

Wayne P. Semprini
Chairman



NEW HAMPSHIRE

REPUBLICAN STATE COMMITTEE

Wayne D. MacDonald
Vice Chairman

134 North Main Street, Concord, New Hampshire 03301 • Tel (603) 225-9341 • Fax (603) 225-7498 • www.nhgop.org

July 25, 2006

RECEIVED

JUL 25 2006

NEW HAMPSHIRE
SECRETARY OF STATE

Office of the Secretary of State
Attn: William Gardner, Secretary of State
107 North Main Street, Room 204
Concord, NH 03301

Dear Secretary Gardner,

On behalf of the New Hampshire Republican State Committee, I am writing to request a review of Mr. George Cleveland as an eligible Democratic Party candidate for Senate District Three.

It is the belief of the New Hampshire Republican State Committee that Mr. Cleveland does not meet the requirement to appear on the primary ballot as a candidate for the Democratic Party pursuant to RSA 655:14.

RSA 655:14 clearly states, "*The name of any person shall not be printed upon the ballot of any party for a primary unless he is a registered member of that party.*" Mr. George Cleveland is not a "registered member" of the Democratic Party according to the most recent voter checklist in the town of Tamworth.

Furthermore, it is the understanding of the New Hampshire Republican State Committee that such decisions are based upon the status of a certified checklist rather than the recollection of local officials.

The Republican State Committee is prepared to argue the merits of this case before the Ballot Law Commission, if necessary. Please keep our office apprised of any decision made or whether a hearing is to be held regarding this issue.

Thank you for your prompt attention to this matter.

Sincerely,

Wayne Semprini
Chairman

To: New Hampshire Secretary of State
271-6316
Att: Paula
From: Bradley Ball, Chairman, Supervisors of the Voting Checklist, Tamworth
Subject: George Cleveland's Party Status
7/17/2006

Dear Paula,

This letter will review the question of George Cleveland's present party affiliation as we discussed it on the phone today.

The Ballot Clerks copy of the Town of Tamworth Checklist for the State Primary of September 14, 2004 shows that at that election George Cleveland took a Democratic Ballot and affiliated himself with the Democratic Party.

I have reviewed all of the Change of Party request forms since that date. There is NO request from George Cleveland to change his party from the decision he made on September 14, 2004.

The Ballot Clerks copy of the Town of Tamworth Checklist for the Presidential Election of November 2, 2004 shows Mr. Cleveland as being unaffiliated with any party, as do subsequent Checklists.

Since no request was EVER made by Mr. Cleveland to unaffiliate from the Democratic Party, as shown in the Change of Party forms before me, his party status should have been reflected as a member of the Democratic Party from September 14, 2004 in subsequent Checklists for the Town.

As the person who maintained the Checklists and updated them, it was a clerical error on my part in not changing his party status from Undeclared to Democratic after that Primary.

Based on the above, my ruling is that George Cleveland is now and has been a member of the Democratic Party since September 14, 2004.

Very truly yours,



Bradley Ball, Chairman
Supervisors of the Checklist, Tamworth

Bradley Ball
Sharon Nothnagle
Donna Polhamus,
Supervisors

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JUL 17 2006

NEW HAMPSHIRE
SECRETARY OF STATE

Notice of Disqualification

Mr. William Gardner
Secretary of State
Concord, NH 03301

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JUL 12 2006

NEW HAMPSHIRE
SECRETARY OF STATE

July 9, 2006

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Dear Bill,

Pursuant to RSA 655:33 and RSA 655:38
and based on the attached letter from my
primary care physician, Doctor Brian Inwin,
I do give oath and attest that I am
unqualified to currently seek the state
senate district 3 seat and I do respectfully
request that you remove my name from
all appropriate and relevant ballots. Please
note the date of this notice of disqualification
is July 9, 2006

Respectfully,

Mark Hounell

P.O. Box 3081

Conway, NH 03818



Saco River Medical Group, P.C.

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06/23/06

JUL 12 2006

Mr. William Gardner
Secretary of State
State House
Concord, New Hampshire

NEW HAMPSHIRE
SECRETARY OF STATE

Dear William Gardner, Secretary of State;

I am the primary care physician for Mark Hounsell. Unfortunately he is under my care for a chronic medical condition that has been progressive and has left him with an incapacitating physical disability acquired subsequent to the date of his filing, which was June 15, 2006. Due to this, he will not be able to not only complete the campaign process but would also have great difficulty serving in this role. He is a wonderful man and I hope that he will be able to reconsider this possible public office in the future. Unfortunately at this time he is unable to do so and I greatly appreciate your help in making the necessary modifications for his withdrawal from this upcoming election.

Sincerely,

Brian Irwin, DO



7 Greenwood Ave. • Conway, NH 03818 • Phone: 603-447-3500 • Fax 603-447-5568

Family Practice
Brian Irwin, DO
Geraldine Lau, ARNP
Emily Beaulieu, ARNP, CDE

Pediatrics
Ross Emery, MD, FAAP
Rich Laracy, DO, FAAP

Walk-In Care
Frank Hubbell, DO
Heidi Root, MD
Robert Rose, MD
Judith Brewster, PA

Office Gynecology
Linda Haller, MD
Child & Family Therapy
Kate Eastman, MA, MFT
Acupuncture - Kenji Fukunaga, Lic. Ac.

655:10 **Incompatible Offices.** No person shall file declaration of candidacy or primary petitions for nomination at the primary for incompatible offices. For the purposes of this section incompatible offices shall include the offices of governor, representative to the general court, state senator and councilor. If any person shall file for such incompatible offices, the secretary of state shall advise the person of the provisions hereof and said person shall then advise the secretary of state which of said offices he wishes to retain in order to seek said nomination. If a filing fee has been paid for a declaration of candidacy which he declines the fee shall be returned to him. No person shall seek or hold the position as a member of the general court and county commissioner at the same time. No person shall hold 2 of the offices mentioned in RSA 655:9 at the same time, and the acceptance of one of them shall be a resignation of the others.

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 JUL 17 2006
 NEW HAMPSHIRE
 SECRETARY OF STATE

CD # 10546
 10-



NEW HAMPSHIRE STATE PRIMARY
 Declaration of Candidacy
 (RSA 655:17)

GOVERNOR, EXECUTIVE COUNCILOR,
 STATE SENATOR, COUNTY OFFICES

I, George M. Cleveland
Print name as it should appear on Ballot.

declare that I am domiciled in Ward , in the City (or Town or Unincorporated place) of Tamworth County of Carroll, State of New Hampshire, and am a qualified voter herein; that I am a registered member of the Democratic party; that I am a candidate for nomination for the office of State Senator #3 to be made at the primary election to be held on the 12th day of September 2006; and I hereby request that my name be printed on the official primary ballot of said Democratic party as a candidate for such nomination. I declare that I am not a candidate for incompatible offices as defined in RSA 655:10, and that I am not a federal employee which makes me ineligible to file as a candidate for this office. I further declare that, if nominated as a candidate for said office, I will not withdraw; and that, if elected, I will be qualified for and will assume the duties of said office.

I designate: Self of (address) PO Box 266, Tamworth phone number 323-2970 as my fiscal agent in this campaign. (NOTE: If the candidate does not designate another person, then the candidate shall serve as the fiscal agent.) (RSA 664:12)
 (Candidate's Signature-legal name)

First Name George Middle Initial M Last Name (Jr., Sr., 2nd, etc.) Cleveland

Mailing address: PO Box 266
Tamworth, NH 03896
Zip Code

Phone No. 323-2970

Candidates for Governor, Executive Councilor and State Senator MUST sign the applicable affidavit on the inside of this form.

FEE: \$100 For Governor \$25 For Exec. Councilor
 \$10 For State Senator; County Offices

AFFIDAVIT
(For Candidate for GOVERNOR)

I, _____
candidate for the office of governor, hereby swear
(or affirm) that I have been domiciled in the state of
New Hampshire for at least 7 years immediately
preceding the election for which I am a candidate,
that I am a registered voter and that I will be at least
30 years of age on the day of said election, that I am
not a candidate for incompatible offices as defined
in RSA 655:10, and that I am not a federal employee.

(Signed) _____
(Signature MUST be notarized at bottom of page)

AFFIDAVIT
(For Candidate for EXECUTIVE COUNCILOR)

I, _____
candidate for the office of executive councilor from
the _____ district, hereby swear (or affirm) that
I have been domiciled in the state of New Hampshire
for at least 7 years immediately preceding the election
for which I am a candidate, and that I am now
domiciled in councilor district No. _____ at
the present time, that I will be at least 30 years of
age on the day of said election, that I am not a
candidate for incompatible offices as defined in RSA
655:10, and that I am not a federal employee.

(Signed) _____
(Signature MUST be notarized at bottom of page)

AFFIDAVIT
(For Candidate for STATE SENATE)

I, George M. Cleveland
candidate for the office of senator from the 3rd
district, hereby swear (or affirm) that I have been
domiciled in the state of New Hampshire for at least
7 years immediately preceding the election for which
I am a candidate, that my domicile is in senatorial
district No. 3 at the present time, that I will
be at least 30 years of age on the day of said election,
that I am not a candidate for incompatible offices as
defined in RSA 655:10, and that I am not a federal
employee.

(Signed) _____
(Signature MUST be notarized at bottom of page)

State of New Hampshire
County of HILLS ss July 17 2006

The above-named GEORGE CLEVELAND
personally known to me, appeared and made oath that
the above declaration by him subscribed is true.

Before me, Raymond P. Bradley

Justice of the Peace or Notary Public
EXP. 4-21-07

VOLUNTARY EXPENDITURE LIMITATION
Affidavit
(RSA 664:5-a)

I DO hereby voluntarily agree to limit my campaign
expenditures and those made on my behalf by my
committee(s), my party and my immediate family to
the amount set by RSA 664:5-b. I further declare that
I do not condone the independent expenditure of
funds made in support of my candidacy or in opposition
to my opponent by any person or committee and I
shall not solicit same.

(Signature of Candidate)

Signed and sworn to, before me, this _____ day of
_____, 2006

Justice of the Peace or Notary Public

I DO NOT voluntarily agree to limit my campaign
expenditures or those made on my behalf by my
committee(s), my party and my immediate family to
the amount set by RSA 664:5-b. I understand that I
may agree to limit my campaign expenditures by
filing the above affidavit no later than 3 days after
filing my declaration of candidacy or declaration of
intent.

(Signature of Candidate)

Signed and sworn to, before me, this 17 day of

July, 2006
Raymond P. Bradley
Justice of the Peace or Notary Public
EXP. 4-21-07