A Guide for Candidates

Prepared by:

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Ozaukee County Clerk

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1. **REGISTERING AS A CANDIDATE**

Every person seeking public office should register with the appropriate filing officer as soon as the individual has decided they would like to become a candidate (See A & B below).

**State or Federal Offices – Government Accountability Board**
- Senate
- Congress
- Assembly
- Judges
- District Attorney
- Superintendent of Public Instruction

**County Offices – County Clerk**
- County Clerk
- Treasurer
- Sheriff
- Coroner
- Clerk of Circuit Court
- Register of Deeds
- County Board Supervisor
- Multi-Jurisdictional Municipal Judge*

*NOTE: Multi-Jurisdictional Municipal Judge files with the County Clerk of the largest portion of the jurisdiction served by the judge. (Washington County is currently the filing officer for this area).

**Municipal Offices - City, Village or Town Clerk**
- Mayor, President, Chairperson
- Alderperson, Trustee, Supervisor
- Town Clerk, Town Treasurer, Constable

**School Board Offices - School District Clerk**
- School Board Member

A. **Declaration of Candidacy**

A Declaration of Candidacy form (GAB-162) must be filed no later than the latest time provided for filing nomination papers (Wisc. Stats. 8.21(1)).

B. **Campaign Registration Statement**

A Campaign Registration Statement (GAB-1) must be filed with the appropriate filing officer 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 (Wisc. Stats. 11.05(2)(g) and 11.05(5)).
C. **Penalty for Not Filing a Registration Statement**

Failure to file the original Campaign Registration Statement (GAB-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 (GAB-168 or GAB-169) may be obtained from your filing officer or the Government Accountability Board. The form may be reproduced in any way, and the candidate’s picture and biographical data may also be added to the form. No disclaimer or attribution statement is required on nomination papers.

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 PAPER 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 filing officer. 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 last name. No titles are permitted. In addition, names such as “Red” or “Skip” are permitted but names which have an apparent electoral purpose or benefit, such as “Lower taxes” are not permitted. Refer to the back of the Nomination Paper for further information.

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. If the nomination paper is being circulated for a spring election, the date is the first Tuesday in April.

E. **Title of Office** – The name of the office must be listed along with any district, branch, or seat number that clearly identifies the office the candidate is seeking, such as Ozaukee County Supervisor, District #1.

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 to the office sought by the candidate. For example, for a county supervisor office, the jurisdiction is Ozaukee County.
G. **Signatures and Printed Names of Electors** – Only qualified electors of the jurisdiction or district the candidate seeks to represent may sign the nomination papers. Each signer must also legibly print their name.

Each elector’s municipality of residence must be listed on the nomination paper along with the mailing address, including any street, fire, or rural route number, box number (if rural route) and street or road name. 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 does not show where the elector actually resides. The date the elector signed the nomination paper, including month, day and year, must be indicated.

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 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 or if the circulator did not properly complete all the required information in the certification.

The circulator may add any missing or illegible address or date information before the papers are filed with the filing officer.

H. **Signature of Circulator** – The circulator’s complete address (including municipality of residence) must be listed in the certification. After obtaining signatures of electors, the circulator must sign and date the certification.

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

**Spring Election** – Nomination papers may be circulated beginning December 1 of the year prior to the election. Nomination papers must be filed, with the required number of signatures, with the appropriate filing officer no later than 5:00 p.m. on the first Tuesday in January (or the next day if the first Tuesday is a holiday) before the spring election.

**Fall Election** – Nomination papers may be circulated beginning April 15 of the year of the election. Nomination papers must be filed, with the required number of signatures,
with the appropriate filing officer no later than 5:00 p.m. on June 1 (or the next day if June 1 is a holiday or weekend).

Special Elections – Check with your filing officer as special elections have different filing deadlines.

In order for a candidate’s name to be placed on the ballot, a candidate must file a Campaign Registration Statement (GAB-1), a Declaration of Candidacy (GAB-162), and Nomination Papers (GAB-168-Partisan) or (GAB-169-Non-Partisan) containing the appropriate number of signatures for the office sought no later than the filing deadline.

Candidates for state office and municipal judge must also file a Statement of Economic Interests with the Government Accountability Board by the third business day after the nomination paper 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 (Ozaukee County)**

<table>
<thead>
<tr>
<th>Position</th>
<th>Requirement</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ozaukee County Supervisor</td>
<td>20-100</td>
</tr>
<tr>
<td>Ozaukee County Constitutional Offices</td>
<td>200-400</td>
</tr>
</tbody>
</table>

K. **Challenging Nomination Papers** - Nomination papers may be challenged within 3 business days of the deadline for filing the papers. 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 proper filing officer.

3. **CAMPAIGN FINANCES** (Wisconsin Statutes, Chapter 11)


If you have any questions, contact your filing officer or the Government Accountability Board. **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 county 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 loans and other obligations in an aggregate amount of more than $1,000 in a calendar year.
In addition, a candidate may not accept any contributions from a single source in excess of $100 in a calendar year. The $100 limit on contributions from a single source does not apply to contributions from a candidate’s personal funds for his or her own campaign. A candidate’s contributions to their own campaign do count toward the total receipts of $1,000 or less in a calendar year.

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

A candidate who is exempt 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 (GAB-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.

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 filing officer within 10 days of the change. Until the successor’s name and address is filed, 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.

D. Campaign Finance Reports

Pre-primary and pre-election reports, called Campaign Finance Reports (GAB-2L), shall be filed with the filing officer no earlier than 14 days and no later than 8 days preceding the primary and the election.

Election reports shall be filed with the filing officer no earlier than 23 days and no later than 30 days after each special election.

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

Candidates continue to file reports until the candidate terminates or the candidate is eligible for an exemption. No person may prepare or submit a false report or statement to a filing officer.

E. Limitations on Contributions
Contribution limitations apply cumulatively to the entire primary and election campaign in which the candidate participates, whether or not there is a contested primary election.

No individual may make any contributions to a candidate for the following offices of more than a total of the amount specified per candidate:

<table>
<thead>
<tr>
<th>Office</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>County Board Supervisor</td>
<td>$ 250.00*</td>
</tr>
<tr>
<td>County Constitutional Office</td>
<td>$ 863.95*</td>
</tr>
</tbody>
</table>

*The greater of $250 or $.01 times the number of inhabitants of the jurisdiction or district, according to the latest federal census or the census information on which the district is based, as certified by the appropriate filing officer, but not more than $3,000.

F. **Prohibited Contributions**

Certain contributions are prohibited by Wisconsin law. A candidate’s campaign may not accept the following types of contributions:

- Anonymous contributions of more than $10;
- Contributions in cash of more than $50;
- Contributions given in the name of someone other than the contributor (these are laundered contributions);
- Contributions from cooperatives or corporations, including LLCs;
- Contributions in excess of the limits set by law.

No person may intentionally accept or receive any contribution made in violation of those listed in Chapter 11 of the Wisconsin State Statutes.

**NOTE:** Please reference the *Campaign Finance Overview Local Candidates* for full information regarding campaign finances.

4. **CAMPAIGN ADVERTISING**

A. **Disclaimers**

State law requires that all campaign advertising carry a disclaimer (information 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. Also included are items such as T-shirts, bumper stickers and yard signs. The disclaimer must use the words “Paid for by” (abbreviations shall not be used for this language) followed by the name of the committee, group, candidate or other individual making the payment or assuming responsibility for the communication and the name of the treasurer or other authorized agent of the committee. When the 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. Disclaimers must be readable and legible (Wisc. Stats 11.30).
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 County Board, James Jones, Treasurer.”

“Paid for by the Committee for Votes, John Jones, Treasurer.”

♦ When the communication is provided as an in-kind contribution to the campaign committee of a candidate, the disclaimer should read:

“Paid for by Friends of Mary Smith for County Board, James Jones, Treasurer.”

or

“Paid for by John Doe as an in-kind contribution to Friends of Mary Smith for County Board, James Jones, Treasurer.”

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, balloons, pens, buttons, nail files and other small items on which a disclaimer cannot be conveniently printed, or 5) envelopes which have campaign committee identification printed on them. Disclaimers must be included on each separate page of a political communication, including letterhead and enclosures.

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 owner to place a sign upon the property in any area of the property occupied exclusively by the renter.

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.

Cities, villages, and towns may have their own rules regarding the placement of signs. It would be best to check with the municipality before placing your signs (Wisc. Stats. 12.04).

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
A. No election official may engage in electioneering on election day.

B. 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.

C. No person may knowingly make or publish, or cause to be published, a false representation pertaining to a candidate.

D. 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.

6. **NOTIFICATION OF NON-CANDIDACY (INCUMBENT OFFICEHOLDERS)**

   Incumbent officeholders who do not plan to seek re-election must file a Notification of Non-Candidacy (GAB-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 (3 days) 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**

   **OZAUKEE COUNTY CLERK**
   Julianne B. Winkelhorst
   Ozaukee County Administration Center
   121 W. Main Street
   Port Washington, WI 53074
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   212 East Washington, Third Floor
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   Madison, WI 53707-7984
   Phone: (608) 266-8005
   Email: gab@wi.gov
   Fax: (608) 267-0500
   www.gab.wi.gov