



## RESOLUTION

**PROPOSING AN AMENDMENT TO THE CITY CHARTER TO ALLOW WARD ELECTION OFFICIALS TO FILE A DECLARATION OF CANDIDACY AND PAY AN ADMINISTRATIVE ASSESSMENT INSTEAD OF SUBMITTING A PETITION OF NOMINATION**

### *CITY OF NASHUA*

*In the Year Two Thousand and Fifteen*

**RESOLVED** by the Board of Aldermen of the City of Nashua that pursuant to RSA 49-B:5, the following amendment to the Nashua City Charter is deemed necessary and shall be submitted to the voters by placing it on the ballot at the next regular city election in the manner required by NH RSA 49-B with the following summary:

**Shall the municipality approve the charter amendment summarized below?**

This amendment would give the ward election officials (moderator, ward clerk, and ward selectman) the option to file a declaration of candidacy and pay an administrative assessment instead of submitting a petition of nomination.

Amend the City Charter by deleting the struck-through language and adding the new underlined language as follows:

**§ 7a. Nomination by declaration of candidacy, form.**

The name of a candidate for the office of moderator, ward clerk, or ward selectman shall be printed upon the ballot, when a petition of nomination shall have been filed in his or her behalf, in the manner and form and under the conditions hereinafter set forth. Any person otherwise qualified to run for the office of moderator, ward clerk or selectman who chooses not to file a petition of nomination may have his or her name printed on the ballot by filing a declaration of candidacy and a \$2.00 administrative assessment with the city clerk during the period when petitions of nomination may be filed. The administrative assessment paid to the city clerk by candidates for moderator, ward clerk, or selectman shall be for the use of the city. The declaration of candidacy shall be signed by the candidate in form substantially as follows:

RESOLUTION

R-15-126

State of New Hampshire, Hillsborough, ss. \_\_\_\_\_ City of Nashua.

I, \_\_\_\_\_ declare that I am domiciled in ward \_\_\_\_\_ in the city; that I am a candidate for the office of \_\_\_\_\_ in the city of Nashua, to be voted for at the municipal election to be held in said ward of the city on the \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_; and I hereby request that my name be printed on the official ballot. I hereby declare that I am a qualified voter of said city, that my residence is at No. \_\_\_\_\_ Street, Nashua, and that I have not become, and am not a candidate for any other office to be voted for at said election.

(Signed)

Witness:

(Signed)

Residence of Witness:

No. \_\_\_\_\_ Street, Nashua.

If the declaration of candidacy be found sufficiently signed and witnessed, the city clerk shall file the same forthwith: provided that no declaration of candidacy shall be presented later than 5 p.m. on the last day of the filing period. Any person filing a declaration of candidacy shall file his or her acceptance, his or her signature thereto witnessed by a qualified voter of Nashua, with the city clerk not later than sixty (60) days before the day of the election, and in the absence of such acceptance, the name of the candidate shall not appear on the ballot.

§ 15. Form of acceptance.

The acceptance mentioned in the preceding section shall be substantially in the following form:

State of New Hampshire, Hillsborough, ss. \_\_\_\_\_ City of Nashua.

I, \_\_\_\_\_ having heretofore been nominated (or having filed a declaration of candidacy) for the office of \_\_\_\_\_ in the city of Nashua, to be voted for at the municipal election to be held in said city on the \_\_\_\_\_ day of \_\_\_\_\_, 19 20 \_\_, do hereby accept the said nomination (or affirm having filed a declaration of candidacy), and I hereby declare that I am a qualified voter of said city, that my residence is at No. \_\_\_\_\_ Street, Nashua, and that I have not become, and am not a candidate for any other office to be voted for at said election.

(Signed)

Witness:

(Signed)

Residence of Witness:

No. \_\_\_\_\_ Street, Nashua.

These amendments shall be effective upon passage by the voters.

**LEGISLATIVE YEAR 2015**

**RESOLUTION:** R-15-126

**PURPOSE:** Proposing an amendment to the City Charter to allow ward election officials to file a declaration of candidacy and pay an administrative assessment instead of submitting a petition of nomination

**SPONSOR(S):** Alderman-at-Large Jim Donchess

**COMMITTEE ASSIGNMENT:**

**FISCAL NOTE:** The City Clerk estimates the cost associated with a charter amendment as less than \$50 for a regular municipal or state election.

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**ANALYSIS**

This amendment would give the ward election officials (moderator, ward clerk, and ward selectman) the option to file a declaration of candidacy and pay an administrative assessment instead of submitting a petition of nomination.

The procedure for charter amendments is set forth in RSA 49-B:5. The board of aldermen must hold an initial vote to determine if the amendment is "necessary". If the amendment is determined to be necessary, the board of aldermen must, within ten (10) days, order that notice be given for a public hearing on the amendment. Notice of the public hearing must be published in a newspaper of general circulation at least seven (7) days prior to the scheduled hearing. The notice must contain the text of the proposed amendment and a brief explanation. The hearing shall be conducted by the board of aldermen or a committee.

Within seven (7) days after receiving approval from the secretary of state, the attorney general, and the commissioner of the department of revenue administration, the board of aldermen may vote to order the amendment to be placed on the ballot at either the next regular municipal election or the next state biennial election, whichever occurs earlier, if it occurs not less than sixty (60) days after the vote. The board of aldermen must also order that copies of the proposed amendment and a summary thereof be made available to the public in the clerk's office at least two (2) weeks prior to the election. Copies of the proposed amendment and the summary must also be posted in the same manner as proposed ordinances.

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**Approved as to form:** Office of Corporation Counsel

**By:** Provelly Clarke

**Date:** March 18, 2015



## RESOLUTION

**PROPOSING AN AMENDMENT TO THE CITY CHARTER TO ALLOW WARD ELECTION OFFICIALS TO FILE A DECLARATION OF CANDIDACY AND PAY AN ADMINISTRATIVE ASSESSMENT INSTEAD OF SUBMITTING A PETITION OF NOMINATION AND REQUIRING LESS NOMINATION SIGNATURES FOR THOSE POSITIONS**

### *CITY OF NASHUA*

*In the Year Two Thousand and Fifteen*

**RESOLVED** by the Board of Aldermen of the City of Nashua that pursuant to RSA 49-B:5, the following amendment to the Nashua City Charter is deemed necessary and shall be submitted to the voters by placing it on the ballot at the next regular city election in the manner required by NH RSA 49-B with the following summary:

**Shall the municipality approve the charter amendment summarized below?**

This amendment would give the ward election officials (moderator, ward clerk, and ward selectman) the option to file a declaration of candidacy and pay an administrative assessment instead of submitting a petition of nomination, or if they did file a petition of nomination, to require five signatures instead of fifteen.

Amend the City Charter by deleting the struck-through language and adding the new underlined language as follows:

**§ 7a. Nomination by declaration of candidacy, form.**

The name of a candidate for the office of moderator, ward clerk, or ward selectman shall be printed upon the ballot, when a petition of nomination shall have been filed in his or her behalf, in the manner and form and under the conditions hereinafter set forth. Any person otherwise qualified to run for the office of moderator, ward clerk or selectman who chooses not to file a petition of nomination may have his or her name printed on the ballot by filing a declaration of candidacy and a \$5.00 administrative assessment with the city clerk during the period when petitions of nomination may be filed. The administrative assessment paid to the city clerk by candidates for moderator, ward clerk, or selectman shall be for the use of the city. The declaration of candidacy shall be signed by the candidate in form substantially as follows:

**RESOLUTION**

**AMENDED R-15-126**

State of New Hampshire, Hillsborough, ss. \_\_\_\_\_ City of Nashua.

I, \_\_\_\_\_ declare that I am domiciled in ward \_\_\_\_\_ in the city; that I am a candidate for the office of \_\_\_\_\_ in the city of Nashua, to be voted for at the municipal election to be held in said ward of the city on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_; and I hereby request that my name be printed on the official ballot. I hereby declare that I am a qualified voter of said city, that my residence is at No. \_\_\_\_\_ Street, Nashua, and that I have not become, and am not a candidate for any other office to be voted for at said election.

(Signed)

Witness:

(Signed)

Residence of Witness:

No. \_\_\_\_\_ Street, Nashua.

If the declaration of candidacy be found sufficiently signed and witnessed, the city clerk shall file the same forthwith: provided that no declaration of candidacy shall be presented later than 5 p.m. on the last day of the filing period. Any person filing a declaration of candidacy shall file his or her acceptance, his or her signature thereto witnessed by a qualified voter of Nashua, with the city clerk not later than sixty (60) days before the day of the election, and in the absence of such acceptance, the name of the candidate shall not appear on the ballot.

**§ 8. Form of nomination papers**

The petition of nomination for each candidate to be voted for at large shall be signed by not less than fifty qualified voters of the city, and, for each candidate to be voted for from a single ward, fifteen qualified voters of each ward, except for candidates for the office of moderator, ward clerk, or ward selectman, who shall need five qualified voters of each ward, on individual certificates in form substantially as follows:....

**§ 15. Form of acceptance.**

The acceptance mentioned in the preceding section shall be substantially in the following form:

State of New Hampshire, Hillsborough, ss. \_\_\_\_\_ City of Nashua.

I, \_\_\_\_\_ having heretofore been nominated (or having filed a declaration of candidacy) for the office of \_\_\_\_\_ in the city of Nashua, to be voted for at the municipal election to be held in said city on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, 20\_\_\_\_, do hereby accept the said nomination (or affirm having filed a declaration of candidacy), and I hereby declare that I am a qualified voter of said city, that my residence is at No. \_\_\_\_\_

**RESOLUTION**

**AMENDED R-15-126**

\_\_\_\_\_ Street, Nashua, and that I have not become, and am not a candidate for any other office to be voted for at said election.

(Signed)

Witness:

(Signed)

Residence of Witness:

No. \_\_\_\_\_ Street, Nashua.

These amendments shall be effective upon passage by the voters.