

Town of Fulton

Candidate's Handbook for Elections

Updated: October 2007

NECESSARY FORMS

Each of the following forms must be completed and filed on time for candidates for municipal office, in order for the candidate's name to be placed on the ballot for the Spring Primary and/or the Spring General Election: Campaign Registration Statement, Nomination Papers, and Declaration of Candidacy.

In the Town of Fulton, candidates for municipal office must file forms and reports with that office. The filing officer is the Town Clerk/Treasurer and candidates should contact the Town Clerk (868-4103) with any questions.

NOMINATION PAPERS

Prior to announcing your candidacy for office or circulating nomination papers, you must file a Campaign Registration statement in the Town Office. The first day for circulating nomination papers is December 1, and the deadline for filing nomination papers is 5:00 p.m. on the first Tuesday in January, or the next business day if the office is closed. (State Statutes 8.10) If all papers are not turned in by the deadline, the candidate's name will not be placed on the ballot.

Candidates for Town Chairperson or Town Supervisor need to complete the following forms:

1. Campaign Registration Statement, Form EB-1. Candidates should file a campaign registration statement as soon as intent to seek elective office is known, before funds are collected or spent. All candidates should file a campaign registration statement or amended statement before circulating nomination papers. The candidate's name will not be placed on the ballot if this form is not filed on time.
2. Nomination Papers, Form EB-169. Nomination papers may be circulated any time after December 1, and after the candidate has filed a Campaign Registration Statement with the Town Clerk. Signers must include their complete signature, complete address, and date of signing. Each nomination paper must be signed by the Circulator. The instructions for the completion of the nomination papers are on the back of each paper, and should be followed carefully.

For the Town of Fulton, 20 to 100 signatures are required for the office of Town Supervisor or Town Chairperson. It is always a good idea to have more than the minimum, just in case some signatures might be declared invalid.

3. Declaration of Candidacy, EB-162. This form must be filed with the Town Clerk no later than the deadline for filing nomination papers or the candidate's name will not appear on the ballot. The candidate must indicate how their name should appear on the official ballot. This form must be sworn to and signed in the presence of a notary or person authorized to administer oaths, such as the municipal clerk.

4. Notification of Non-candidacy, EB-163. The purpose of this form is to notify the filing officer and the electorate of an incumbent officeholder's intent NOT to seek re-election to the same office, and to avoid an extension of the deadline for filing nomination papers.

Incumbent officeholders who do not intend to seek re-election to the same office should file the Notification of Non-candidacy no later than 5:00 p.m. on the second Friday preceding the deadline for filing nomination papers.

Following the submittal of all of the above forms to the Town Clerk, the forms will be checked for validity. For each election, the municipal clerk will draw the candidate's names by lot for order placement on the ballot.

SIGN RESTRICTIONS

Political and Campaign Signs. Political and campaign signs do not require a permit. Signs containing a political message as defined in Sec. 12.04 Stats., are subject to the following regulations:

A. Signs may be erected not earlier than the beginning of the election campaign period as defined in sec. 12.04, Stats., and shall be removed within 15 days following the end of the election campaign period.

B. No sign, except billboards, shall exceed 32 square feet in any nonresidential zoning district.

C. No sign shall be located in or over any street right of way nor within the vision clearance triangle as established in the Zoning Code.

D. Signs for political candidates which shall not be larger than 16 square feet, provided they are put up no earlier than 30 days before the election and removed within five days after the election.

CAMPAING FINANCING (State statutes Chapter 11)

Candidates are exempt from filing a Campaign Finance Report (EB-2) if they meeting the following criteria:

1. The candidate anticipates that he/she will not accept contributions, make disbursements, or incur loans and other obligations in an aggregate amount exceeding \$1,000 in a calendar year.

2. The candidate anticipates that he/she will not accept any contributions or cumulative contributions from a single source exceeding \$100 in a calendar year.

3. The candidate or treasurer signs and dates the request for exemption on the Campaign Registration Statements.

The \$100 limit on contributions from a single source does not apply to contributions from a candidate's personal funds for his/her own campaign if the candidate's contributions total \$1,000 or less in a calendar year.

When the candidate is exempt, he/she is not required to file any Campaign Finance Reports. However, the candidate or treasurer is required to keep financial records adequate to meet the requirements of campaign finance law. This means that a record must be kept of all contributions to the committee and of all expenditures.

A candidate who is exempt from filing campaign finance reports may use a personal account as the campaign depository. A separate campaign depository account is not required.

If a decision is made at a later date to exceed the \$1,000 limit on contributions and disbursements, or to raise more than \$100 from a single source for the campaign during a calendar year, the candidate must amend the campaign registration statement immediately.

The Campaign Finance Report (EB-2), for contributions of \$1000 or more, is a ten page form provided to candidates, upon request, by the Town Clerk.

ELECTION DAY CAMPAIGN RESTRICTIONS (State Statute 12.03 & 12.04)

1. Persons are prohibited from electioneering on public property within 100 feet of an entrance to a building containing a polling place, or engage in any activity which disrupts voting or interferes with orderly conduct of the election. This prohibition does to apply to electioneering or private property within 100 feet of an entrance to a polling place. The placement of election signs on private property within 100 foot radius is permissible.
2. State Statute 12.04 (2) states that any individual may place a sign containing a political message upon residential property owned or occupied by that individual during an election campaign period. The Town Clerk, Election Inspector, or police officer may remove posters or other advertising which is placed in violation of this section.

DISCLAIMERS (State Statute 11.30)

Every communication which is paid for by political funds must contain a disclaimer or attribution statement identifying the source of the funds paying for the communication. This includes every printed advertisement, billboard, handbill, sample ballot, television or radio advertisement or other communication paid for by political funds. Disclaimers should be included on each separate page of political communication, including letterhead and enclosures. Disclaimers should also be on items such as T-shirts,

bumper stickers and yard signs. The disclaimer **must** use the words “**Paid for by**” (abbreviations should not be used for this language) followed by the name of the committee or group making the payment or assuming responsibility for the communication and the name of the treasurer or other authorized agent. When communication is being paid for through an in-kind contribution, it must bear the disclaimer of the recipient campaign committee. Abbreviations may not be used for the name of a candidate or campaign committee.

No disclaimer is required on:

1. Personal correspondence not reproduced by machine for distribution.
2. A single personal item which is not reproduced or manufactured by machine or other equipment.
3. Nomination papers even if the papers contain biographical information.
4. Pins, buttons, pens, balloons, nail files and similar small items on which a disclaimer cannot be conveniently printed.
5. Envelopes which have campaign committee identification printed on them.

FORMATS FOR DISCLAIMERS

When a communication is paid for by a candidate without a committee, or paid for by an individual, the disclaimer should read: “**Paid for by Mary Smith**”.

When the communication is paid for by the campaign committee of a candidate or by a political committee, the disclaimer should read: “**Paid for by Friends of Mary Smith for Mayor, John Jones, Treasurer**” or “**Paid for by the Committee for Voters, John Jones, Treasurer.**”

When the communication is an independent expenditure, either supporting or opposing a candidate, the disclaimer should read: “**Paid for by the Committee for Voter, John Jones, Treasurer. Not authorized by any candidate or candidate’s agent or committee**”.