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Title I Spending Report pursuant to request of the Election Assistance Commission Corresponding to the Calendar Year January 1, 2004 – December 31, 2004

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(1) A list of expenditures made with respect to the replacement of punch card and lever voting systems:

The State expended no Title I funds in Calendar Year 2004 to replace punch card or lever voting systems.

(2) The number and type of articles of voting equipment obtained with the funds:

The State expended Title I funds for the following purposes during Calendar Year 2004:

Voting Accessibility using Voting Systems	$ 4,877
Statewide Voter Registration System	251
Administrative Complaint Procedures	7,278
Physical Accessibility at the Polling Place	402
Total	$ 12,808

(3) An analysis and description of the activities funded to meet HAVA requirements and how such activities conform to the submitted State Plan.

The following text describes how 2004 Title I expenditures correspond to the requirements in P.L. 107-252 and the State Plan. This report is presented in the order and categories identified in the State Plan Sections 6 and 12, as follows:

Performance Goal 1: Voting Accessibility using Voting Systems
Performance Goal 2: Statewide Voter Registration Systems
Performance Goal 3: Statewide Administrative Complaint Procedure
Performance Goal 4: Physical Accessibility of the Polling Place.

The following accomplishments are manifestly associated with the indicated categories and performance goals in the State Plan and need no further explanation.

To provide background and preserve continuity, certain accomplishments from the previous calendar year are identified in this report.

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I. Performance Goal 1 in State Plan: Voting Accessibility using Voting Systems.

The amount spent in this category is also addressed in the Title II spending report for Federal Fiscal Year 2004. The accomplishments in this report are similar to those in the Title II report, except that the period covered is different by three months due to the variance between the federal fiscal year and calendar year. This category incorporates costs associated with Performance Goal 6 – "Election Official Training."

1) The Secretary of State invited members of the disabilities community to serve on the HAVA State Plan Committee and the Disabilities Access and Voting Systems Task Force.

2) The Disabilities Access and Voting Systems Task Force held the following meetings:

Meetings during Calendar Year 2003:

March 14, 2003	Identify mission, vision, goals, and objectives
March 28, 2003	Clarify mission, vision, goals and objectives
April 15, 2003	Voting Systems Trade Fair to permit vendors to demonstrate products
May 22, 2003	Establish calendar for future meetings and review findings
October 24, 2003	Establish priorities for allocation of accessibility funds and survey of polling place accessibility
November 21, 2003	Refine polling place accessibility survey data

Meetings during Calendar Year 2004:

June 24, 2004	Voting machine procurement Election official training

3) The Department of State and Attorney General conducted moderators training sessions to discuss polling place accessibility and accessible voting booths.

4) The Departments of State and Justice held two public hearings on August 19, 2003 in Concord and August 28, 2003 in North Conway, and one public hearing, on September 1, 2004 in Concord, and recorded public comments about accessible voting machines and polling place accessibility.

5) Department of State staff collected voting machine RFPs from other states to research issues relating to purchasing voting machines.

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6) Department of State staff researched voting issues and monitored the establishment and appointment of the Technical Guidelines Development Committee of the Elections Assistance Commission.

7) Department of State staff drafted a Request for Information (RFI) for the procurement of accessible voting machines.

8) On September 1, 2004, the Department of State met in the Massachusetts State House in Boston with staff from the Departments of State from Maine, Massachusetts, Vermont, Connecticut, and Rhode Island to discuss joint goals and issues in the acquisition of voting machines. It circulated the RFI drafts among the New England states.

9) Department of State staff attended semiannual conventions of the National Association of State Election Directors (NASED) and the National Association of Secretaries of State (NASS) and learned about other states' experiences in acquiring voting machines.

10) In Calendar Year 2004, the State carried out initial steps to comply with Section 4 of the State Plan. Initial steps were to demonstrate to local election officials how to properly conduct pre-election tests, sometimes termed logic and accuracy tests, using a test deck of sample ballots. To conduct such tests, the state acquired the first state-owned Optech and Accuvote optical scanning machines identical to existing machines. These two models are the sole types of machines currently used in the State to count ballots at the town and ward level.

Using these machines, the Department of State demonstrated how to test both types of optical scanning machines at the October 13-15, 2004 annual conference of the Association of New Hampshire City and Town Clerks.

11) In November and December, 2004, the Secretary of State, at the request of Ralph Nader, conducted a hand recount of 2004 Presidential race in 11 wards and towns, effectively testing voting machines at those polling places. It was the only recount of the presidential race in the country. The hand count confirmed the results of the voting machines in this race.

12) Staff allocation to voting accessibility:

(a) The Department of State has assigned responsibility for voting accessibility to Thomas Manning, Assistant Secretary of State. Mr. Manning devoted 20% of his time to Voting Accessibility in Calendar Year 2004.

(b) The Department of State has assigned Anthony Stevens, Assistant Secretary of State as HAVA coordinator. Mr. Stevens devoted 25% of his time to Voting Accessibility in Calendar Year 2004.

(c) Orville B. Fitch II, Senior Assistant Attorney General, devoted 22% of his HAVA time to Voting Accessibility using Voting Systems in Calendar Year 2004.

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II. Performance Goal 2 in State Plan: Statewide Voter Registration System ("SVRS").

This category incorporates costs associated with Performance Goal 6 – "Election Official Training." The accomplishments of this spending are covered in the Title II Report to the EAC on expenditures in Federal Fiscal Year 2004, dated March 31, 2005. Since the amount spent is small, the Title II Report is adequate to cover the subject.

III. Performance Goal 3: Statewide Administrative Complaint Procedure

Achievements through December 31, 2004:

1) In early 2003, the Department of State conducted two HAVA informational sessions for the Legislature and received feedback from them.

2) The Legislature budgeted one full-time Justice Department attorney and one assistant to enable the Department to respond quickly and appropriately to complaints.

3) The Secretary of State appointed representatives from the disabilities community, town and city clerks, supervisors of the checklist, moderators and the general public – to serve on the HAVA State Plan Committee and the various HAVA task forces. This broad representation would help parties to resolve any differences and establish mutually-agreed-to protocols.

4) The 2003 Legislature adopted House Bill 627, which clarified civil penalties for election fraud and gave the Department of Justice authority, consistent with HAVA, to establish rules to handle election-related complaints.

5) The Task Forces on Accessibility and Voting Machines and the Statewide Voter Registration Database, appointed by the Secretary of State, conducted several planning sessions which touched on compliance issues.

6) The Departments of State and Justice held two public hearings, on August 19, 2003 and August 28, 2003 in different locations within the state, recorded public comments about the handling of complaints.

7) On June 13, 2003 and between Sept. 1 and November 10, 2003, the Departments of State and Justice held 23 election official training sessions throughout the state, presented to a total of about 1500 local election officials. The training included a section on HAVA compliance requirements.

8) The Election Procedure Manual, a biennial publication of the Department of State distributed to about 4,000 local election officials, was expanded to incorporate compliance issues. The manual was incorporated into the training sessions described above.

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9) The Department of Justice hired deputy sheriffs, trained by the state, to conduct an onsite inspection of most polling places in the state on Presidential Primary day in January, 2004.

10) The Department of State published in the 2004 HAVA State Plan and on the Department of State website complete requirements to satisfy HAVA Section 4 compliance requirements.

11) In September and November, 2004, the Secretary of State and the Department of Justice conducted elections using the administrative complaint procedure required by HAVA Section 4.

12) Staff allocation for administrative complaint process:

(a) Orville B. Fitch, II, Senior Assistant Attorney General, has devoted 18 % of his HAVA time to establishing the HAVA-required administrative complaint process in Calendar Year 2004.

(b) Staff including interns and paralegals in the Department of Justice have devoted in excess of 200 hours to the administrative complaint process.

IV. Performance Goal 4: Physical Accessibility at the Polling Place

The State plans to allocate the cost of efforts to achieve physical accessibility at the polling place to two accounts, (a) P.L. 107-252 Title I, and (b) P.L. 107-252, Section 261. There have been minor expenditures allocated to Title I in Calendar Year 2004. In Calendar Year 2004, most physical accessibility expenditures were reimbursed using Section 261 funds.

Physical accessibility accomplishments through December 31, 2004:

1) The Secretary of State invited members of the disabilities community to serve on the HAVA State Plan Committee and the Disabilities Access and Voting Systems Task Force.

2) The Disabilities Access and Voting Systems Task Force held the following meetings:

Meetings during Calendar Year 2003:

March 14, 2003	Identify mission, vision, goals, and objectives.
March 28, 2003	Clarify mission, vision, goals and objectives.
April 15, 2003	Voting Systems Trade Fair to permit vendors to demonstrate voting machines and other products that would assist voters with disabilities.
May 22, 2003	Establish calendar for future meetings and review findings.

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October 24, 2003	Establish priorities for allocation of accessibility funds and survey of polling place accessibility
November 21, 2003	Refine polling place accessibility survey data

Meetings during Calendar Year 2004:

June 24, 2004	Review of Polling Place Accessibility Survey conducted in January, 2004. Prioritize polling place inspections. Election official training

3) The State Plan addressed polling place accessibility in a variety of ways.

4) The Election Procedure Manual, a biennial publication of the Department of State distributed to about 4,000 local election officials, was expanded to incorporate additional accessibility issues; election official training; election official polling place self-assessment, physical onsite inspection of all polling places in the state, a section on polling place accessibility. The manual was incorporated into the training sessions described below. The manual's distribution in the last quarter of 2003 and the completion of the state-wide training was intended in part to seek the cooperation of local officials in assessing the accessibility status of their polling places by completing a self-assessment questionnaire and returning the completed questionnaire, thereby enabling the State to establish a data base on accessibility by polling place, from which any remediation efforts could begin..

5) On June 13, 2003 and from September 1, 2003 through November 10, 2003, the Departments of State and Justice conducted 23 four-hour long training sessions for election officials throughout the state. Key components of that training included:

- A thorough presentation on accessibility requirements,
- A training video on appropriate etiquette when dealing with persons with disabilities.

The training was ultimately presented to approximately1500 local election officials.

6) As a supplement to training, the Departments of State and Justice initiated production of a video that presents physical accessibility issues for election officials. That video is currently available online at the Department of State website in both non-captioned and open-captioned formats.

7) The Department of Justice hired deputy sheriffs, trained by the state, to conduct an onsite physical accessibility inspection of every polling place in the state on Presidential Primary day in January, 2004.

8) The Departments of State and Justice compiled information and results from the accessibility survey and reported back to every jurisdiction on reported deficiencies. The State sought a formal response from each local jurisdiction that detailed how and when the physical accessibility deficiencies would be remediated.

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9) On July 29, 2004, the Department of State and the Governor's Commission on Disability began onsite inspections of polling places in response to requests from local officials generated from the Department of Justice's inspection of polling places and the subsequent letters to those officials citing accessibility deficiencies. Through September 14, 2004, eighty-eight (88) local jurisdictions with more than 115 polling places and alternate polling sites were evaluated by the Department of State/Governor's Commission on Disability team. The Departments of State and Justice planned with and worked with disability advocacy groups to assist them to conduct polling place inspections.

10) Staff allocation for physical accessibility:

(a) The Department of State has assigned responsibility for physical accessibility to polling places to Thomas Manning, Assistant Secretary of State. Mr. Manning devoted 70% of his time to achieving physical accessibility in Calendar Year 2004.

(b) Orville B. Fitch, II, Senior Assistant Attorney General, devoted 17% of his HAVA time to achieving physical accessibility to polling places in Calendar Year 2004.

(c) Department of Justice support staff, including interns and paralegals, worked on the physical accessibility project.

NEW HAMPSHIRE
DEPARTMENT OF STATE

RECEIVED
APR 19 2005
BY:

William M. Gardner
Secretary of State

Robert P. Ambrose
Senior Deputy Secretary of State
David M. Scanlan
Deputy Secretary of State

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April 11, 2005

Ms. Gracia M. Hillman, Chair
U. S. Election Assistance Commission
1225 New York Avenue, Suite 1100
Washington, DC 20005

Attention: Peggy Sims

Dear Chair Hillman:

On behalf of the State of New Hampshire, I am pleased to submit this report on the expenditure of Title I funds for Calendar Year 2004, as requested by the Election Assistance Commission.

If you have any questions, please feel free to contact Anthony Stevens, Assistant Secretary of State, at (603)271-5335, or Daniel Cloutier, Assistant Secretary of State, at (603)271-0001 or (603)271-8239.

Sincerely yours,

David M. Scanlan
Deputy Secretary of State

Enclosure: 2004 Title I Spending Report

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