

State of New Hampshire

MANUAL

for the

General Court

2005

No. 59

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CONSTITUTIONAL AMENDMENT QUESTION

Following is the question submitted to the qualified voters of New Hampshire on November 2, 2004, together with the vote on the question:

“Are you in favor of repealing and reenacting part II, article 73-a of the constitution in order to clarify that both the judiciary and legislature have the authority to regulate court practices and procedures and to resolve potential conflicts that may arise so that it reads as follows:

[Art.] 73-a. [Court Practices and Procedures.] The chief justice of the supreme court shall be the administrative head of all the courts in the state. The chief justice shall have the power, with the concurrence of a majority of the other supreme court justices, to make rules of general application regulating court administration and the practice, procedure, and admissibility of evidence, in all courts in the state. The legislature shall have a concurrent power to regulate the same matters by statutes of general application, except that such legislative enactments may not abridge the judiciary’s necessary adjudicatory functions. In the event of a conflict between a rule promulgated by the judiciary and a statute enacted by the legislature, the statute, if not otherwise contrary to this constitution shall prevail over the rule.”

Yes 271,091

No 205,589

CONSTITUTIONAL AMENDMENT QUESTION

SUMMARY BY COUNTIES

	YES	NO
Belknap County	14,408	8,944
Carroll County	16,216	12,399
Cheshire County	12,150	9,083
Coos County	6,876	4,866
Grafton County	16,906	16,092
Hillsborough County	80,616	56,415
Merrimack County	27,804	27,355
Rockingham County	66,087	44,172
Strafford County	22,171	18,365
Sullivan County	7,857	7,898
Totals	271,091	205,589

BELKNAP COUNTY

	YES	NO
Alton	1,423	794
Barnstead	942	732
Belmont	1,345	967
Center Harbor	392	163
Gilford	2,294	1,111
Gilmanton	784	681
Laconia Wd1	713	432
Laconia Wd2	532	310
Laconia Wd3	554	330
Laconia Wd4	585	364
Laconia Wd5	458	289
Laconia Wd6	723	410
Meredith	1,711	915
New Hampton	513	389
Sanbornton	702	558
Tilton	737	499
Totals	14,408	8,944

CARROLL COUNTY

	YES	NO
Albany	139	133
Bartlett	800	708
Brookfield	195	148
Chatham	77	70
Conway	1,940	1,870
Eaton	99	105
Effingham	287	274
Freedom	427	330
Hale's Location	52	27
Hart's Location	7	19
Jackson	306	218
Madison	513	517
Moultonborough	1,653	658
Ossipee	881	701
Sandwich	430	342
Tamworth	495	631
Tuftonboro	757	449
Wakefield	1,189	723
Wolfeboro	1,903	1,160
Totals	12,150	9,083

CHESHIRE COUNTY

	YES	NO
Alstead	424	377
Chesterfield	826	674
Dublin	430	392
Fitzwilliam	506	410
Gilsum	170	140
Harrisville	248	277
Hinsdale	730	508
Jaffrey	1,285	896
Keene Ward 1	809	584
Keene Ward 2	898	695
Keene Ward 3	928	631
Keene Ward 4	959	697
Keene Ward 5	1,021	774
Marlborough	442	379
Marlow	184	154
Nelson	162	140
Richmond	315	194
Rindge	1,355	934
Roxbury	50	55
Stoddard	277	207
Sullivan	142	138
Surry	198	154
Swanzy	1,404	994
Troy	460	322
Walpole	859	696
Westmoreland	360	373
Winchester	774	604
Totals	16,216	12,399

COOS COUNTY

	YES	NO
Atkinson & Gilmanton		
Academy Grant	—	—
Bean's Grant	—	—
Bean's Purchase	—	—
Berlin Ward 1	480	329
Berlin Ward 2	519	322
Berlin Ward 3	542	397
Berlin Ward 4	404	336
Cambridge	1	1
Carroll	253	157
Chandler's Purchase	—	—
Clarksville	64	29
Colebrook	381	216
Columbia	147	80
Crawford's Purchase	—	—
Cutt's Grant	—	—
Dalton	207	162
Dix's Grant	—	—
Dixville	9	9
Dummer	68	65
Errol	85	47
Erving's Location	—	—
Gorham	670	480
Green's Grant	3	-
Hadley's Purchase	-	—
Jefferson	247	195
Kilkenny	—	—
Lancaster	716	551
Low & Burbank's Grant	—	—
Martin's Location	—	—
Milan	295	224
Millsfield	6	7
Northumberland	418	330
Odell	—	—
Pinkham's Grant	8	4
Pittsburg	229	107
Randolph	105	102
Sargents Purchase	—	—
Second College Grant	—	—
Shelburne	139	77
Stark	98	94
Stewartstown	168	97
Stratford	141	120
Success	—	—
Thompson & Meserve's Pur.	—	—
Wentworth's Location	14	7
Whitefield	459	321
Totals	6,876	4,866

GRAFTON COUNTY

	YES	NO
Alexandria	380	265
Ashland	450	325
Bath	183	156
Benton	80	42
Bethlehem	627	427
Bridgewater	262	190
Bristol	728	480
Campton	655	551
Canaan	517	716
Dorchester	76	71
Easton	84	59
Ellsworth	23	16
Enfield	952	833
Franconia	328	213
Grafton	212	276
Groton	101	113
Hanover	1,824	2,557
Haverhill	806	544
Hebron	196	125
Holderness	502	404
Landaff	99	69
Lebanon Ward 1	723	870
Lebanon Ward 2	695	840
Lebanon Ward 3	677	794
Lincoln	376	193
Lisbon	307	217
Littleton	1,348	850
Livermore	-	-
Lyman	116	96
Lyme	286	596
Monroe	224	123
Orange	59	72
Orford	187	318
Piermont	172	132
Plymouth	1,212	1,374
Rumney	376	373
Sugar Hill	184	108
Thornton	492	411
Warren	189	138
Waterville Valley	95	54
Wentworth	187	159
Woodstock	296	207
Totals	16,906	16,092

HILLSBOROUGH COUNTY

	YES	NO
Amherst	3,058	2,293
Antrim	625	471
Bedford	4,802	2,899
Bennington	308	263
Brookline	1,163	839
Deering	409	347
Francestown	471	358
Goffstown	4,088	2,513
Greenfield	335	294
Greenville	404	286
Hancock	471	464
Hillsborough	1,128	935
Hollis	1,972	1,671
Hudson	4,297	2,877
Litchfield	1,613	1,118
Lyndeborough	371	346
Manchester Ward 1	2,476	1,671
Manchester Ward 2	2,105	1,187
Manchester Ward 3	1,218	777
Manchester Ward 4	1,563	931
Manchester Ward 5	1,203	707
Manchester Ward 6	1,972	1,122
Manchester Ward 7	1,697	936
Manchester Ward 8	2,173	1,228
Manchester Ward 9	1,858	980
Manchester Ward 10	1,676	1,030
Manchester Ward 11	1,335	798
Manchester Ward 12	1,858	1,022
Mason	376	260
Merrimack	6,619	3,901
Milford	2,818	2,581
Mont Vernon	611	449
Nashua Ward 1	2,205	1,704
Nashua Ward 2	1,884	1,365
Nashua Ward 3	1,643	1,563
Nashua Ward 4	1,127	863
Nashua Ward 5	1,806	1,474
Nashua Ward 6	1,612	1,191
Nashua Ward 7	1,367	1,180
Nashua Ward 8	1,490	1,143
Nashua Ward 9	1,815	1,371
New Boston	1,279	850
New Ipswich	122	707
Pelham	2,578	1,671
Peterborough	1,440	1,279
Sharon	100	77
Temple	291	279
Weare	1,835	1,407
Wilton	903	693
Windsor	46	44
Totals	80,616	56,415

MERRIMACK COUNTY

	YES	NO
Allenstown	890	686
Andover	480	469
Boscawen	525	488
Bow	1,773	1,737
Bradford	362	388
Canterbury	563	639
Chichester	568	534
Concord Ward 1	792	895
Concord Ward 2	628	664
Concord Ward 3	469	664
Concord Ward 4	606	975
Concord Ward 5	597	1,032
Concord Ward 6	529	631
Concord Ward 7	666	933
Concord Ward 8	632	712
Concord Ward 9	543	575
Concord Ward 10	968	1,213
Danbury	244	261
Dunbarton	590	555
Epsom	1,050	717
Franklin Ward 1	549	399
Franklin Ward 2	460	319
Franklin Ward 3	568	405
Henniker	802	1,043
Hill	193	174
Hooksett	2,908	1,752
Hopkinton	1,183	1,805
Loudon	1,049	935
New London	1,243	893
Newbury	583	386
Northfield	866	660
Pembroke	1,307	1,256
Pittsfield	705	604
Salisbury	308	244
Sutton	457	393
Warner	540	714
Webster	283	306
Wilmot	325	299
Totals	27,804	27,355

ROCKINGHAM COUNTY

	YES	NO
Atkinson	2,128	979
Auburn	1,285	807
Brentwood	898	599
Candia	1,030	759
Chester	1,134	675
Danville	955	657
Deerfield	1,035	742
Derry	6,031	4,069
East Kingston	593	349
Epping	1,394	1,099
Exeter	3,299	2,322
Fremont	905	557
Greenland	854	631
Hampstead	2,279	1,329
Hampton	4,154	2,691
Hampton Falls	720	353
Kensington	552	388
Kingston	459	961
Londonderry	5,231	3,320
New Castle	371	225
Newfields	432	309
Newington	266	163
Newmarket	2,094	1,425
Newton	978	693
North Hampton	1,319	811
Northwood	681	1,007
Nottingham	1,062	703
Plaistow	1,869	996
Portsmouth Ward 1	805	669
Portsmouth Ward 2	947	971
Portsmouth Ward 3	597	436
Portsmouth Ward 4	1,213	940
Portsmouth Ward 5	970	999
Raymond	2,058	1,359
Rye	1,582	1,064
Salem	5,863	3,399
Sandown	1,170	789
Seabrook	1,902	1,129
South Hampton	229	145
Stratham	1,878	1,128
Windham	2,865	1,525
Totals	66,087	44,172

STRAFFORD COUNTY

SULLIVAN COUNTY

	YES	NO		YES	NO
Barrington	1,693	1,289	Acworth	143	227
Dover Ward 1	936	728	Charlestown	895	698
Dover Ward 2	893	782	Claremont Ward 1	546	626
Dover Ward 3	1,231	938	Claremont Ward 2	850	890
Dover Ward 4	1,099	933	Claremont Ward 3	684	609
Dover Ward 5	888	769	Cornish	353	467
Dover Ward 6	717	1,030	Croydon	159	132
Durham	1,924	2,021	Goshen	149	166
Farmington	1,084	819	Grantham	600	704
Lee	894	853	Langdon	132	104
Madbury	408	379	Lempster	196	162
Middleton	338	248	Newport	1,051	993
Milton	812	570	Plainfield	487	612
New Durham	600	406	Springfield	287	267
Rochester Ward 1	963	702	Sunapee	852	713
Rochester Ward 2	861	650	Unity	209	337
Rochester Ward 3	851	646	Washington	264	191
Rochester Ward 4	794	658			
Rochester Ward 5	788	596	Totals	7,857	7,898
Rochester Ward 6	685	521			
Rollinsford	643	495			
Somersworth Ward 1	540	390			
Somersworth Ward 2	414	278			
Somersworth Ward 3	437	268			
Somersworth Ward 4	477	346			
Somersworth Ward 5	329	267			
Strafford	872	783			
Totals	22,171	18,365			

LIQUOR QUESTIONS

The following questions were submitted to the voters in the Town of Errol under the provisions of RSA 663:5 at the November 2, 2004 general election.

(a) Shall state stores be operated by permission of the state liquor commission in this city or town?

YES 130 NO 57

(b) Shall malt beverages (beer) be sold by permission of the state liquor commission in this city or town?

YES 165 NO 22

(c) Shall wines containing not less than 6 percent nor more than 15.5 percent of alcoholic content by volume at 60 degrees Fahrenheit (table wine) be sold by permission of the state liquor commission in this city or town?

YES 162 NO 25

(d) Shall liquor be sold for consumption on the premises where sold by permission of the state liquor commission in this city or town?

YES 147 NO 39

CHANGE IN POLLING HOUR QUESTION

The following question was submitted to the voters in the Town of Stratford under the provisions of RSA 659:4-a at the November 2, 2004 general election.

“Polling hours in the town of Stratford are now 8:00 a.m. to 7:00 p.m. Shall we change polling hours so that the polls shall open at 10:00 a.m. and close at 7:00 p.m. for all regular state elections beginning in 2006?”

YES 141 NO 120

RECOUNTS AFTER THE GENERAL ELECTION

Fourteen requests for recounts were received after the general election. One recount resulted in a change of winners - State Representative District 2 from Hillsborough County.

The recounts requested for State Senate District 8 and State Representative District 3 from Strafford County were called off before they were completed. There were no changes in any of the other recounts.

The recount of State Representative from Hillsborough County District 3 was appealed to the Ballot Law Commission. The Ballot Law Commission upheld the Secretary of State's ruling on all challenges.

Below, in the first column are the figures as officially returned to the Secretary of State. The second column contains the recount figures, and the third column contains the figures after appeals to the Ballot Law Commission. Asterisks designate the person elected.

State Senate District 12

David Gottesman, d	13,316*	13,335*
Harry Haytayan, r	13,128	13,164

State Senate District 18

Andre A. Martel, r	11,079*	11,095*
Dave Gelinas, d	10,914	10,929

STATE REPRESENTATIVES

CARROLL COUNTY DISTRICT 1

Carolyn Brown, r	4,588*	4,479*
Gene G. Chandler, r	4,123*	4,130*
Howard C. Dickinson, r	3,785*	3,769*
Tom Buco, d	3,403*	3,403*
Frank H. McCarthy, r	3,386	3,368
Carol A. LaPierre, d	2,771	2,767
Brian Charles, d	2,412	2,399
Jim Salmon, d	2,401	2,396

CHESHIRE COUNTY DISTRICT 2

John M. Pratt, d	2,714*	2,700*
Daniel Adams Eaton, d	2,609*	2,609*
Sheldon S. Sawyer, r	2,266*	2,293*
Alfrieda J. Englund, d	2,239	2,255
Susan R. Abert, r	2,092	2,077
Joseph Norman Feuer, r	1,777	1,769

CHESHIRE COUNTY DISTRICT 4

Stanley S. Plifka, Jr., d	2,999*	2,974*
Henry A. L. Parkhurst, d	2,875*	2,832*
William Butynski, d	2,801*	2,822*
Deb Hogancamp, r	2,642*	2,608*
Daniel P. Carr, d	2,579	2,555
Edwin O. Smith, r	2,298	2,267
Don Holmquist, r	1,814	1,789
Sharron H. Smith, r	1,713	1,658

CHESHIRE COUNTY DISTRICT 6

Peter H. Allen, d	3,210*	3,211*
Anna Z. Tilton, d	2,978*	2,986*
Sheila A. Foote, r	2,893*	2,880*
Judson K. Dexter, r	2,652*	2,639*
Richard H. Thackston III	2,626	2,632
Sharon Manos, d	2,607	2,616
Gilbert Gitchell, d	2,421	2,428
Nicole Schultz, r	2,077	2,010

HILLSBOROUGH COUNTY DISTRICT 2

Jarvis M. Adams IV, r	1,777*	1,772*
Claudia C. Chase, d	1,524	1,523*
Dario A. Carrara, r	1,555*	1,519
Nell Conkright, d	1,427	1,412

HILLSBOROUGH COUNTY DISTRICT 3

Anne-Marie Irwin, d	3,879*	3,858*	3,858*
Mark Carter, r	3,516*	3,507*	3,507*
Donald Carlson, r	3,058*	3,056*	3,056*
Larry Ross, r	3,026*	3,003*	3,003*
John Friede, d	2,971	2,963	2,963
Jill Shaffer Hammond, d	2,943	2,934	2,934
Terry A. Colls, r	2,684	2,680	2,680
Stephen P. Spratt, d	2,469	2,469	2,469

HILLSBOROUGH COUNTY DISTRICT 20

Ruth Ginsburg, d	2,437*	2,415*
Anthony P. Matarazzo, d	2,366*	2,373*
Eugene Kelly, Jr., r	2,244*	2,250*
Henry W. McElroy, Jr., r	2,197	2,204
Fred S. Teeboom, r	2,136	2,134
Jacek Nowicki, d	1,781	1,766

MERRIMACK COUNTY DISTRICT 5

Barbara Conner French, d	1,879*	1,864*
David P. Currier, r	1,554*	1,555*
Aaron M. Lavallee, d	1,530	1,516
James P. Walsh, r	1,121	1,096

SULLIVAN COUNTY DISTRICT 2

Arthur G. Jillette, Jr., d&r	3,162*	3,077*
Beverly T. Rodeschin, r	2,518*	2,518*
Peter E. Franklin, d	2,282*	2,268*
Henry Rodeschin, r	2,239	2,246
John Lunn, d	1,965	1,947

SULLIVAN COUNTY DISTRICT 4

Tom Donovan, d&r	5,116*	4,979*
John R. Cloutier, d&r	4,750*	4,612*
Joe Harris, d&r	4,569*	4,533*
Larry Converse, d&r	4,299*	4,215*
Christopher R. Irish, r	3,607*	3,608*
Sandra C. Harris, d	3,525	3,502