

**STATE OF NEW HAMPSHIRE
BALLOT LAW COMMISSION**

Decision BLC 2022-2

Appeal of Cohen Giordano

Cohen Giordano of Ossipee, New Hampshire, filed as a candidate for the Republican nomination for Carroll County Sheriff, which Declaration of Candidacy was received by the Secretary of State on June 9, 2022, within the state filing period. After review of registered voters, the declaration was rejected since Mr. Giordano was not listed as a registered voter in the state data base of registered voters. When informed of this, Mr. Giordano produced a voter registration form dated June 8, 2022, which he had completed in the town office of Ossipee. While there were entries on the registration form which might raise questions about his qualifications to register, those are not relevant to this decision. In fact, the Supervisors of the Checklist in Ossipee had met, as required by law, prior to June 8, and therefore could not act on the registration form, so Mr. Giordano name was not entered on the rolls. He appealed the decision of the Secretary of State to the Ballot Law Commission.

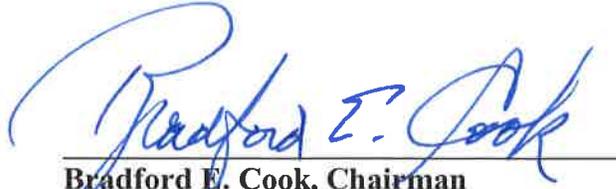
At hearing held June 16, 2022, Mr. Giordano contended that he is a qualified voter and could vote in any election. He also claimed that in discussion with one of the supervisors of the checklist at the time of his submitting his paperwork, he was told that person did not have the training to enter the registration into the state system, and apparently believed that to be the reason he was not on the voter rolls.

The Secretary of State, represented by Attorney Orville Fitch, explained the requirement for filing for office included being a registered voter in the party in which primary the candidate wished to run, and that Mr. Giordano had not completed the process of registration in time, so at the time of filing, he was not a registered voter.

DECISION

Having heard the evidence, the Commission unanimously agrees with the decision of the Secretary of State. There are different requirements for registering to vote and for filing for office under New Hampshire statute. While Mr. Giordano is correct that he is entitled to vote, and could in fact register at the polls on election day to do so, the action which he was interested in taking was filing a declaration of candidacy to run for office. The requirements for that are set forth in statute. NHRSA 655:17 states the elements which are required to file, and that includes being a registered voter in the party at the time of filing. Mr. Giordano's registration to vote was incomplete at the time he submitted his paperwork to run for office, and there is no provision in law for him to be able to cure this by later completion of registration, which he did not do, in any event, according to the testimony at the hearing. It is the individual's obligation to comply with the provisions of law as to how to become a candidate, and Mr. Giordano did not comply with the requirements of statute. Therefore, the Commission finds that his declaration of candidacy was rejected properly, and upholds the decision of the Secretary of State.

So ordered.

A handwritten signature in blue ink that reads "Bradford E. Cook". The signature is written in a cursive style with a large initial 'B' and 'C'.

Bradford E. Cook, Chairman

David Campbell

Michael Eaton

Robert LeTourneau

Kathleen Sullivan

6/23/22