



CAMPAIGN FINANCE & CANDIDATE INFORMATION

2018



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CAMPAIGN FINANCE AND CANDIDATE INFORMATION FOR 2018

Gathering Information

As a candidate for local office, you may find the following guidelines helpful as you prepare for the 2018 Spring Election. These guidelines identify the main steps to qualify for placement on the ballot.

You are responsible for familiarizing yourself with the election and campaign finance requirements that apply to your campaign, which you may obtain from either the Wisconsin Statutes or from your private attorney. In addition, you may obtain general information about elections from the Government Accountability Board website. Information you receive from the City Clerk's Office may not be interpreted as legal advice or a release from your responsibility to comply with the law.

Important Dates

December 1, 2017	First day to circulate nomination papers
December 22, 2017	Deadline for incumbents not seeking re-election to file Notice of Non-Candidacy 5:00 PM
January 2, 2018	All completed papers and forms due in City Clerk's Office by 5:00 PM
February 20, 2018	Spring Primary, if needed
April 3, 2018	Spring Election

Necessary Forms

The following forms must be completed and filed by 5:00 p.m. on January 2, 2018 in order for the candidate's name to be placed on the ballot for the Spring Election and/or the Primary (if more than six candidates for council member or more than two candidates for Mayor.)

- Form ETHCF-1 Campaign Registration Statement
- Form EL-162 Declaration of Candidacy
- Form EL-169 Nomination Papers for Non-Partisan Office
- Form SEI* *Statement of Economic Interest (Municipal Judge Candidates)*

Campaign Registration Statement ETHCF-1

This form must be filed with the City Clerk's Office prior to announcing your candidacy for office or circulating nomination papers. New candidates must file a campaign registration statement as soon as intent to seek elective office is known and before funds are collected or spent – see Wisconsin State Statutes 11.05(2g) and 11.10(1). Continuing candidates must file an amended campaign registration statement indicating the office sought and the new primary and election dates. The campaign registration statement must be signed both by the candidate and the campaign treasurer, if a treasurer is appointed.

Declaration of Candidacy EL-162

The declaration of candidacy must include the candidate's name in the form it is to appear on the official ballot. A candidate may use his or her full legal name or any combination of first name, middle name, initials, or nickname with 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 that 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 a nickname in quotes between the first and last name. For example, John "Jack" Jones is not acceptable, but Jack Jones is acceptable.

Nomination Papers

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. This deadline is extended to the first Wednesday in January if the first Tuesday in January is a holiday (§8.10).

Signatures of qualified electors on nomination papers must be obtained between December 1, 2017, and 5:00 p.m. on January 2, 2018. Please pay careful attention to the signatures you obtain on your nomination papers. All electors signing your nomination papers must live within the City of Omro. Those signing do not need to be registered voters, but must be eligible to vote.

Signers must give their complete address (house number, street, and municipality – no Post Office boxes), and must list the municipality of residence. Signers must date their signature, including the year.

Although the person signing the nomination papers must reside within the city, the person circulating the nomination papers does not need to live in the municipality. Circulators are only required to be U.S. citizens, age 18 or older on the date of circulation, and not otherwise disqualified as an elector by the provisions in Wisconsin State Statute §6.03.

The circulator must certify the nomination papers after obtaining the signatures. Signatures dated after the date listed by the circulator will not be counted. Nomination papers must be numbered. You may determine whether an address is in the city by checking online: <https://MyVote.wi.gov>.

Statement of Economic Interest

Candidates for the office of Municipal Judge must complete and submit a Statement of Economic Interest (SEI) to the Government Accountability Board (GAB) no later than 4:30 p.m. on Friday,

January 5, 2018. If the statement is not filed with the GAB by January 5, 2018, the candidate's name will not appear on the ballot. Faxed forms are acceptable (Wis. Stat. §8.10(5), §8.30(3), and §19.43(4)). Before December 1, 2017, the Election Commission will mail Statement of Economic Interest forms to each incumbent whose office is up for election. Any time after December 1, 2017, a candidate may print the Statement of Economic Interests form and instructions from the Elections Commission website.

A municipality may enact an ordinance establishing a code of ethics for public officials that may require a candidate for municipal office, in addition to the office of municipal judge, to file a Statement of Economic Interests (SEI). The ordinance may also provide that failure to timely file an SEI will prevent the candidate's name from being placed on the ballot. Wis. Stat. §19.59(1m),(3), (b). At this time, the City of Omro does not have such an ordinance and therefore no SEI is applicable except for the office of Municipal Judge.

Submit Statement of Economic Interests to:

Government Accountability Board
 212 East Washington Avenue, 3rd Floor
 P.O. Box 7984
 Madison, WI 53707-7984

Signatures Required

The number of signatures required for local offices is:

Office	Minimum Signatures	Maximum Signatures
Mayor	50	100
Municipal Judge	50	100
Council Member	50	100

Candidates' names are drawn by lot by the Municipal Clerk for order placement on the ballot. If a potential candidate does not submit all the necessary forms or an adequate number of nomination signatures by 5:00 p.m. on January 2, 2018, then his or her name will not be placed on the ballot.

Notification of Non-Candidacy

The notification of non-candidacy form is to notify the City Clerk's Office and the electorate of an incumbent officeholder's intent to not seek re-election to the same office. 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 December 22, 2017. If an incumbent not seeking re-election files the notification timely, the nomination paper filing deadline is unchanged. If the incumbent has a change of mind after filing the notification of non-candidacy, he or she can run for re-election by filing the appropriate ballot access papers by January 2, 2018.

Write-In Candidates

If you seek office as a write-in candidate, you should keep the following points in mind:

- Download your Campaign Registration Statement from the Government Accountability Board website at any time.
- File your Campaign Registration Statement with the City Clerk's Office as soon as you decide to become a write-in candidate for the municipal office.
- Educate supporters to write your name on the write-in portion of the ballot, under the proper position and race category.

Disclaimers

Every communication that 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 a political communication, including 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 payment or assuming responsibility for the communication, and the name of the treasurer or other authorized agent.

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.

No disclaimer is required on:

- Personal correspondence not reproduced by machine for distribution
- A single personal item not reproduced or manufactured by machine or other equipment
- Nomination papers, even if the papers contain biographical information
- Pins, buttons, pens, balloons (small items on which disclaimer cannot be conveniently printed)
- Envelopes that 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 Voters, John Jones, Treasurer. Not authorized by any candidate or candidate's agent or committee."

Campaign Signs

It is a violation of Omro's sign ordinance to place campaign signs in the public right-of-way. The public right-of-way includes the street and the terrace (area between the sidewalk and the street). When sidewalks are not present, the terrace extends 15 feet from the curb into the adjoining property.

Signs should not be placed in the median strip of boulevards or displayed on posts, trees, or other supports in any public street. Please instruct your campaign committees and other volunteers to obey the law. Non-compliance with this ordinance may result in the issuance of citations with civil forfeitures.

Election Day Campaign Restrictions

State Statute §12.03 prohibits electioneering on public property within 100 feet of an entrance to a building containing a polling place, engaging in any activity that disrupts voting or interferes with the orderly conduct of the election. This prohibition does not apply to electioneering on private property within 100 feet of an entrance to a polling place. The placement of election signs on private property within the 100 foot radius is permissible.

According to State Statute §12.04(2), any individual may place a sign containing a political message upon residential property owned or occupied by that individual during an election campaign period with the property owners permission.

Election Observers

Any member of the public other than a candidate may be present at any polling place for the purpose of observing an election. Observers must register with the Chief Inspector. Observers may not address the voters or interfere with the election process. Observers may not wear campaign buttons or campaign shirts, and are not permitted to hand out campaign literature within the polling place. Electioneering is prohibited within 100 feet of any entrance to a building containing a polling place.

Candidates may not hang out at a polling place where their name is on the ballot, even if they are unopposed.

The Chief Inspector will provide only one warning to election observers who engage in loud, boisterous, or disruptive behavior that, in the opinion of the Chief Inspector, threatens the orderly conduct of the election or interferes with the voting process. If the observer does not cease the offending conduct, the Chief Inspector will instruct the observer to leave the polling place. If the observer refuses to leave, the Chief Inspector will call the Omro Police to have the observer removed from the polling location.

Voter Lists

Lists of voters and lists of absentee ballot requestors can be obtained from the Government Accountability Board. Contact the Government Accountability Board at (608) 266-8005 if you wish to purchase a voter list.

Helpful Online Resources

Wisconsin Election Commission <http://elections.wi.gov/>

My Vote WI <https://MyVote.wi.gov>

Where to File in the City Clerk's Office

Clerk Barbara Van Clake
Omro City Hall
205 S. Webster Avenue
Omro, WI 54963
(920) 685-7000 (Call for Appointment)

Office Hours: 8:00 a.m. – 4:30 p.m. Monday -Friday

Campaign Finance

The campaign finance report, for total contributions of \$2,000.00 or more, is available on the Wisconsin Elections Commission website and is provided to candidates upon request from the City Clerk's Office.

Candidates are required to file periodic campaign finance reports in accordance with Wisconsin Ethics Commission guidelines available on the following website.
<https://ethics.wi.gov/Pages/CampaignFinance/ReportPeriods.aspx>

Eligibility for Exemption

Candidates who meet the following criteria are exempt from filing a finance report:

The candidate anticipates that he or she will not accept contributions, make disbursements, or incur loans and other obligations in an aggregate amount exceeding \$2,000.00 in a calendar year.

The candidate anticipates that he or she will not accept any contribution or cumulative contributions from a single source exceeding \$100.00 in a calendar year. (The \$100.00 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 \$2,000.00 or less in a calendar year).

Candidate or treasurer signs and dates request for exemption on campaign registration statement.

Financial Records Kept During Exemption

When the candidate is exempt, he or she is not required to file any campaign finance reports. However, the candidate or treasurer is required to keep adequate record of all contributions and expenditures. Maintaining these records is especially important in the event of unexpected large contributions or expenses exceeding \$2,000.00. The information is then readily available for the candidate to immediately amend his or her campaign registration statement.

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, but you must provide the account number for whichever account you will use.

Revoking Exemption

If a decision is made to exceed the \$2,000.00 limit on contributions and disbursements, or to raise more than \$500.00 from a single source for the campaign during the calendar year, the candidate must amend his or her campaign registration statement immediately.

If a candidate or committee is required to file a campaign finance report beginning with the next regular report, the first report must cover all financial activity from the time of registration or from the date of the last financial report before going on exemption.

Contribution Limits

There is no limit on the amount of money local candidates may contribute to their own campaign from personal funds or funds held jointly with their spouse. There is no limit on the amount of money a local candidate can spend in seeking an elective office.

Contribution limitations apply cumulatively to the entire primary and election campaign in which the candidate participates, regardless of whether there is a contested primary election.

In-Kind Contributions

An in-kind contribution would be any goods, service or property offered to the campaign committee free or at less than usual cost. For example, if a campaign worker purchases stamps that are used for a mailing and is not reimbursed for the cost of stamps, the value of the stamps is an in-kind contribution to the campaign committee from the campaign worker.

When an individual is paid to work on behalf of a candidate by a political committee or some other individual, the payment for those services is an in-kind contribution to the campaign committee. Consultant services are often provided to a campaign committee in this manner.

If a political committee or individual offers to provide food and beverages for a fundraiser at less than ordinary market price, the difference between the ordinary market price and the cost to the campaign is an in-kind contribution from the political committee or individual.

Prohibited Contributions

Certain contributions are prohibited by Wisconsin Law:

- Anonymous contributions of more than \$10.00
- Contributions in cash of more than \$50.00
- Contributions given in the name of someone other than the contributor (laundered contributions)
- Contributions from cooperatives or corporations
- Contributions in excess of limits set by law

Special Report of Late Contributions

Political party committees, political action committees, and groups supporting or opposing referenda must file this report if contributions of \$500.00 or more are received after the closing date of the pre-primary or pre-election report and before the primary or election.

This report must be filed for any contribution of \$500.00 or more, and contributions from a single source totaling \$500.00 or more received during this 15-day period. A special report of late contributions must be filed within 24 hours of receiving the contribution.

Report of Independent Disbursements

A report of independent disbursements is filed when independent disbursements are made to advocate the election or defeat of a clearly identified candidate. This report is filed by the following groups:

- Independent disbursement groups (corporations or organizations primarily organized for non-political purposes)
- Individuals who have filed a voluntary oath for individuals making individual disbursements (GAB-6)
- Committees which have filed a voluntary oath for committees making independent disbursements (GAB-6)

To be independent, a disbursement may not be made in concert with, or at the request or suggestion of any candidate/agent/committee supported by the disbursement.

Late Independent Disbursements

A special report must be filed within 24 hours of an independent disbursement of more than \$20.00 cumulatively being made to advocate the election or defeat of a clearly identified candidate within 15 days of a primary or election in which the candidate's name appears on the ballot.

Within 24 hours of receiving this report the City Clerk's Office sends a copy to all candidates for the office affected by the independent disbursement.

Pre-Election Spending for Incumbents

To the greatest extent possible, any communications using public funds shall be avoided during an election period. These include newsletters, flyers, etc., that use municipal funds in any way, such as postage or copying costs. The election period runs from December 1, the first day to circulate nomination papers, until the day of the election. (Wis. Stats. §11.33)

Continuing Report

Some candidates and committees choose not to terminate their registered status after an election, even if they're eligible to do so. There is no limit on how long a candidate or committee remains registered. Every registered candidate or committee must file continuing reports until a termination report is filed with the City Clerk's Office. The January continuing campaign finance

report covers activity from July 1 through December 31. The July continuing campaign finance report covers activity from January 1 through June 30. (Wis. Stats. §11.20)

Failure to File Reports

State Statute 11.20(13) reads, “In the event of failure of a candidate or treasurer to file a report or statement required by this chapter by the time prescribed by law, action may be commenced against the candidate, the campaign treasurer, or the candidate’s personal campaign committee, if any, or any combination of them.”

Termination of Registration and Reporting Requirements

Candidates or personal campaign committee may terminate their registered status at any time after the election by meeting each of the following conditions:

- Registrant disbands or determines that obligations will no longer be incurred
- Contributions will no longer be received nor disbursements made during a calendar year
- Registrant has no outstanding incurred obligations

The termination report filed with the City Clerk’s Office indicates a cash balance zero and disclosed the disposition of residual funds. If funds remain after all debts are paid, they may be disposed of using one or a combination of the following options:

- Any political purpose not prohibited by law
- Returned to donors in an amount not exceeding their original contribution
- Donated to a charitable organization or the common school fund

If a committee meets all requirements, termination may be accomplished through a campaign finance report.

