sworn to either by the incumbent, the candidate or by the candidate's campaign chairman or treasurer as applicable showing each receipt regardless of amount with the full name and address of the contributor and the amount of the contribution made up to the date of the initial report or made since the date of the last report. The report shall also show each expenditure with the full name and address of persons, corporations, committees, or whomever was paid or is to be paid, with the specific nature of the amount of each expenditure made up to the date of the initial report or made since the date of the last report.

Any candidate whose contributions or expenditures are less than \$500 shall file a statement to that effect which shall be signed and sworn to as set forth in the preceding paragraph. (*City Charter Section 5.29(k)(l)*)

Candidates shall not be entitled to nomination or election until the required sworn itemized report or statement has been filed on their behalf. All reports, statements, written consents and registrations filed by candidates, political committees, and political committees of political parties shall be open to the public. (*City Charter Section 5.29(m)(o)*)

ADDITIONAL FINANCIAL DISCLOSURE REPORTS

Once elected, all city officials (Mayor, Aldermen, School Committee members) are required to complete a ***Financial Disclosure*** form disclosing their own individual business and financial relationships, employment and financial holdings annually with the City Clerk by January 15, 2019. Incumbents are also required to file quarterly ***Financial Disclosure*** reports. (*City Charter Section 9.03(f)*)

POLITICAL COMMITTEES

A political committee is any organization of two (2) or more persons intended to influence through contributions and/or expenditures, municipal elections or measures including but not limited to the political committee of a political party. This also includes political committees organized to influence a question which is submitted or intended to be submitted to a popular vote at an election.

Prior to the municipal election for which the political committee is organized, the committee shall file with the City Clerk a ***Political Committee Registration*** form identifying the purpose of the political committee and a statement of the name, address, occupation and principal place of business of its chairman, treasurer and other officers, provided, however, that a political committee to promote the nomination of a candidate of a municipal election may not be organized within forty-five (45) days of a municipal primary election.

Any political committee which is organized to support a candidate in any election shall also secure the written consent of the candidate or his fiscal agent before it receives contributions or makes expenditures. Such written consent shall be filed with the City Clerk at the time the political committee registers. (*City Charter Section 5.29*)

Registration forms are available online at www.manchesternh.gov/elections.



BALLOTS & CHECKLISTS

The City Clerk prepares official, sample, and absentee ballots as well as all related material for use at the municipal primary and general elections.

Every candidate who intends to have his or her name printed on the primary ballot shall designate in the *Declaration of Candidacy* form, or on the *Nominating Petitions* and the *Assent to Candidacy* form, the format in which the candidate's name shall be printed on the ballot. The designated name may include the candidate's given name or a shortened form of the candidate's given name or a one-word nickname customarily related to the candidate, and by which the candidate is commonly recognized. The designated name may also include an initial for the first or middle name, or both. No candidate may designate a nickname that implies that the candidate is some other person, that constitutes a slogan or otherwise associates the candidate with a cause or issue, that has an offensive or profane meaning, or that creates a perception of a professional or vocational affiliation, such as "Doc" or "Coach". A candidate shall include his or her surname in the designation of the form in which the candidate's name shall be printed on the ballot. Candidate's names on the ballot are placed in the order provided in RSA 656:5-a.

All ballots make provisions for write-in votes. If a candidate receiving write-in votes qualifies as the winner of a primary or general election, that candidate shall be included on the general election ballot or declared elected under the provisions of the charter, if otherwise qualified to hold office. Once ballots have been printed, sample ballots are made available to the public in the City Clerk's office lobby or on the web at www.manchesternh.gov/elections.

Absentee ballots are available for those voters who will be absent from the city on the day of the election, cannot appear in public on Election Day because of observance of a religious commitment, cannot vote in person due to a disability or cannot appear at any time during polling hours because of an employment obligation. All voters meeting any of the criteria above may request an absentee ballot upon completion of an absentee ballot application. Applications may be downloaded from our website and submitted to the City Clerk via mail, e-mail, fax or hand-delivered to our office at City Hall.

The City Clerk shall retain a list of the names and addresses of all voters to whom official absentee ballots have been sent, shall identify those official absentee ballots that have been returned to the City Clerk, and shall record the absentee voter application information in the statewide centralized voter registration database. Candidates whose names appear on the ballot and persons bearing notarized requests or copies of notarized requests from candidates whose names appear on the ballot may obtain a list of absentee voter applicants, excluding voters who have presented to the supervisors of the checklist

BALLOTS & CHECKLISTS (cont.)

valid protective orders pursuant to RSA 173-B; the lists shall not be available for public inspection at any time without a court order. (*RSA 657:15*)

During the campaign, many candidates obtain a copy of the official checklist to identify prospective supporters or improve campaign mailing lists. Candidates who publish, mail, or distribute in any manner any written communication that contains a form or post card which a reasonable person would consider as intended to be used by the recipient of the communication to submit a request for an absentee ballot shall attach a copy of the absentee ballot application prepared by the City Clerk to the communication or include in the communication a complete facsimile of the application.

Copies of the official checklist are also available by ward (\$25) or for the entire city (\$300). Candidates are reminded that no person shall use or permit the use of checklist or voter information provided by the City Clerk or by the Secretary of State for commercial purposes. Commercial purposes are defined by state law as 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. (*RSA 654:31*)

STATE ELECTION LAWS

Although this is a municipal election, many state election laws apply. The statutes listed below address the eligibility when filing for office, handling and counting marked ballots, distribution of campaign materials, placement and removal of political advertising, filing election law violation complaints, and incompatibility of offices. Additional state election laws may be found online at http://sos.nh.gov/NH_Election_Laws.aspx or by calling the Secretary of State's Office at 603-271-3242.

RSA 44:2-a Filing for City Offices. In accordance with the provisions of RSA 44:2, no candidate for a city office shall file for more than one seat on a city or school district board, commission, committee, or council.

RSA 658:24 Disqualification of Certain Persons. Any person, other than a moderator, clerk, selectman, inspector of election, or supervisor of the checklist, whose name appears on a ballot for an elective position, other than a position of an election official, shall be disqualified from performing duties as an election official in that election. A person so disqualified shall not be considered to have vacated any office but rather only to be absent therefrom. A temporary replacement shall be appointed as provided in RSA

STATE ELECTION LAWS (cont.)

658:22. A moderator, clerk, selectman, inspector of election, or supervisor of the checklist whose name appears on a ballot for an elective position, other than the position of an election official, shall be disqualified from the handling of marked ballots and the counting of votes.

RSA 659:43 Distributing Campaign Materials at Polling Place

I. No person shall distribute, wear, or post at a polling place any campaign material in the form of a poster, card, handbill, placard, picture, pin, sticker, circular, or article of clothing which is intended to influence the action of the voter within the building where the election is being held.

II. No person who is a candidate for office or who is representing or working for a candidate shall distribute any campaign materials or perform any electioneering activities or any activity which affects the safety, welfare and rights of voters within a corridor 10 feet wide and extending a distance from the entrance door of the building as determined by the moderator where the election is being held.

III. Whoever violates any of the provisions of this section shall be guilty of a violation.

IV. (a) Whoever violates any of the provisions of this section shall be subject to a civil penalty not to exceed \$1,000.

(b) The court, upon petition of the attorney general, may levy upon any person who violates the provisions of RSA 659:43 a civil penalty in an amount not to exceed \$1,000 per violation. All penalties assessed under this paragraph shall be paid to the secretary of state for deposit into the general fund.

(c) The attorney general shall have authority to notify suspected violators of this section of the state's intention to seek a civil penalty, to negotiate, and to settle with such suspected violators without court action, provided any civil penalty paid as settlement shall be paid to the secretary of state for deposit into the general fund.

RSA 664:17 Placement and Removal of Political Advertising. No political advertising shall be placed on or affixed to any public property including highway rights-of-way or private property without the owner's consent. All political advertising shall be removed by the candidate no later than the second Friday following the election unless the election is a primary and the advertising concerns a candidate who is a winner in the primary. Signs shall not be placed on or affixed to utility poles or highway signs. Political advertising may be placed within state-owned rights-of-way as long as the advertising does not obstruct the safe flow of traffic and the advertising is placed with the consent of the owner of the land over which the right-of-way passes. No person shall remove,

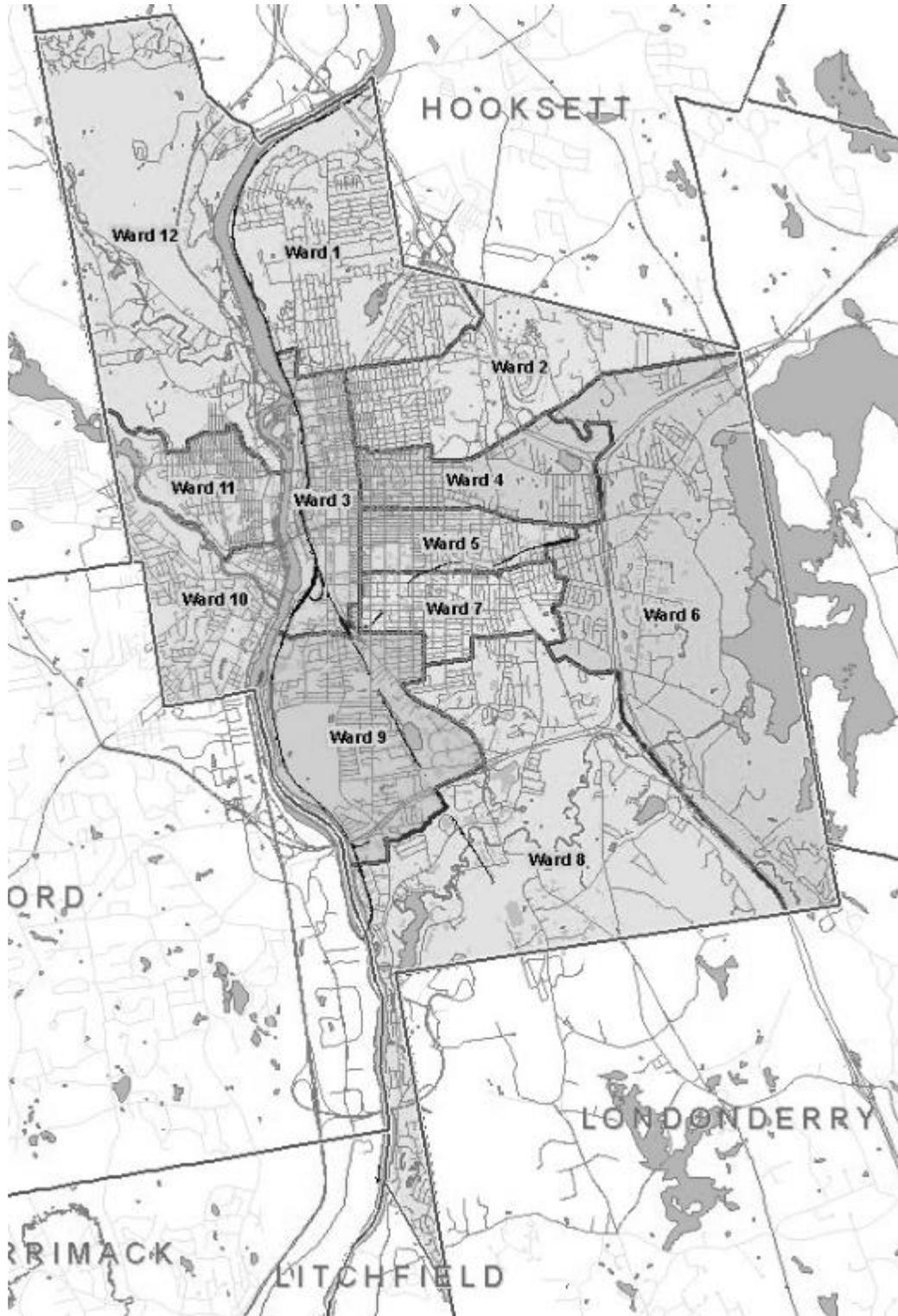
STATE ELECTION LAWS (cont.)

deface, or knowingly destroy any political advertising which is placed on or affixed to public property or any private property except the owner of the property, persons authorized by the owner of the property, or a law enforcement officer removing improper advertising. Political advertising placed on or affixed to any public property may be removed by state, city, or town maintenance or law enforcement personnel. Political advertising removed prior to election day by state, city, or town maintenance or law enforcement personnel shall be kept for one week at a place designated by the state, city, or town so that the candidate may retrieve the items.



RSA 664:18 Complaints. Any Candidate or voter may make complaint in writing to the attorney general of any violation of any of the provisions of the election laws of the State of New Hampshire.

RSA 669:7 Incompatibility of Offices. No person shall at the same time hold any two of the following offices: selectman, treasurer, moderator, trustee of trust funds, collector of taxes, auditor and highway agent. No person shall at the same time hold any two of the following offices: town treasurer, moderator, trustee of trust funds, selectman and head of the town's police department on full-time duty. No person shall at the same time hold the offices of town treasurer and town clerk. No full-time town employee shall at the same time hold the office of selectman. No official handling funds of a town shall at the same time hold the office of auditor. No selectman, moderator, town clerk or inspector of elections shall at the same time serve as a supervisor of the checklist. No selectman, town manager, school board member except a cooperative school board member, full-time town, village district, school district except a cooperative school district, or other associated agency employee or village district commissioner shall at the same time serve as a budget committee member-at-large under RSA 32.



MANCHESTER POLLING LOCATIONS

WARD 1

WEBSTER SCHOOL GYMNASIUM
2519 Elm Street

WARD 2

HILLSIDE MIDDLE SCHOOL
112 Reservoir Avenue

WARD 3

CAROL M. RINES CENTER (back entrance)
1528 Elm Street

WARD 4

MCDONOUGH SCHOOL
550 Lowell Street

WARD 5

BEECH STREET SCHOOL
333 Beech Street

WARD 6

HENRY J. MCLAUGHLIN MIDDLE SCHOOL
290 South Mammoth Road

WARD 7

ST. ANTHONY COMMUNITY CENTER
148 Belmont Street

WARD 8

MEMORIAL HIGH SCHOOL
One Crusader Way

WARD 9

BISHOP LEO E. O'NEIL YOUTH CENTER
30 South Elm Street

WARD 10

PARKER VARNEY SCHOOL
223 James Pollock Drive

WARD 11

GOSSLER SCHOOL
145 Parkside Avenue

WARD 12

NORTHWEST ELEMENTARY SCHOOL
300 Youville Street