



TOWN OF GILMANTON, NH

Declaration of Candidacy

Per RSA 669:19, the following registered voter in the Town of Gilmanton in the County of Belknap, State of New Hampshire, hereby makes the following Declaration of Candidacy for the town election to be held by non-partisan ballot system as provided in RSA 669:13 on _____:

I, _____, declare that I am domiciled in the
(Print your name as it will appear on ballot)

Town of Gilmanton and that I am a registered voter therein; that I am a candidate for the office of:

_____, and hereby request that my name
(Printed Name of Office)

be printed on the official non-partisan ballot of the Town of Gilmanton. I further declare that if elected to the above office I will qualify and assume the duties of said office.

Political Sign Reminder – All political signs must comply with state laws as outlined in Chapter 664, including, but not limited to: 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, 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.

Initials

Oath of Office Reminder – It is the responsibility of the elected official to ensure that the oath of office has been taken after official notice per RSA 42:6: **Penalty for Neglect to Appear.** – Every person so chosen and notified, not by law exempt from serving, who shall neglect, for 6 days after personal notice, or notice left at the person's abode, or after the person's return in the case of absence when such notice was left, but in no case later than 30 days after the person's election, to appear before the town clerk and take the oath, shall be guilty of a violation, and any fines shall be appropriated as in RSA 42:5.

Initials

Date of Declaration: _____

Candidate’s Signature: _____
(Write first name in full, with middle initial, initials, Jr., Sr., 2nd., etc.)

Candidate’s Name: _____
(Print your name in full, with middle initial, initials, Jr., Sr., 2nd., etc.as it will appear on ballot.)

Candidate’s Domicile: _____
(Street Address, Town, State, Zip)

Phone Number (Day): _____ E-mail: _____
(optional) (optional)

Town Clerk’s Signature: _____
(Date)

Selection of Applicable NH Statutes

RSA 42:3 Swearing in of Officers. – Any person elected to an office where no other person was a candidate on the ballot for that office and no write-in candidate received 5 percent or more of the votes cast for that office, may be sworn in after the results are declared from the election and the annual business meeting has ended or at any time thereafter provided the oath is taken by the deadline established by RSA 42:6. If no recount of the office is requested, any person elected to an office that was contested or for which a write-in candidate received 5 percent or more of the votes cast may be sworn in upon the expiration of the period for requesting a recount provided in RSA 669:30. **Source.** RS 35:3. CS 37:3. GS 38:3. GL 41:3. PS 44:3. PL 48:3. RL 60:3. 1994, 70:2. 2008, 280:1, eff. Aug. 26, 2008.

RSA 669:6 Qualification of Officers. – Unless otherwise provided by law, no person shall hold an elective town office who does not have his domicile within the town. **Source.** 1979, 410:1, eff. July 1, 1979.

RSA 669:7 Incompatibility of Offices. –

I. No person shall at the same time hold any 2 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 2 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.

II. The provisions of paragraph I refer to the actual holding of office, and are not to be construed to prevent the transfer between offices of information obtained in the regular conduct of business nor to prevent the personnel in any office from furnishing clerical assistance to any other office. **Source.** 1979, 410:1. 1981, 282:3. 1983, 132:1. 1993, 123:1, eff. July 16, 1993. 2000, 308:3, eff. June 21, 2000.

RSA 669:9 Oaths of Town Officers. – All town officers elected as provided in this chapter shall take an oath of office as provided in RSA 42 before qualifying for office. **Source.** 1979, 410:1, eff. July 1, 1979.

RSA 669:10 Term of Office. –

I. Except as otherwise provided, the term of office of any officer elected under this chapter shall begin upon his election and qualification for office and shall end upon the election and qualification of his successor.

II. No person shall assume a town office until after the time period for requesting a recount is over. If a recount is requested for a town office, no person shall assume that office until after the recount is completed. **Source.** 1979, 410:1. 1989, 116:1, eff. July 7, 1989.

RSA 669:13 – Non-Partisan Official Ballot System. – A town may vote to adopt the non-partisan official ballot system for election of town officers under an article in the warrant for any town meeting, and may rescind such action in like manner. In any town in which the partisan ballot system is in effect, and which has a population, according to most recent federal census, of 4,500 or more, adoption of the non-partisan ballot system shall be by ballot. Whenever in such town there shall appear in the warrant for any town meeting an article relating to the adoption of the non-partisan ballot system, the town clerk shall cause to be printed on the official ballot, if any, otherwise upon a ballot specially prepared for the purpose, the question, "Shall the non-partisan ballot system for the election of town officers be adopted by this town?", which question shall be followed by boxes in which the voter may indicate "Yes" or "No". If the majority of the qualified voters present and voting at such meeting shall answer said question in the affirmative, the non-partisan ballot system shall be deemed to have been adopted by said town. In all towns, the non-partisan ballot system shall not be in effect until the town election first following the meeting at which such system is adopted. A plurality shall elect in towns using the non-partisan ballot system. **Source.** 1979, 410:1, eff. July 1, 1979.

RSA 669:17-a Filing Candidacy. – No person shall file as a candidate for a town officer under the provisions of RSA 669:19 or RSA 669:42 for more than one seat on the same town or school district board, commission, committee, or council. **Source.** 1992, 96:5, eff. April 24, 1992. 2008, 148:1, eff. Aug. 5, 2008.

RSA 669:22 Withdrawal. – Where a candidate had duly filed according to RSA 669:19 for a non-partisan town election or where a party nominee has been certified to the clerk as provided in RSA 669:50 for a partisan town election, no withdrawal or declination of a candidate shall be accepted by the town clerk subsequent to the last dates for filing except if the candidate dies or shall make oath that he does not qualify for the public office for which he or she is filed because of age, domicile, or incapacitating physical disability acquired subsequent to his or her filing. If a candidate dies or withdraws as provided in this section, the town clerk shall not print the name of that candidate on the ballot. If the ballots have been printed, the clerk shall remove that name using pasters. **Source.** 1979, 410:1. 1987, 276:6, eff. July 24, 1987. 2008, 148:3, eff. Aug. 5, 2008.