

Ballot Law Commission
c/o William Gardner, Secretary of State
Room 204, State House
Concord, NH 03301

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2004-8

SEP 07 2004

NEW HAMPSHIRE
SECRETARY OF STATE

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Re: petitioned access by Brad Dorsey (Merr. # 4 or Statewide district # 31)

RSA 655:42, II. (in part) It shall require the names of 150 to nominate a candidate for state representative....

Nowhere in RSA 655:42,II., in the subsection dealing with state representative, is there a requirement that the petition signer be a registered voter or to be resident in the district a candidate for state representative may presume to represent.

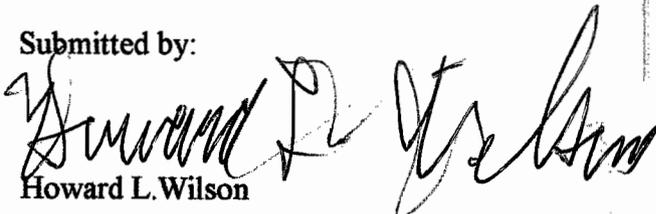
To this end, Mr.Dorsey did collect 108 petitions, as certified from the Town of Hopkinton, and a smaller number from Bow, Dunbarton & Gilford, sufficient to exceed the numbers of petitions required in RSA 655:42, II, as deals with a state representative candidate.

Reasoning: RSA 655:42, II, first line of text, is clear. All signatures for a candidate for US Representative, must be registered voters. The next 2 sections are less clear, except by inference: A number of signatures must be collected, with no clearly defined area from which the signatures are be derived, whether for the offices of councilor or state senator or state representative (and despite semi-colon dividers between the differing types or levels, of office sought).

Mr Dorsey has complied with the exact language of RSA 655:42, II, subsection as deals with state representative, despite a contrary opinion from the Secretary of State. Thus this suit, to the Ballot Law Commission.

Resolution: Mr. Dorsey, having complied with the provisions of RSA 655:42, II., Shall receive Certification as a valid candidate for state representative, from Merr. # 4, to be voted on November 2, 2004.

Submitted by:


Howard L. Wilson