

2012 SPRING ELECTION CANDIDATE INSTRUCTIONS

As a candidate for a City of Appleton office, you may find the following information helpful as you prepare your election campaign for the Spring Election. This information identifies the main steps you must take to have your name appear on the ballot. Please read ALL of the attached information thoroughly.

ALDERMANIC DISTRICTS

Be sure to review and understand where the Aldermanic District boundaries are. Only persons living *within* the Aldermanic district may run for office or sign nomination papers.

ELECTION DATES

Spring Primary Election – February 21, 2012
(Required when three or more candidates file for the same office.)

Nonpartisan Spring Election – April 3, 2012

Elections for *even-numbered Aldermanic Districts* are held in *even-numbered years* and odd-numbered Aldermanic Districts are held in odd-numbered years.

The office of Mayor and Attorney are elected to four year terms with the next election to be held in 2012.

IMPORTANT STEPS

1. A ***Campaign Registration Statement (GAB-1)*** is to be filed with the City Clerk as soon as you decide to become a candidate and **MUST BE FILED BEFORE ACCEPTING ANY CONTRIBUTIONS OR SPENDING OR INCURRING ANY OBLIGATIONS.**
2. ***Nomination Papers (GAB-169)*** may be obtained from the City Clerk. The first day to circulate nomination papers (obtain signatures) is DECEMBER 1, 2011, **NO EXCEPTIONS!**
3. The filing deadline is 5:00 p.m. on the first Tuesday in January (*January 3, 2012*)

Remember:

Papers to be filed on or before January 3, 2012 include:

- a) *Campaign Registration Statement* (GAB-1)
- b) *Nomination Papers* (GAB-169)
- c) *Declaration of Candidacy* (GAB-162)

d) Incumbents must also complete the *Notification of Noncandidacy* (GAB-163) if they do not wish to be a candidate.

You are responsible for becoming familiar with the election and campaign finance requirements that apply to your campaign. General information about the election and campaign finance requirements are provided on the attached pages, or additional information can be obtained from your local filing officer (City Clerk), or the State Government Accountability Board - <http://gab.wi.gov/> This information is not to be interpreted as either legal advice or a release from your responsibility to comply with the law.

PLEASE READ ALL INFORMATION PROVIDED.

If you have any questions, call the City Clerk's Office at 920-832-6447. Thank you.

REGISTRATION and FINANCIAL REPORTING REQUIREMENTS

All candidates for elective office must file a *Campaign Registration Statement* (GAB-1) with the City Clerk. **IMPORTANT:** This must be done as soon as a person announces his or her candidacy or **BEFORE ACCEPTING ANY CONTRIBUTIONS AND BEFORE SPENDING OR INCURRING ANY OBLIGATIONS.**

Instructions for completing the Campaign Registration Statement:

Seven items of information are required on a campaign registration statement (GAB-1). When any of this information changes, an amendment to the registration statement must be filed with the filing officer within **ten days** of the change. The box at the top of the registration statement is checked to indicate an amendment to a previously filed statement.

- Section 1. Candidate and Candidate Committee Information.
All areas of this section should be completed. It contains the information identifying the candidate and committee. Political Action Committees, Political Party Committee, Recall Committee, and Political groups (referendum) do not complete this section.

- Section 2. Political Committee Information.
This section would normally not apply to local offices. If, however, you wish to file a political action committee, please contact the City Clerk for additional information.

- Section 3. Campaign Treasurer.
If a candidate is not serving as his or her own treasurer, the Registration Statement must be co-signed by the candidate and the treasurer.

It is important that the treasurer's name, address and telephone number be provided on the registration statement and be kept current. All notices and forms for campaign finance reports will be sent to this person at the address given in this section.

Section 4. Principal Officers of the Committee and Other Custodians of Books and Accounts.

If the committee has other officers besides the treasurer, they should be listed in Section 4.

Section 5. Campaign Depository.

All political registrants MUST HAVE a campaign depository account in which all contributions and disbursements are made through the same account. The name of the financial institution should be listed in Section 5 along with its complete address. The campaign account number must be listed on the form.

A candidate may use a personal checking account for the campaign depository account as long as the committee remains exempt. However, accurate records must be maintained as to what is being used for political and personal expenses.

Section 6. Certification.

All original *Campaign Registration Statements* must be signed by the candidate and the committee treasurer (if not the same person as the candidate)

Section 7. Exemption from Filing Campaign Finance Reports.

The personal campaign committees of many candidates for local office at the Spring Election may be eligible for an exemption from filing Campaign Finance Reports if the campaign finance activity is low enough to meet certain criteria:

1. The candidate anticipates that he or she will not accept receipts, make expenditures, or incur loans and other obligations exceeding \$1,000 in a calendar year. (Jan. 1st to Dec. 31st.)
2. The candidate anticipates that he or she will not accept any contribution or cumulative contributions from a single source exceeding \$100 in a calendar year.

EXCEPTION: Contributions by a candidate from his or her own funds may go up to \$1,000 in a calendar year.

The candidate or treasurer must sign the request for exemption on the signature line of the Certification of the ***Campaign Registration Statement*** (GAB-1).

If the committee is exempt, it is not required to file any campaign Finance Reports with the City Clerk at any time unless a decision is made at a later date to exceed \$1,000 limits on receipt and expenditures or to raise more than \$100 from a single source for the campaign during a calendar year.

If exemption is not made on the ***Campaign Registration Statement***, or if your exemption status changes, the candidate must file a ***Campaign Finance Report*** (GAB-2) with the City Clerk no earlier than 14 days and no later than 8 days before the Spring Primary and Spring Election. This report will be forwarded to you by the filing officer. These forms and instructions can also be obtained from the filing officer at any time during your campaign.

Amending the Campaign Registration Statement.

If the information reported on the ***Campaign Registration Statement*** changes after it is filed, the statement must be amended by the candidate or treasurer within 10 days of the date the information changes by filing an amendment with the City Clerk. If a required statement or amendment is not filed timely, the registrant may also be subject to a fine.

NOMINATION PAPERS

Each candidate for public office has the responsibility to assure that his or her nomination papers are prepared, circulated, certified, and filed in compliance with statutory requirements.

Preparing your nomination papers

- The candidate's name or nickname IS PERMITTED on nomination papers. When using a nickname, it must be a familiar or shortened form of a proper name by which an individual is commonly known. You may NOT use a name which is not a familiar or shortened form, such as "Red", "Buster", "Skippy", or "Lower taxes Bill".
- A candidate's residence and mailing address including street, number and municipality shall be listed on the nomination paper. If the mailing address is different from the residence, both must be given.
- All nomination papers must be sequentially numbered.

Circulating your papers - obtaining signatures

Number of signatures:

- a. Alderperson - Not less than 20 nor more than 40.
 - b. Mayor, Attorney - Not less than 200 nor more than 400.
- An elector shall sign his or her own name unless unable to do so because of physical disability.
 - Only ONE signature per person for the same office is valid. Exception: 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.
 - Use of ditto marks is permissible to show residence and date of signing by the elector on nomination papers.

Legal areas where papers can be circulated:

- a. Alderperson - within the Aldermanic district.
- b. Mayor, Attorney - within the city limits.

Who may circulate and sign nomination papers:

Circulating your papers

- A circulator must be U.S. citizen, age 18 or older (on the date of circulation) and has not been disqualified as an elector. Circulators do not need to be resident of the jurisdiction or district in which the petition is circulated.
- A candidate may circulate and sign his or her own papers.

Filing your nomination papers

- Nomination papers must be filed with the City Clerk on or before 5:00 p.m. on the first Tuesday in January.
- When the nomination papers are filed with the City Clerk, each paper is examined to determine the legality of the circulators and signers and certified that they are correct.
- Where any required item of information on a nomination paper is incomplete, the filing officer will accept the information as complete if there has been substantial compliance with the law and content can be determined by the information provided on the nomination paper.

- Nomination papers become a matter of public record after they are filed.
- When a candidate files nomination papers with the City Clerk, he or she officially becomes a candidate for that elected office and his or her name will appear on the ballot. If the candidate decides, after having filed nomination papers, to withdraw as a candidate for elected office, his or her name will still appear on the ballot.
- Any information which appears on a nomination paper is entitled to a presumption of validity.
- Errors in information contained in a nomination paper, committed by either a signer or a circulator, may be corrected by an affidavit of the circulator, an affidavit of the candidate, or an affidavit of a person who signed the nomination paper not later than three days after the due date for nomination papers to be filed.

CHALLENGES TO NOMINATION PAPERS

- The filing officer shall review any verified complaint concerning the sufficiency of nomination papers of a candidate for a local office that is filed under §5.05 (3) and 5.06, Wis. Stats. The filing officer shall apply the standards in El Bd. 2.05 to determine the sufficiency of nomination papers.
- Any challenge to the sufficiency of a nomination paper shall be filed within three business days after the filing deadline.
- The burden is on the challenger to establish any insufficiency. If the information on the nomination paper appears insufficient, the burden is on the candidate to establish its sufficiency.
- The filing officer shall examine any evidence offered by the parties or consult with other public officials when reviewing the complaint filed against a candidate for a local office.

WRITE-IN CANDIDATES

- If, after the deadline for filing nomination papers, a candidate wishes to run for office, he or she must file a *Campaign Registration Statement* (GAB-1) with the filing officer and follow all financial reporting requirements as the other candidates.
- In order to place a vote for a “write-in” candidate, electors must be instructed to write in the candidate’s name on the ballot.

CAMPAIGN INFORMATION

Name Placement on Ballot

- After certification of candidates, names are drawn for position on the ballot at a public drawing. All candidates will be given prior notice of the drawing.
- The candidate who wins the primary election will automatically have their name placed on the Spring Election ballot, but a second drawing for position will be required.
- Failure to file the original *Campaign Registration Statement* by the deadline prevents a candidate's name from appearing on the ballot.

Identification of Political Materials - Use of Disclaimer

- Every communication (campaign literature, letters, envelopes, etc.) which is paid for or reimbursed by a candidate, committee or group, shall be identified by the words:
“PAID FOR BY...”
followed by the name of the individual, committee or group. No abbreviation may be used in identifying the name of a committee or group.
- This ruling does not apply to pins, buttons, pens, balloons, nail files and similar small items on which the information cannot be conveniently printed.
- The candidate must be clearly identified in all communication without ambiguous reference.
- Only the incumbent can use the title of the office for which he/she is seeking during the election campaign.
- When distributing literature, be sure **NOT TO LEAVE ANY IN MAILBOXES**, but fasten them down in some manner (attach to doorknob, under a doormat, or between two doors).

Political Signs

- No political signs, except billboards, shall exceed sixteen (16) square feet per lot, posted on private property.
- No political sign shall be located **in, upon or over the street right-of-way** or at any intersection creating an obstruction of view.
- **NO POLITICAL SIGNS ARE TO BE PLACED ON CITY-OWNED PROPERTY.**

Prohibited Election Practices

- No election official may engage in electioneering on election day. (Electioneering is defined as any activity which is intended to influence voting at an election.)
- 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.
- The municipal clerk, election inspector or law enforcement officer may remove posters or other advertising which is placed in violation.

EFFECTS OF FILING/NOT FILING NOTIFICATION OF NONCANDIDACY (GAB-163)

If an incumbent.....

Chooses to run and files nomination papers, a GAB-163 not required to be filed.	Filing deadline stays Jan. 3
Chooses NOT to run, Files GAB-163 and does not file nomination papers	Filing deadline stays Jan. 3
Chooses NOT to run, Files GAB-163 and then decides to run for office and files nomination papers on time.	Filing deadline stays Jan. 3
Chooses NOT to run, does NOT file nomination papers and does NOT file GAB-163.	Filing deadline Extended to Jan. 6th !

- **IF THE DEADLINE IS EXTENDED, THE INCUMBENT CANNOT FILE NOMINATION PAPERS DURING THE 72 HOUR EXTENSION.**

Please note:

- **THE FILING DEADLINE FOR THE GAB-163 FORM IS Tuesday, DECEMBER 27, 2011. If this form is not filed by December 27, the filing deadline for nomination papers, (for only the district in which the form has not been filed) will be extended to January 6, 2012 instead of January 3, 2012.**