

## **Testimony in Favor of HB 492:**

**“AN ACT allowing political parties to request recounts when no candidate is named on the ballot.”**

Rdep. Timothy Horrigan (Strafford 10)  
House Election Law Committee, March 4, 2025

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HB 492 was inspired by an incident which happened last year in my county, Strafford County, during the state primary. The Republican Party had no candidates for the District 3 County Commissioner race. No one filed during the June filing period and no one was chosen to fill the vacant slot on the primary ballot immediately after the filing period. However, a Democrat did get enough write-in votes on September 10, 2024: long-time county commissioner George Maglaras, who was unopposed in his own party’s primary. He got just barely enough votes, i.e., 35, to be listed on the Republican column in the General Election. There were only 20 other Republican write-in votes in the September 10 primary, which were all tallied as “scatter.”

Rep. Kelley Potenza, on behalf of the Strafford County Republican Committee, asked for a recount but she was turned down by both the Secretary of State and the Ballot Law Commission on the grounds that she had no standing to ask for such a recount, since she did not run for county commissioner as a write-in candidate. In fact, no one had standing.

Commissioner Maglaras would have had standing to ask for a recount if he had gotten 34 votes in the election-night count.

The Strafford County Republicans’ desire for a recount was understandable. This bill would henceforth allow state party committees to ask for recounts in situations similar to the September 10, 2024 District 3 county commissioner race.

Just in case anyone is wondering how Commissioner Maglaras fared in the General Election, almost 90% of the voters in his county commissioner district voted for him.