

City of Fond du Lac

2012 SPRING ELECTION

CANDIDATE INSTRUCTIONS

The following is a general outline of the steps required to campaign for a seat on the Fond du Lac City Council. This information identifies the main steps you must take to have your name appear on the ballot.

ELECTION DATES

Spring Primary Election (Third Tuesday in February) February 21, 2012
(Required when the number of candidates for council exceeds twice the number to Be elected to the office)

Nonpartisan Spring Election (First Tuesday in April) April 3, 2012

IMPORTANT STEPS

1. A Campaign Registration Statement 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 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., Tuesday, January 3, 2012 in the Office of the City Clerk. Papers to be filed on or before this date includes:
 - 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 Form (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 by the Government Accountability Board 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.

To obtain a City Council Candidate Informational Packet please contact:

Sue L. Strands, City Clerk
160 South Macy Street, Fond du Lac, WI 54935
(920)322-3432.

NOMINATION PAPERS

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

Preparing your nomination papers

- ▶ 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. The Government Accountability Board has determined that, absent any evidence of an attempt to manipulate the electoral process, candidates are permitted to choose any form of their name, including nicknames, by which they want to appear on the ballot.

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”, “None of the above” or “Lower Spending” are not permitted. It is also not permissible to add nicknames in quotes or parentheses between first and last names. For example, John “Jack” Jones or John (Jack) Jones are not acceptable, but John Jones, Jack Jones or John jack Jones are acceptable.

Circulating your papers-obtaining signatures

Number of signatures:

- a. City Council not less than 200 or 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. 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. City Council - within the city limits.

Who may circulate and sign nomination papers:

- a. Qualified elector may circulate nomination papers for a candidate if they are a U.S. Citizen, age 18 or older and not otherwise disqualified as an elector by the Provision of 6.03. of the WI. Stats.
- b. A circulator (if is a city resident) may sign the paper he or she is circulating.
- c. Person does not need to be a resident of the jurisdiction or district in which they circulate nomination papers.
- d. 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 January 3, 2012.
- ▶ 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.

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 §8.07 Wis. Stats. The filing officer shall apply the standards in E1 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* 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 and office on the ballot.