

STATE OF NEW HAMPSHIRE
BALLOT LAW COMMISSION

Petition of Libertarian Party of New Hampshire

BLC 2018-2

BACKGROUND: Tom Alciere, of Hudson, New Hampshire, filed to run for the U.S. House of Representatives, Second District, as a candidate of the Libertarian Party in the September Primary. His Declaration of Candidacy complied with statutory requirements, stating that he was a registered member of the Libertarian Party and complied with the other requirements for that office. His Declaration was accepted by the Secretary of State's Office during the 2018 filing period.

The Libertarian Party, through its former Chair, Darryl W. Perry, challenged the filing and placement of Mr. Alciere's name on the primary ballot, by communication received in the Secretary of State's Office on June 14. In it, the party contends that it took formal action to revoke Mr. Alciere's membership in the party and, therefore, his name should not be placed on the ballot of that party.

The Ballot Law Commission held a hearing on the matter in Concord on June 25. At the hearing, Mr. Perry presented the same arguments as set forth in the written communication. Mr. Alciere testified that he had complied with the requirements of filing for office, is a registered voter affiliated with the Libertarian Party, and therefore has met the statutory requirements for candidacy. He cited Ballot Law Commission decisions denying requests to disqualify candidates who were not deemed "real" members of various parties.

DECISION

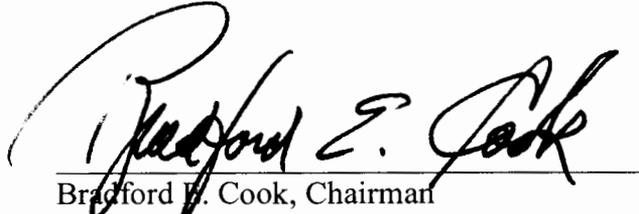
New Hampshire RSA 654 I (a)(1) states, in relevant part, "Any legal voter...may change such registration by appearing in person before the supervisors of the checklist for his town or ward any time they meet...and stating to them under oath or affirmation, if required, that: (1) he intends to affiliate with and generally supports the candidates of the party with which he offers to register, in which case he shall be registered as a member of such party..." Mr. Alciere did so register, and therefore became a member of the Libertarian Party, as far as the statutory requirements of New Hampshire law are concerned. The Libertarian Party was unable to cite any statute or case law in New Hampshire which allows it to control the membership of the party, at least as far as ability to run in the party primary is concerned. The Commission is aware of no such law which would modify statutory requirements.

ORDER

The Ballot Law Commission denies the petition of the Libertarian Party asking that the name of Tom Alciere be removed from the primary ballot of the Libertarian Party, with the resulting effect that his name will remain on the primary ballot of the Libertarian Party as a candidate for U.S. House of Representatives, in the Second District of New Hampshire.

SO ORDERED.

June 25, 2018

A handwritten signature in black ink, appearing to read "Bradford W. Cook", written over a horizontal line.

Bradford W. Cook, Chairman
Michael Eaton
Bobby Stephen
David Campbell
Eugene Van Loan III