

A Guide for Candidates



Village of Fredonia

REGISTERING AS A CANDIDATE

Every person seeking public office in the Village of Fredonia should register with the Village Clerk as soon as the person has decided they would like to become a candidate (See A and B below).

Candidates must be a resident and qualified elector* of the Village on the date of the election.

*Qualified elector is defined in s.6.02, Stats., as a U.S. Citizen, 18 years of age or older, who has resided in the election district for at least 28 days before any election at which he or she offers to vote (and who is not disqualified by virtue of one or more of the impediments described in s.6.03, Stats.).

Note: No person may hold any state or local elected office in Wisconsin if the person has been convicted of a felony in any court in the United States unless the person has been pardoned of the conviction. No person may have his/her name placed on the ballot for any state or local elected office in Wisconsin if the person has been convicted of a felony in any court in the United States unless the person has been pardoned of the conviction. (Article XIII, Section 3 (2), (3), Wis. Constitution)

A. Declaration of Candidacy - A Declaration of Candidacy form (EL-162) must be filed as soon as the candidate has formed the intent to run for office, but no later than the latest time provided for filing nomination papers (State Statute 8.21).

B. Campaign Registration Statement - A Campaign Finance Committee/Conduit Registration Statement (CF-1) must be filed with the Village Clerk as soon as the candidate has formed the intent to run for office. It **must** be filed before spending or receiving any money for the campaign and no later than the deadline for filing nomination papers. Both the candidate and the treasurer must sign it. Depository information **must** be completed. Any change in information must be reported within 10 days following the change (State Statute 11.05).

C. Penalty for Not Filing a Registration Statement - Failure to file the original registration statement (CF-1) by the deadline for filing nomination papers will prevent a candidate's name from appearing on the ballot. If a required statement or amendment is not filed on time, the registrant may be subject to a fine.

2. NOMINATION PAPERS

Nomination papers may be obtained from the Village Clerk or the Wisconsin Elections Commission. The form may be reproduced in any way, and the candidate's picture and biographical data may also be added to the form.

Each candidate is responsible to assure that his/her nomination papers are prepared, circulated, signed and filed in compliance with statutory requirements.

THE CIRCULATOR MUST PERSONALLY PRESENT THE NOMINATION PAPER TO EACH SIGNER. **THE NOMINATION PAPERS MAY NOT BE LEFT UNATTENDED ON COUNTERS OR POSTED ON BULLETIN BOARDS.**

A. Page Numbers – Number each page consecutively, beginning with “1”, before submitting to the Village Clerk. A space for the page number has been provided in the lower right-hand corner of the form.

B. Candidate’s Name – Insert the candidate’s name as it will appear on the ballot. A candidate may use his or her full legal name, or any combination of first name, middle name, and initials or nickname with the last name. No abbreviations or titles are permitted. A nickname is defined as a familiar or shortened form of a proper name by which an individual is commonly known. Names which are not familiar or shortened forms of proper names, such as “Red”, “Skip”, or “Lower Taxes” are not permitted. A nickname is a substitute for the candidate’s legal name. It is not permissible to add the nickname in quotes between the first and last name. For example, John “Jack” Jones is **not** acceptable, but Jack Jones is.

C. Candidate’s Residence – If a candidate’s municipality of residence is different from the municipality used for mailing purposes, both must be given. Indicate if the municipality of residence is a town, village or city.

D. Date of Election – Insert the date of the election.

E. Title of Office – The name of the office must be listed clearly identifying the office the candidate is seeking, such as Village of Fredonia Trustee.

F. Name of Jurisdiction – The nomination papers must also identify the municipality or jurisdiction in which the signing electors are qualified to vote as it relates of the office sought by the candidate.

G. Signatures of Electors – Only qualified electors of the jurisdiction or district the candidate seeks to represent may sign the nomination papers.

Each elector signing a nomination paper must list all of the information required. Each elector’s municipality of residence must be listed on the nomination paper along with the mailing address, including any street name and number, rural route, P. O. Box number and/or fire number. The street and number or Rural Route section for each elector’s address is split into two lines. The first line is for the street address. The second line is for the municipality for mailing purposes. **The Municipality of Residence listed for each signing elector must clearly identify the town, village, or city where the elector’s voting residence is located.** A post office box number alone does not show where the elector actually resides. The date the elector signed the nomination paper, including month, day and year, must be indicated. Ditto marks that follow correct and complete address or date information are acceptable.

A husband may **not** sign for his wife or vice versa. A married woman may sign “Mrs. John Brown” or “Mary Brown”.

Only one signature per person for the same office is valid. Where an elector is entitled to vote for more than one candidate for the same office, a person may sign the nomination papers of as many candidates for the same office as the person is entitled to vote for at the election.

Signatures shall **not** be counted if:

- The address of the signer is missing or incomplete, unless residency can be determined by the information provided on the nomination paper.
- The date of the signature is missing, unless there is a valid date above and below the signature.
- The circulator did not sign and date the nomination papers.

H. Signature of Circulator – **AFTER** obtaining signatures of electors, the circulator must sign and date the certification, certifying that he or she personally presented the nomination paper to each signer. The circulator’s complete address (including municipality of residence) must be listed in the certification.

I. Filing Deadline – Nomination papers must be in the physical custody of the Village Clerk by the filing deadline. A postmark on the filing deadline is **not** sufficient. Nomination papers **cannot** be faxed to the filing officer.

Spring Election – Nomination papers may not be circulated prior to December 1, of the year prior to the election. Nomination papers must be filed, with the required number of signatures, with the Village Clerk no later than 5:00 p.m. on the first Tuesday in January before the spring election.

Special Elections – Check with the Village Clerk as special elections have different filing deadlines.

In order for a candidate’s name to be placed on the ballot, the candidate must file a Campaign Registration Statement (CF-1), a Declaration of Candidacy (EL-162), and Nomination Papers (EL-169) containing the appropriate number of signatures for the office sought no later than the filing deadline. If any one of these required forms is not filed by the deadline, the candidate’s name will not be placed on the ballot.

J. Number of Signatures Required

Village of Fredonia President	20 – 100
Village of Fredonia Trustee	20 – 100

K. Challenging Nomination Papers – Nomination papers may be challenged within 3 business days. The challenge must contain a sworn statement and supporting evidence establishing an insufficiency in a candidate’s nomination papers and must be filed with the Village Clerk.

3. CAMPAIGN FINANCES

The information required to be listed on a Campaign Finance Report (CF-2L) discloses the financial activity of the registrant’s campaign. The law requires disclosure of campaign income, disbursements and incurred obligations. Full information regarding campaign finances is outlined in the *Campaign Finance Instruction & Bookkeeping Manual*.

If you have any questions, contact your filing officer or the Wisconsin Elections Commission. **Even if the candidate is exempt from filing financial reports, he/she must keep complete financial records.**

A. Exemption from Filing Campaign Finance Reports - Most candidates for municipal offices will be eligible for an exemption from filing campaign finance reports under the provisions of the state statutes. Candidates are eligible for this exemption if the candidate does not anticipate accepting contributions, making disbursements, or incurring obligations in an aggregate amount of more than \$2,500 in a calendar year.

A candidate requesting exemption should check the appropriate box and sign on the appropriate line on the Campaign Registration Statement (CF-1).

A candidate who is eligible for exemption from filing campaign finance reports may use a personal account as the campaign depository, as long as he/she remains exempt from reporting. This account **must** be listed on the Campaign Registration Statement (CF-1).

B. Campaign Depository Account - Candidates must designate a campaign depository account within 5 business days after the candidate receives his/her first contribution and before the candidate makes or authorizes any disbursement on behalf of his/her candidacy. The account should be a checking account, but it could be a savings account if a negotiable instrument can record the withdrawals (State Statute 11.10 (1)).

C. Campaign Treasurer - The candidate may appoint himself/herself or any other elector as Campaign Treasurer. The candidate may remove a Campaign Treasurer at any time and designate a successor. An amended Campaign Registration Statement must be filed with the Village Clerk within 10 days of the change. If there is an interim period, the candidate shall be deemed his or her own Campaign Treasurer.

The candidate bears the responsibility for the accuracy of each campaign finance report for purposes of civil liability whether or not the candidate certifies it personally (State Statute 11.10 (1) and 11.10 (2)).

D. Campaign Finance Reports - A candidate that is not exempt shall file pre-primary and pre-election reports, called Campaign Finance Reports (CF-2), with the Village Clerk no earlier than 14 days and no later than 8 days preceding the primary and the election.

Election reports shall be filed with the Village Clerk no earlier than 23 days and no later than 30 days after each special election (State Statute 11.20 (2m)).

If a candidate receives no contributions and makes no disbursements during the reporting period, he/she may file a Campaign Finance Report, Short Form (CF-2a). It should be used only when there has been no financial activity and the cash balance is unchanged during the reporting period.

No person may prepare or submit a false report or statement to a filing officer.

E. Limitations on Contributions - No individual may make any contribution to a candidate for the following offices of more than a total of the amount specified per candidate:

<u>Office</u>	<u>Amount</u>
Village President	\$ 500.00*
Village Trustee	\$ 500.00*

*For districts with a population of 25,000 or fewer.

F. Unlawful Contributions - No person may directly or indirectly make any contribution other than from funds or property belonging to the contributor.

In addition, a candidate may not accept:

- Anonymous contributions of more than \$10.
- Cash contributions over \$50.
- Contributions given in the name of someone other than the contributor or contributions from Corporations or Cooperatives.
- Contributions in excess of the limits set by law or rule.

No person may intentionally accept or receive any contribution made in violation of the above rules.

Note: Please reference the *Campaign Finance Instruction and Bookkeeping Manual* for full information regarding campaign finances.

4. CAMPAIGN ADVERTISING

A. Disclaimer - State law requires that all campaign advertising carry a disclaimer (information identifying its source). The disclaimer shall be identified by the words "Paid for by" followed by the name of the candidate or other individual making the payment or reimbursement or assuming responsibility for the communication. No abbreviation may be used in identifying the name of a committee or group. Disclaimers must be readable and legible.

Items that are exempt from having a disclaimer printed on them are: pins, balloons, pens, buttons, nail files and other small items on which the information cannot be conveniently printed (State Statute 11.30 (fm)).

B. Signs - Signs may be placed on private property with the owner's permission. Renters of residential property may exercise the same right as the owners to place a sign upon the property in any area of the property occupied exclusively by the renter. The terms of a lease or other agreement under which residential property is occupied shall control in determining whether property is occupied exclusively by a renter (State Statute 12.04 (5)(a)).

Signs cannot:

- Constitute a traffic hazard.
- Be placed within 100 feet of an entrance to a building containing a polling place unless they are on private property. (This includes a car with a bumper sticker or a car top carrier with a campaign message on Election Day. An exception will be made for the period of time the occupant of the car is inside voting).
- Exceed 100 square feet in area on all sides in a business or industrial district or 20 square feet in area on all sides in a residential district.
- Be placed on public property or in any public right of way.

If a sign is on private property and the owners want it removed, it may be removed by the election inspectors, the candidate, the police, or the property owners.

C. Campaign Literature - A disclaimer must be listed on all literature, including signs. When distributing literature, you may **not** put it in mailboxes.

5. SOME PROHIBITED ELECTION PRACTICES

- No election official may engage in electioneering on Election Day.
- No person may engage in electioneering during polling hours on Election Day within 100 feet of an entrance to a building containing a polling place.
- No person may knowingly make or publish, or cause to be published, a false representation pertaining to a candidate.
- No person may receive or accept any money, gift, loan, valuable consideration, office or employment for himself or for any other person, in consideration that he or any elector will so act or has so acted.
- No person may advance, pay or cause to be paid any money to or for the use of any person with the intent that such money or any part thereof will be used to bribe electors at any election.

This section does not prohibit any person from using his/her own vehicle to transport electors to or from the polls without charge.

6. NOTIFICATION FOR NON-CANDIDACY (INCUMBENT OFFICEHOLDERS)

Incumbent officeholders who do not plan to seek re-election must file a Notification of Non-Candidacy (EL-163) with the filing officer no later than 5:00 p.m. on the second Friday preceding the deadline for filing ballot access documents.

If an incumbent officeholder has not filed a Notification of Non-Candidacy or filed ballot access papers by the filing deadline, the deadline for that office is extended for 72 hours for all other candidates for that office only. The 72 hour extension is not granted to the incumbent.

If an incumbent candidate timely files the Notification of Non-Candidacy and later changes his or her mind, the incumbent may still run for re-election by timely filing all the appropriate ballot access papers.

7. WHOM TO CONTACT WHEN YOU HAVE QUESTIONS

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