

2019 Webinar Series



Using the Attorney General's Polling Place Checklist to Run a Better Election

New Hampshire Attorney General's Office Polling Place Checklist for the 2018 General Election

Inspector's Name: _____
 Town/City/Ward: _____
 Polling Place Facility (Name): _____ i.e. Town Hall, Middle School, etc.
 Date: November 6, 2018 Time: _____ AM/PM (Circle One)
 Moderator's Name (person serving when inspected - may be pro-tem/assistant): _____

Requirement	What to Look For	Y	N	NA	Comments (N/A if not applicable)
Traffic	Does traffic access remain adequate to enable access to the polling place?				
Accessible Parking	Is there at least one 8-foot wide accessible van parking space marked with a proper sign? (There must be an 8-foot wide parallel access aisle next to the space.) RSA 458:9-a, 9-b				
Parking	Was parking adequate to enable access to the polling place?				
No Electromagnetic Zone	Is there a zone at least 10 feet wide extending from the entrance(s) to the polling place where electromagnetic is prohibited? RSA 459:4				
Electromagnetic Allowed Outside	Are people electromagnetic outside allowed within sight and sound (conventional voice volume) of the no electromagnetic corridor? RSA 459:4				
Campaign Signs	Have election officials ensured that there are no unattended campaign signs present on the property of the polling place, outside the no electromagnetic zone? RSA 664:1 (If any unattended signs are present, they must be removed.)				

Identify yourself to the Moderator when entering the polling place. Before completing the inspection, introduce yourself to the Clerk, Selections, and Supervisors of the Checklist.

Requirement	What to Look For	Y	N	NA	Comments (N/A if not applicable)
Election Officials	Are the following election officials present at the polling place: Moderator (or assistant moderator), clerk (or deputy or assistant clerk), and at least two supervisors of the checklist (or assistant supervisors of the checklist)? RSA 458:7. Number of selections present: _____				

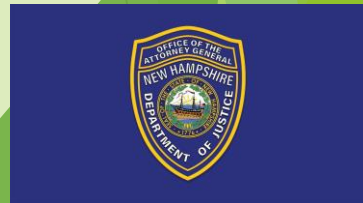
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Presented by:

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 New Hampshire Department of Justice
 Stephen Buckley, Legal Services Counsel

October 16, 2019

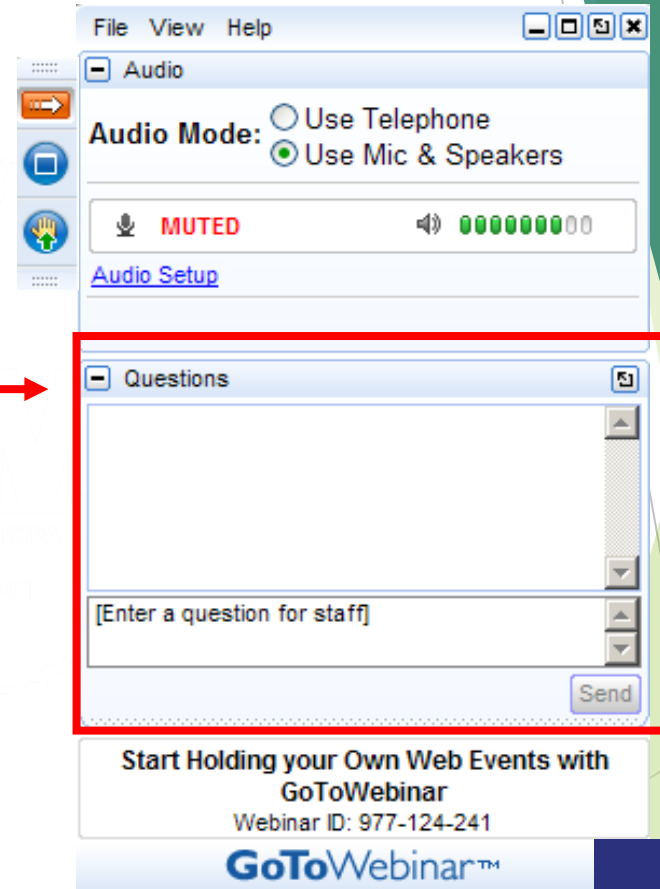
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Objectives

- ▶ Review categories on the polling place checklist.
- ▶ Identify common questions or concerns.
- ▶ Highlight helpful statutes.
- ▶ Refer to useful areas of the Election Procedure Manual 2018-2019.



Exterior

- ▶ Traffic and Parking
 - ▶ Predict, Prepare, Plan
- ▶ Accessibility
- ▶ Campaign Signs
- ▶ No Electioneering Zone
 - ▶ RSA 659:43
 - ▶ Election Procedure Manual Pg. 185
 - ▶ Minnesota Majority v. Mansky, 708 F.3d 1051 (8th Cir. 2013)



Signs

- ▶ 8 signs that must be posted inside the polling location:
 1. Purity of Elections Statutes
 2. Prohibited Acts While Voting
 3. Election Day Registration
 4. What Constitutes Voter Fraud and Penalties
 5. “New Hampshire Voter ID Law”
 6. “How are votes challenged?”
 7. Voters Needing Assistance to Mark a Ballot
 8. Voting Rights



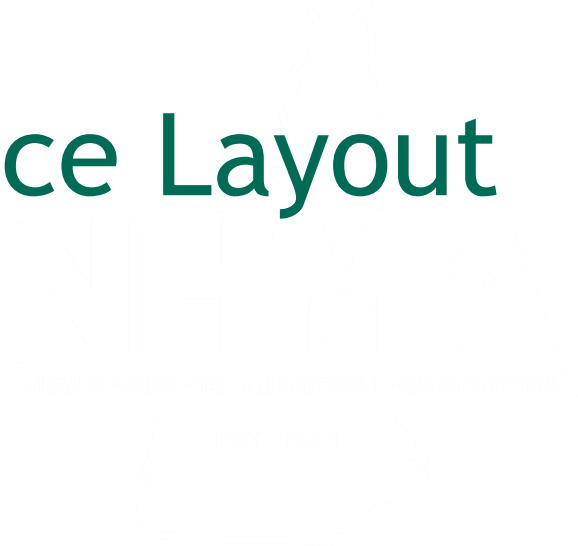
Voting Booths

- ▶ “White tent” accessible booth.
- ▶ Must have at a minimum:
 - ▶ 2 standard voting booths;
 - ▶ 2 tabletop voting screens.
- ▶ For a general election where votes are cast for president there must be one voting booth or voting screen for every **125** people listed on the checklist (excluding election-day registrants)

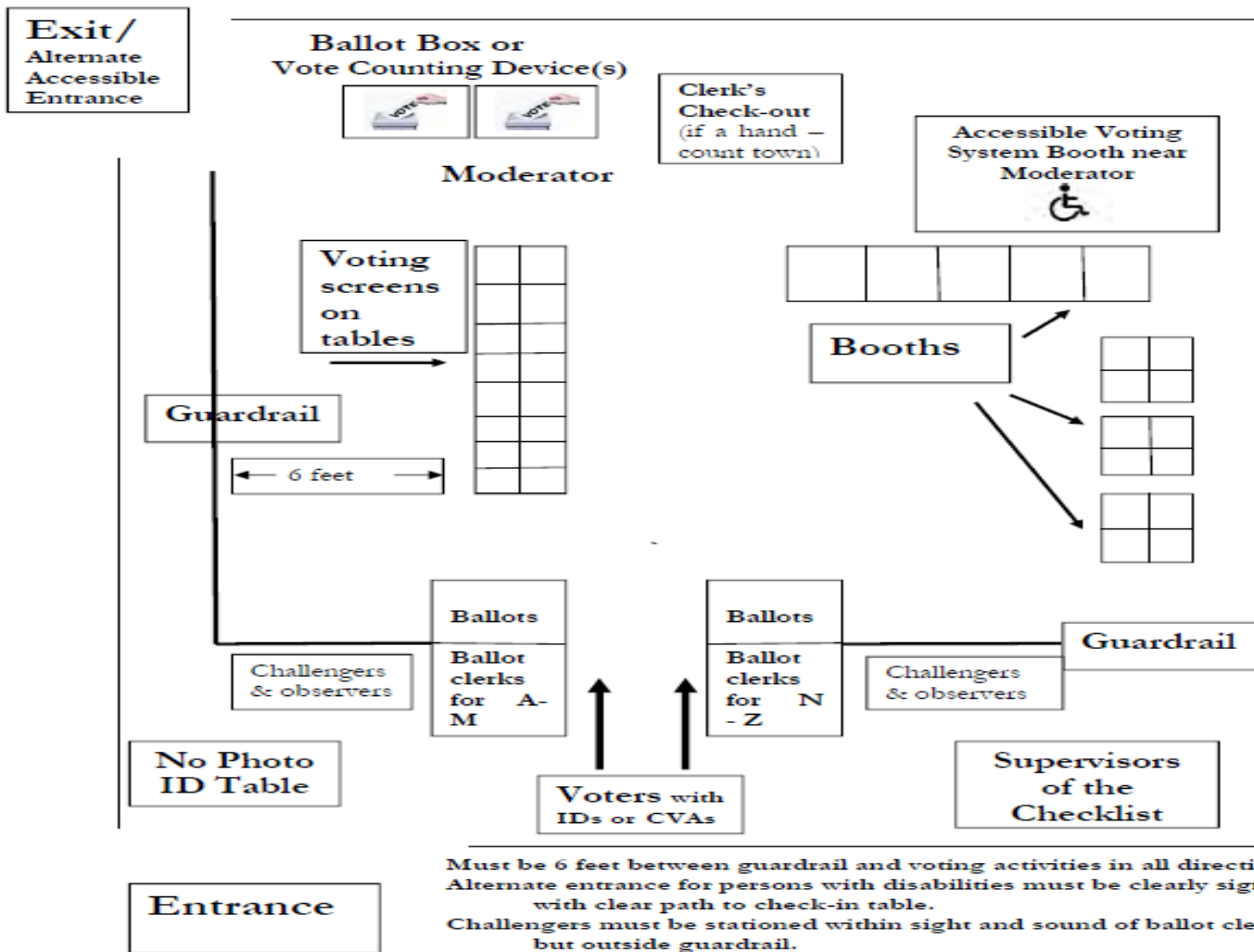




Polling Place Layout



POLLING PLACE LAYOUT EXAMPLE



Must be 6 feet between guardrail and voting activities in all directions. Alternate entrance for persons with disabilities must be clearly signed, with clear path to check-in table. Challengers must be stationed within sight and sound of ballot clerks but outside guardrail.

Checking-In to Vote

- ▶ Voter does not present valid photo ID?
- ▶ Out-of-State Driver's License?



Absentee Ballots



- ▶ Moderator must start processing absentee ballots at 1:00PM or prior to 1:00PM provided:
 - ▶ Processing of absentee ballot return envelopes take place no earlier than 2 hours after the opening of the polls; and
 - ▶ The time is posted and announced at least 24 hours in advance.
- ▶ RSA 657:6
- ▶ RSA 657:17

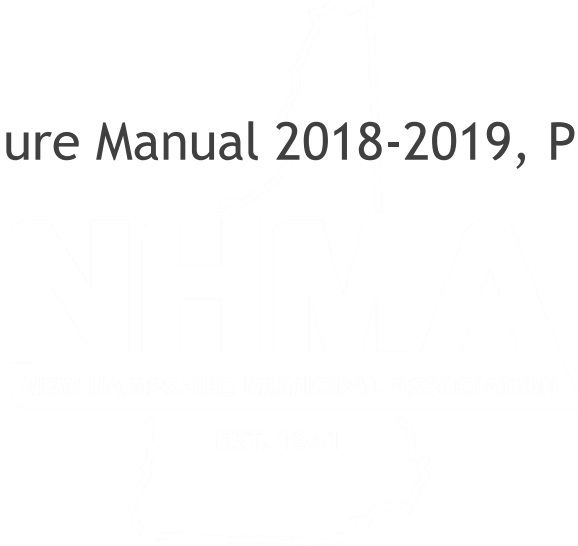


Ballot Counting Devices



- ▶ Procedure

- ▶ Election Procedure Manual 2018-2019, Pgs. 229-232.



Official Ballots

- ▶ Moderator must ensure that no official election day ballot is removed from within the guardrail for any purpose. RSA 659:38.
- ▶ Absentee ballots may be removed outside the guardrail when an unforeseen accessibility event arises, but not to resolve ongoing accessibility problems. RSA 659:20-a.



Challengers

- ▶ Challengers, who are designated in writing by a party, must be placed in an area where they can see and hear voters check-in with ballot clerks.
- ▶ Challenges are to be made at the voter check-in table.
- ▶ Challenges are prohibited from being made at the voter registration table.
 - ▶ This does not apply to challenges made by election officials. RSA 659:27.



Registered Voters Making Challenges

- ▶ Challenges may also be made by voters who are registered in the town or ward where the challenge is being made. RSA 659:27, III.
- ▶ All challenges must be made on the “Asserting a Challenge” form.



Observers



- ▶ Difference between a “challenger” and a “observer.”
 - ▶ See Pgs. 58-59 Election Procedure Manual.
- ▶ Right to Observe.
 - ▶ See Pgs. 100-101 Election Procedure Manual.
- ▶ Recording in the polling location.



Voter Registration



- ▶ The ultimate decision to accept or reject a voter registration application lies with the Supervisors of the Checklist.
 - ▶ RSA 654:12.
- ▶ Proof of Voter Qualifications.
 - ▶ Proof of Identity - Pgs. 119-120, 126-127 of Election Procedure Manual
 - ▶ Proof of Domicile - Pgs. 120-125 of Election Procedure Manual
- ▶ Questions about obtaining a NH driver's license?



Voter Assistance Oath

- ▶ RSA 659:20.
- ▶ Administered by the Moderator or an election official appointed by the Moderator.
- ▶ Reasonable level of certainty the person requesting assistance and the person providing assistance understand and agree to the oaths.

Thank You, Nick!

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- ▶ Election Law Hotline: 1.866.868.3703
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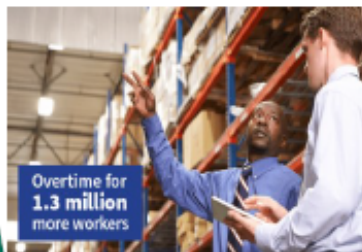
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1:30 pm—3:00 pm
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Join Steven McKinsey, the Community Outreach Specialist for the Northern New England District Office of the United States Department of Labor, Wage and Hour Division (USDOL) who will discuss, among other requirements, the salary and compensation levels needed for workers to be exempt and review how nondiscretionary bonuses and incentive payments factor into the new rule.



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Working Better Together

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