

THE STATE OF NEW HAMPSHIRE

BALLOT LAW COMMISSION

BLC-2010-10

Strafford District No. 6 (Dover Wards 5 and 6)

ORDER

On November 18, 2010, the Ballot Law Commission (“the Commission”) held a public hearing, pursuant to RSA 665:8 to hear and determine appeals from recounts in the election for the office of State Representative in Strafford District No. 6.

The Commission considered eight contested ballots and voted unanimously to uphold the decision of the Secretary of State as to each ballot. In Exhibit #1, the voter voted a straight Democratic ticket, but also filled in some ovals in the next write-in column, without writing in any names. The Secretary of State counted those as votes for the three Democratic candidates. In Exhibit #2, the voter’s mark next to candidate Kenneth E. Stanley, Jr. was inside the oval but significantly smaller than other filled in ovals on the ballot. The Secretary of State counted that as a vote for Stanley. The challenge to Exhibit #3 was withdrawn. In Exhibit #4, the voter filled in the oval next to candidate Roland P. Hofemann and also put an X mark, while at the same time voting for the two Republican candidates. The voter made a similar mark next to a candidate for county commissioner. The Secretary of State did not count that as a vote for Hofemann. The challenge to Exhibit #5 was withdrawn. In Exhibit #6, the voter marked the ballot for all three candidates in the Democratic column. The mark for candidate Mark R. Ryder also included an X. The Secretary of State took that X as a change of mind and

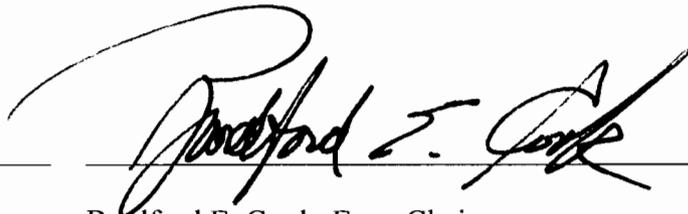
did not count that as a vote for Ryder. In Exhibit #7, the voter marked all of the ovals in the write-in column but did not write in the names of any candidates. The Secretary of State treated these as no-votes. In Exhibit #8, the voter marked the ballot for candidates Michael W. Weeden and Donald C. Andolina, while also filling in one of the ovals in the write-in column without also writing in the name of a candidate. The Secretary of State counted that ballot as votes for Weeden and Andolina.

Therefore, the result of the recounted election is confirmed.

New Hampshire Ballot Law Commission

Date: _____

11/24/10

A handwritten signature in black ink, appearing to read "Bradford E. Cook", written over a horizontal line.

Bradford E. Cook, Esq., Chairman
Gregory Martin
Sheila Roberge
Martha Van Oot
Jane Clemons