

**STATE OF NEW HAMPSHIRE
BALLOT LAW COMMISSION**

Appeal of Gail Ober

BLC 2018-6

BACKGROUND: Following a recount of votes from the November 6, 2018 general election in Belknap County House District 3, encompassing six wards of the City of Laconia, which district elects four members to the New Hampshire House of Representatives, Gail Ober was in fifth place, trailing the fourth-place candidate by two votes. She appealed the results of the recount to the Ballot Law Commission, contesting the counting of two ballots in favor of Richard Beaudoin, who placed fourth. The Ballot Law Commission heard her appeal and considered the matter at its meeting on November 26, 2018.

DECISION

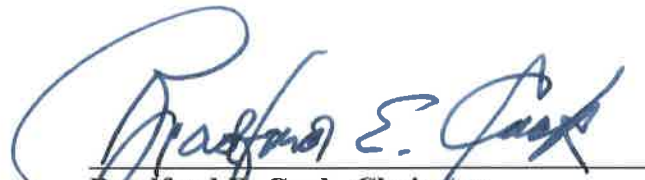
After considering the two ballots in question, the Commission voted to sustain the Secretary of State's counting of one ballot for Mr. Beaudoin (Ballot number 1), finding a line drawn down the column of candidates in the Republican column was not intended to negate votes for the candidates indicated by the clear filling in of the oval next to the candidates' names. The Commission vote on this ballot was unanimous. The Commission voted not to sustain the Secretary of State's counting of one ballot (Ballot number 2) in which a number of candidates' names were entirely covered over by ink, which had been counted for the candidates whose names were so covered. The vote on the second ballot was not unanimous. Thus, the total votes for Richard Beaudoin was reduced by one vote from the result at the recount. Richard Beaudoin still received one vote more than Gail Ober.

ORDER

The result of the recount of ballots in Belknap County House District 3 is sustained, and candidate Richard Beaudoin is declared elected.

SO ORDERED.

November 26, 2018



Bradford E. Cook, Chairman
Michael Eaton
David Campbell
Bobby Stephen
Robert Letourneau