

THE STATE OF NEW HAMPSHIRE

BALLOT LAW COMMISSION

BLC-2012-5

COMPLAINT OF VIRGIL GOODE, CANDIDATE FOR PRESIDENT OF THE
UNITED STATES

ORDER

On September 20, 2012, the Ballot Law Commission (“the Commission”) held a public hearing, pursuant to RSA 665:7 to hear and determine disputes arising over whether nomination papers or declarations of candidacy filed with the Secretary of State conform with the law. Specifically, the complainant alleges that he should be deemed in compliance with RSA 655:40 and 655:42, I, in that, but for the mishandling of nomination papers by four towns in the second congressional district, he would have submitted the requisite number of signatures to qualify for the November, 2012 ballot. The complainant did not appear at the hearing but was represented by Geoff Ferrell.

There was no dispute that the complainant submitted 33 signatures fewer than the 1500 required for the second congressional district, which exceeding that number for the first congressional district. Mr. Ferrell testified and submitted evidence that certain towns, after timely delivery of nomination papers on behalf of the complainant, misplaced those papers and did not have them certified by the supervisors of the checklist in time to meet the statutory deadline requiring the towns to act and to certify the names on the petitions as registered voters, for submission to the Secretary of State’s Office.

Mr. Ferrell further testified that the Goode campaign made persistent and good-faith efforts to contact the towns, request the return of the certified papers and remind town officials of the need to complete the certification process in a timely fashion.

The Secretary of State confirmed that had town officials not misplaced these papers, and based on a review of those papers submitted after the deadline, the complainant would have submitted sufficient signatures to qualify for the ballot.

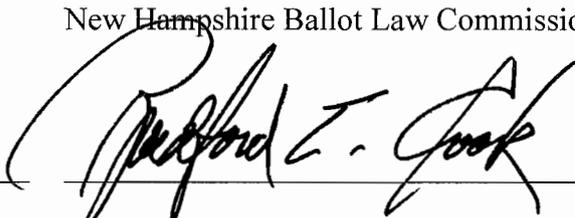
A motion was made and seconded to find that fifty-three (53) additional petitions submitted by the complainant were timely filed, and therefore, that the complainant has qualified to have his name and the name of his vice presidential candidate placed on the November, 2012 ballot, as candidates of the Constitution Party. That motion was approved by the Commission by a unanimous vote.

So ordered,

New Hampshire Ballot Law Commission

Date:

9/21/12



Bradford E. Cook, Esq., Chairman
Margaret-Ann Moran
Martha Van Oot
Michael Eaton
Elizabeth Hager