Candidate Guidelines

SPRING ELECTIONS 2016

THE CITY OF KENOSHA
CLERK TREASURER & ELECTIONS
625 52nd Street, Room 105
Kenosha, Wisconsin 53140
cityclerk@kenosha.org
262-653-4020

Dates to Remember
2016 Spring Elections

Spring Primary (if required)	February 16, 2016
Spring Election	April 5, 2016
Term of Office - Alderperson	April 19, 2016 through April 16, 2018
Term of Office - Mayor	April 19, 2016 through April 21, 2020
Term of Office – Municipal Judge	May 1, 2016 through April 30, 2020
First Day to Circulate Nomination Papers	December 1, 2015
Last Day to File Notification of Non-candidacy	December 28, 2015 5:00 p.m.
Last Day to File Candidate Registration Statement, Declaration of Candidacy and Nomination Papers	January 5, 2016 by 5:00 p.m.
Last day to file City of Kenosha Statement of Economic Interest	January 6, 2016 4:30 p.m.
Ballot position drawing – Spring Election	January 12, 2016 8:30 a.m.
Ballot position drawing – successful candidates from Spring Primary Election	February 23, 2016 8:30 a.m.

IMPORTANT

All required forms must be in the physical custody of the City Clerk by the filing deadline. It is not sufficient if the papers are postmarked or faxed by the deadline. The candidate's name will not appear on the ballot if the above forms are not filed in the City Clerk's office by the deadlines indicated. Ballot position drawings will take place in the City Clerk's office unless otherwise noted.

The information contained in this booklet is a guideline for candidates. Additional information may be obtained from the State of Wisconsin Government Accountability Board http://gab.wi.gov (608) 266-8005 and Wisconsin State Statutes Chapters 8 through 12 http://www.legis.state.wi.us

Qualifications for Office

All candidates must meet the residency requirements established for the office to which he or she is seeking election.

Mayor & Municipal Judge

A qualified elector* of the city and residing in the city at the time of election.

Alderperson

A qualified elector* of the city and aldermanic district, and residing in the district at the time of election.

**A qualified elector is defined in Wis. Stat. § 6.02, as a U.S. citizen, 18 years of age or older, who has resided in the election district for at least 28 consecutive days before an election at which he or she offers to vote and who is not disqualified by virtue of one or more of the impediments described in Wis. Stat. § 6.03.*

Note: No person may hold any state or local elected office in Wisconsin if the person has been convicted of a felony in any court in the United States unless the person has been pardoned of the conviction. Additionally, no person may have his or her name placed on the ballot for any state or local elective office in Wisconsin if the person has been convicted of a felony in any court in the United States unless the person has been pardoned of the conviction (Wis. Const. Art. XIII, § 3(3)). Any person who falsely signs this statement could be convicted of a violation of Wis. Stat. § 12.13(3)(a), (am).

When should a candidate file papers to run for office? Campaign finance law requires a candidate to register as soon as the intent to be a candidate is known. Therefore, a candidate should register before engaging in campaign activity and before accepting contributions or making disbursements. A candidate who engages in campaign activity or accepts contributions or makes disbursements is in violation of campaign finance law and may be subject to a civil forfeiture.

Required Forms

Each of the following forms must be completed, and filed timely in the Office of the City Clerk, 625-52nd Street, Room 105 for the candidate's name to be placed on the ballot.

Campaign Registration Statement, Form GAB-1. Candidates should file a campaign registration statement as soon as intent to seek elective office is known, before accepting any contribution and before spending (or incurring an obligation to spend) any funds. However, a person may make expenditures to set up a campaign depository or for rental of a postal box.

Declaration Of Candidacy, GAB-162. This form must be filed with the City 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. Notaries are available in the Clerk's office. (Please follow instructions on back of form.)

Nomination Papers, Form GAB-169. First day to circulate nomination papers is December 1. Follow instructions on back of form. Nomination papers must contain all information required.

Nomination Papers

Number of signatures required:

☑Alderpersons - minimum 20, maximum 40

☑ Mayor - minimum 200, maximum 400

☑Municipal Judge - minimum 200, maximum 400

It is recommended that the candidate submit nomination papers with a number of signatures in excess of the minimum required in case some signatures are invalid.

Persons circulating nomination papers must personally obtain each signature. They must know the signers are qualified to vote in the district in which the candidate is seeking office, and certify each paper with a date and signature.

Statement Of Economic Interest

City of Kenosha requires all candidates for City of Kenosha elected office to file a Statement of Economic Interest. (City Ord. XXIX) The filing deadline for this form is 4:30 p.m. on the next working day following the last day for the filing of nomination papers.

Notification of Non-candidacy, GAB-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. This form should be filed no later than 5:00 p.m. on the second Friday preceding the deadline for filing nomination papers.

Political Campaign Signs

☑Candidate signs may be displayed in front, side, and rear yards (in accordance with the Zoning Ordinance)

☑Signs must be removed seven (7) days after the election.

☑Political signs are not permitted on the parkway, and must be at least one (1) foot inside the sidewalk.

☑Political signs shall not exceed 32 square feet in sign area.

☑Signs on public property must be more than 100 feet away from an entrance to any polling place, during polling hours on election day. The law does not apply to private property (State Statute 12.03).

☑The Police and/or any City Department are authorized to remove any signs in violation of the law.

Campaigning

No person may engage in electioneering (campaigning) during polling hours on any public property on election day within 100 feet of an entrance to a polling place. Electioneering means any activity which is intended to influence voting at an election. The law does not apply to activity on private property (Wisconsin Statutes 12.03).

Use of Government Materials by Candidate

According to Wisconsin State Statutes, Section 11.33, candidates who are running for re-election, may not use public funds for the cost of materials or distribution for 50 or more pieces of substantially identical material distributed after the first day authorized by law for circulation of nomination papers as a candidate.

For example: Business cards, envelopes, letterhead, paid for by the City may not be used after December 1, if used while campaigning for office.

Voter Lists

Data is available for purchase from the Statewide Voter Registration System through the new BADGER Voters website: http://badgervoters.gab.wi.gov/BADGERVoters

Exemption from Filing Campaign Finance Reports

Candidates or candidate committees who do not accept contributions, make disbursements or incur obligations in an aggregate amount of more than $1,000 in a calendar year or accept any contribution or cumulative contributions of more than $100 from a single source during the calendar year, except contributions by a candidate to his or her campaign of $1,000 or less in a calendar year are exempt from filing campaign finance reports.

Exempt candidates or candidate committees are not required to file any campaign finance reports (GAB-2L). However, the candidate or treasurer is required to keep financial records adequate to meet the requirements of campaign finance law. Records must be kept of all contributions to the candidate or committee and of all expenditures.

A candidate or candidate committee which is exempt from filing campaign finance reports may use a personal account as the campaign depository. Account information must be provided on the GAB-1. A separate campaign depository account is not required for candidates claiming exemption.

Revoking Exemption

If a decision is made at a later date to exceed the $1,000 limit on contributions or disbursements, or to raise more than $100 from a single source during a calendar year, the candidate or candidate committee must amend its campaign registration statement immediately, by checking the box: “This registrant is no longer eligible to claim exemption.”

The candidate or candidate committee is then required to file campaign finance reports beginning with the next regular report. The first report must cover all financial activity from January 1 of the current year, through the cutoff date of the required report.

Campaign Contribution Limits for Candidates Not Exempt from Filing Campaign Finance Reports

Loans from individuals to a candidate count against the individual contribution limits listed in the tables. Contributions accepted by a candidate from all other sources are limited.

Figures are Cumulative for Primary and Election and Apply only to Candidates Who Have Not Signed an Exemption from Filing Financial Reports (Section 11.26 and 11.31 Wisconsin Statutes)

Contribution Limits – *Mayor* City of Kenosha

Self – Limit on contributions from personal funds or funds held jointly with a spouse	No Limit
Individual – Limit on contribution from one (1) individual	$992.00
PAC or Other Candidate Committee – Limit on contributions from a Political Action Committee or other candidate committee	$744.00
45% Limit-Total Contributions from All Political Action Committees – Limit on contributions from all political action committees*	$19,225.00
65% Limit -Total Contributions from All Committees Including Other Candidate Committees and Political Party Committees – Limit on contributions from all committees including other candidate committees and political party committees*	$27,775.00

Contribution Limits – *Alderperson* City of Kenosha

Self – Limit on contributions from personal funds or funds held jointly with a spouse	No Limit
Individual – Limit on contribution from one (1) individual	$250.00
PAC or Other Candidate Committee – Limit on contributions from a Political Action Committee or other candidate committee	$200.00
45% Limit-Total Contributions from All Political Action Committees – Limit on contributions from all political action committees*	$1,325.00
65% Limit -Total Contributions from All Committees Including Other Candidate Committees and Political Party Committees – Limit on contributions from all committees including other candidate committees and political party committees*	$1,925.00

Contribution Limits – *Municipal Judge* - City of Kenosha

Self - Maximum expenditure and contribution from personal funds or funds held jointly with a spouse	No Limit
Individual – Limit on contribution from one (1) individual	$992.00
PAC or Other Candidate Committee – Limit on contributions from a Political Action Committee or other candidate committee	$744.00
45% Limit-Total Contributions from All Political Action Committees – Limit on contributions from all political action committees*	$14,525.00
65% Limit -Total Contributions from All Committees Including Other Candidate Committees and Political Party Committees – Limit on contributions from all committees including other candidate committees and political party committees*	$20,950.00

*NOTE – As of 9/5/2014, the Federal District Court for the Eastern District of Wisconsin, in CRG Network v. Barland, et al., has issued a preliminary injunction against enforcement of Wis. Stats. §11.26(9). Enforcement of the 45% and 65% limits above is on hold until there is a final decision in the case.

Campaign Finance Overview - Local Candidates

Government Accountability Board
State of Wisconsin

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REGISTRATION REQUIREMENTS

Who is Required to Register

Under Wisconsin campaign finance law, a candidate for election to public office must register with the appropriate filing officer. A candidate for local office:

County Executive
County Supervisor
County Clerk,
County Treasurer,
Clerk of Circuit Court,
Coroner,
Register of Deeds,
Sheriff,
Mayor,
Alderperson,
Town, Village or School Board Member,
Municipal Clerk or Municipal Treasurer [if elected],
Municipal Judge;

must register with the clerk of the county, city, town, village, or school district as soon as the individual decides to become a candidate.

A candidate must file a campaign registration statement (GAB-1) at the point he/she forms the intent to become a candidate and before receiving contributions or spending money on the campaign, and before circulating nomination papers. Registration statements can be obtained from any filing officer or from the Wisconsin Government Accountability Board website (http://gab.wi.gov/). The minimum amount of money needed to open an account can be deposited at a financial institution and a post office box can be rented before registration. These receipts and expenses must be reported on the first campaign finance report.

After filing the registration statement, a candidate may begin receiving and disbursing campaign funds. The campaign's financial activities must be reported to the filing officer on campaign finance reports (GAB-2L), *unless the committee has claimed an exemption from filing finance reports.* These reports will disclose information on the receipts, expenditures, incurred obligations and loans of the campaign.

Completing a Registration Statement

Registration statements are available from the local filing officer or on the Government Accountability Board's website (http://gab.wi.gov). 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 appropriate filing officer within **ten days** of the change.

Item 1. Candidate and Candidate Committee Information

This section must be completed by all candidates and candidate committees. It contains the information identifying the candidate and committee, party affiliation (*if any)*, office sought (including branch and district number), date of the primary and date of the election. Political action committees, political party committees, recall committees and political groups (referendum groups) skip this section and begin with Item 2.

There are two types of candidate campaign committees: personal campaign committee and support committee. A personal campaign committee is organized by the candidate to promote the candidate's declared candidacy for a specific office. A support committee is one organized on behalf of the possible candidacy of a person, with that person's consent. A candidate with a personal campaign committee cannot authorize a support committee. A person who authorizes a support committee must adopt the support committee as his or her personal campaign committee when the person becomes a candidate. *Note: You must register as a personal campaign committee to appear on the ballot.*

Item 2. Political Committee Information ***(Non-Candidates Only)***

This section must be completed by political committees other than candidate committees. **Candidate committees do not fill in this section**.

Item 3. Campaign Treasurer

The treasurer for the candidate or political committee must be listed in Item 3. The candidate can serve as the campaign treasurer. It is important that the treasurer's name, complete address, e-mail address, and telephone numbers 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.** Failure to keep this information current may result in the committee being penalized for failure to file necessary reports.

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

If the committee has officers besides the treasurer, they should be listed in Item 4. A nonpartisan candidate for county or municipal office, or an independent candidate, may authorize certain committee members or officers to fill a vacancy in nomination due to the candidate's death. These individuals should be indicated in Item 4 with an asterisk (*).

Item 5. Depository Information

All registrants must have a single campaign depository account in which all contributions are deposited and from which all disbursements are made. Candidates claiming exemption from filing finance reports may use a personal checking account, i.e., they may commingle campaign money with personal funds. A separate account must be opened if the candidate (committee) exceeds the exemption limits. All account information must be provided on the GAB-1 whether the account is a personal or separate campaign account. Candidates running for more than one elected office are only allowed one primary campaign depository account. All contributions and all disbursements for all offices must be run through the one account.

To open the campaign account, it may be necessary to complete a request for Employer Identification Number (EIN) using form SS4. This form should be available from your financial institution or from an IRS office or website http://www.irs.gov/charities/political/index.html.

Item 6. Certification

The candidate and committee treasurer must sign the original registration statement of a personal campaign committee or a support committee certifying that the information is true, correct, and complete, and that the committee is the only committee authorized to act on the candidate's behalf.

Item 7. Exemption From Filing Campaign Finance Reports

Registrants who are eligible for an exemption from filing campaign finance reports should complete this section. The exemption requirements are explained in Section II of this manual.

Amending a Registration Statement

When any of the information reported on the registration statement changes the statement must be amended by filing a new GAB-1. The candidate or treasurer must file the new GAB-1 with the appropriate filing officer, checking the "yes" box at the top of the form to indicate that it is an amendment.

Penalty For Not Filing a Registration Statement

Failure to file the original registration statement by the deadline for filing nomination papers prevents 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.

EXEMPTION FROM FILING CAMPAIGN FINANCE REPORTS

Eligibility

Committees may be eligible for an exemption from filing campaign finance reports if campaign finance activity is low enough to meet **all** of the following criteria:

1. The committee anticipates that it will not accept contributions, make disbursements, or incur loans and other obligations in an aggregate amount exceeding $1,000 in a calendar year; AND
2. The committee anticipates that it will not accept any contribution or cumulative contributions from a single source (other than the candidate) exceeding $100 in a calendar year.

The candidate or treasurer must sign and date the request for exemption on the campaign registration statement.

Committees on exemption may receive up to $1,000 in a calendar year, and may spend up to $1,000 in the same calendar year. The candidate's contributions do count toward the total receipts of $1,000 or less 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.

Financial Records During Exemption

When a committee is exempt, it is not required to file any campaign finance reports (GAB-2L). However, the candidate or treasurer is required to keep financial records adequate to meet the requirements of campaign finance law. Records 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. Account information must be provided on the GAB-1. A separate campaign depository account is not required for candidates claiming exemption.

Revoking Exemption

If a decision is made at a later date to exceed the $1,000 limit on contributions or disbursements, or to raise more than $100 from a single source during a calendar year, the committee must amend its campaign registration statement immediately, by checking the box: *"This registrant is no longer eligible to claim exemption."*

The committee is then required to file campaign finance reports beginning with the next regular report. The first report must cover all financial activity from January 1 of the current year, through the cutoff date of the required report.

MAJOR PROVISIONS OF CAMPAIGN FINANCE LAW

Contribution Limits

All candidates running for elected office must abide by contribution limits that vary depending on the office sought and the population of the district. The only contributors not subject to limits are the candidate contributing to his or her own election, and political party committees. To determine the limits for a candidate for local office, see the guidelines below and ***check with the local clerk to get the current and exact amounts***.

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.

Limit on Contributions from an Individual - 11.26(1)(d), Stats.

The greater of $250 or $.01 times the number of inhabitants of the county, town, city, village or district according to the latest federal census, but not more than $3,000. (Check with the filing officer.)

Population in District	Maximum Contribution
• Equal to or greater than 300,000	$3,000.00
• Greater than 25,000 and less than 300,000	$ .01 times population
• Equal to or less than 25,000	$ 250.00

Note - Candidates on Exemption:

If the candidate has claimed an exemption from filing campaign finance reports, the maximum contribution they can accept from a single contributor in a calendar year is $100, regardless of population. *The candidate's contributions to their own campaign do count toward the total receipts of $1,000 or less 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.*

Limit on Contributions from a PAC or Other Candidate Committee - 11.26(2)(e), Stats.

The greater of $200 or $.0075 times the number of inhabitants of the county, town, city, village or district according to the latest federal census, but not more than $2,500. (Check with the filing officer.)

Population in District	Maximum Contribution
• Equal to or greater than 333,334	$2,500.00
• Greater than 26,667 and less than 333,334	$ .0075 times population
• Equal to or less than 26,667	$ 200.00

If the candidate has claimed an exemption from filing campaign finance reports, the maximum contribution they can accept from a single contributor in a calendar year is $100, regardless of population.

Remember – always check with the local clerk to get the current and exact amounts.

In-Kind Contributions

An in-kind contribution is any good, service or property offered to the candidate's campaign free of charge or at less than the usual cost, or payment of a registrant's obligations for such goods, services or property. For example, if a campaign worker purchases stamps that are used for a mailing and is not reimbursed for the cost of the stamps, the value of the stamps is an in-kind contribution to the candidate's campaign from that 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 candidate's campaign. If a political committee or individual offers to provide food and beverages for a fundraiser at less than the 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.

The candidate or campaign treasurer must agree to accept an in-kind contribution before it is given. Before making an in-kind contribution to a candidate, the contributor is required to notify an authorized person from the candidate's campaign and obtain either oral or written consent to the contribution. If the contributor does not know the actual value of the contribution, a good faith and reasonable estimate of the fair market value should be provided. (For more information *see* Wis. Admin. Code GAB § 1.20).

An in-kind contribution received by the campaign committee is reported by the committee as both a receipt and expenditure. This procedure allows the campaign to disclose the receipt of the contribution on its campaign finance report along with cash contributions received and track year

to date and campaign period totals. Then, in order to keep the committee's cash balance accurate, the amount of the in-kind is reported as an expenditure. The two entries offset each other and do not affect the cash balance.

If an estimate of the value of an in-kind contribution is the only value available at the time the candidate is required to file a report, the committee must report the estimated value of the contribution. When the actual value of the estimated in-kind contribution is known, the actual amount is reported as a contribution and an expenditure on the campaign finance report.

In-kind contributions are subject to the same itemization thresholds and the same contribution limits as cash contributions. Cash contributions and in-kind contributions from a single contributor are added together for the purposes of determining compliance with contribution limits and the year-to-date amount for a specific contributor. When a political communication is provided as an in-kind contribution, the disclaimer must identify the committee receiving the contribution.

Prohibited Contributions

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

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

A candidate should not accept contributions over $300 from organizations that have not registered. If the candidate's campaign is notified that a contribution over $300 was received from an unregistered organization, the candidate must return the contribution amount over $300, and not accept any additional contributions from that organization unless the organization registers with the appropriate filing officer. *Note: Contributions of $300 would only be legal if the population is 40,000 or more.*

Returned Contributions

Any contribution you return to the donor after depositing it in the campaign account must be reported as a disbursement from the campaign as a returned contribution to the contributor. Any contribution returned to the donor uncashed within 15 days of receipt has not been accepted and does not get reported.

Contributions Transferred through Conduits

A conduit is any individual, committee or group that receives contributions from individuals, deposits those contributions in a financial institution, and then transfers the contributions to a candidate or political committee selected by the original contributor. The conduit may not exercise any discretion over the amount or ultimate recipient of the contributions. A conduit is required to register with the Wisconsin Government Accountability Board.

When a conduit transfers contributions, it writes a single check for the total amount of all individual contributions designated for that committee. It is required to provide a transmittal letter with the check. This letter must identify the organization as a conduit, and list the individual contributors, the amount of each individual's contribution, and the date the individual authorized their contribution (see Wis. Admin. Code GAB § 1.855).

Contributions transferred through conduits are reported as contributions received from the individuals listed in the transmittal letter. These contributions are reported under the individual's name. They are subject to itemization on the same basis as other individual contributions.

Loan Guarantees

When a campaign committee borrows money from a financial institution and the loan is guaranteed by individuals, the amount of the guarantee must be considered a contribution from the guarantor until the loan is repaid. If more than one person guarantees a loan, the amount of a loan is assigned to the guarantors in equal shares in the proportion that the guarantors bear to the total amount guaranteed, unless a different share is specified in the loan instrument. When a payment is made to the lending institution which reduces the unpaid balance of the loan, the amount of the guarantee assigned to each guarantor is reduced in equal shares in the proportion that the number of guarantors bears to the amount repaid, unless a different share is specified in the loan instrument. The outstanding amount of a guarantee and the total contributions to the campaign by a guarantor may not exceed the individual contribution limit for the guarantor.

A bank loan to a candidate, the proceeds of which the candidate loans to the committee, is a personal contribution (loan) from the candidate. This type of loan is reported as a contribution from the candidate to the committee.

Joint Fundraisers

Any candidate, political party committee, or legislative campaign committee may solicit contributions for and conduct a joint fundraising effort or program in coordination with one or more named candidates. The candidate(s) or committee(s) conducting the joint fundraiser must prepare a written escrow agreement signed by the candidate(s) or committee(s). The agreement shall specify the percentage of the proceeds to be distributed to each candidate and/or committee by the joint fundraising effort or program.

All solicitations or communications related to joint fundraising efforts or programs shall include information identifying the candidates and/or committees participating and the percentage of the proceeds to be distributed to each. No disclaimer is required on these communications <u>if</u> the communication contains the information described above.

All contributions received and disbursements made by the joint fundraiser shall be received and disbursed through a separate depository account. The separate depository account shall be identified in the escrow agreement.

The committee(s) conducting the joint fundraising effort or program are required to register by filing a Supplemental Schedule of Joint Fund Raising Effort or Program (GAB-2JF). The joint fundraiser must prepare a campaign finance report (GAB-2L) covering contributions received and disbursements made in connection with the joint fundraiser. A copy of this report must be provided to each committee that receives any of the proceeds no later than 15 days after the proceeds are transferred to the candidate or campaign treasurer.

Candidates are required to include a copy of this report and the escrow agreement with their campaign finance report for the period in which the contributions are received and the disbursements are made. In addition, candidates are required to itemize in the appropriate schedules of the campaign finance report the percentage of the proceeds and disbursements applicable to the candidate. These amounts are added to the totals reported in each schedule.

ATTRIBUTION STATEMENTS ON POLITICAL LITERATURE (DISCLAIMERS)

Disclaimers

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. Also, it includes 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 or group 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.

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, 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.

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, 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 Mayor, James Jones, Treasurer."

or

"Paid for by John Doe as an in-kind contribution to Friends of Mary Smith for Mayor, James Jones, Treasurer."

CAMPAIGN FINANCE REPORTS (GAB-2L)

Campaign finance reports must be filed by all registrants that are not exempt from filing reports. Committees must continue to file periodic reports until termination of their registration. These reports must be filed with the appropriate local filing officer when due. A paper copy of the report should be mailed to the filing officer. Reports must be postmarked on or before the filing due date in order to be considered filed timely.

Types of Reports

Candidates must file a pre-primary and a pre-election report due 8 days before the primary or general election. ***Candidates for local office whose names do not appear on the primary ballot are not required to file a pre-primary report.*** Candidates that lose in the primary or general election must continue to file reports until they are eligible for, and request, termination of their committee. Candidates must also file continuing reports in January and July of each year until they terminate their registration.

The local filing officer will send a notice of the filing requirements and filing instructions to both the candidate and treasurer before each filing deadline. The notice of filing requirement identifies the type of report to be filed and the period of time covered by the report. Failure to receive a notice does not excuse the committee from filing the report on time.

Information Required

The information listed on the campaign finance report discloses the financial activity of the candidate's campaign. The law requires disclosure of income, disbursements, and incurred obligations. In addition, disclosure is required for loan guarantees and for estimated in-kind contributions. Committee treasurers must exercise diligence in acquiring and furnishing the contributor information required on the receipts schedules. Under current state law, treasurers and candidates are required to make a "good faith effort" to obtain all information required on the reports. For all contributors giving over $20, you must disclose the individuals name and address. If the individual's year-to-date total exceeds $100, you must also provide the occupation, name and address of the principal place of employment.

Each of the report schedules has detailed instructions for completing it on the back. These instructions should be reviewed each time a campaign finance report is prepared. A candidate is only required to file schedules that show activity. **You do not need to include blank schedules when filing reports.**

All contributions received by the committee must be reported in Schedule 1 (Receipts) of the campaign finance report. Contributions and loans from individuals are listed in Schedule 1A (Contributions Including Loans From Individuals). Contributions from other committees, such as political action committees, political party committees, and other candidate committees, are reported in Schedule 1B (Contributions from Committees). All other income such as loans from financial institutions, contributions returned from other registrants, refunds, returns of deposits or interest on investments are reported in Schedule 1C (Other Income and Commercial Loans).

The date which must be provided for all contributions is the date the committee **received** the contribution, that is, the date it acquired possession and control of the contribution, **not** the date of deposit or date on the check (unless all dates are the same).

All money spent by the committee is reported in Schedule 2 (Disbursements) of the campaign finance report. General operating expenditures are listed in Schedule 2A (Gross Expenditures). Contributions to other political committees are listed in Schedule 2B (Contributions to Committees).

Additional information required to be disclosed is reported in Schedule 3 (Additional Disclosure) of the campaign finance report. All obligations of the committee such as unpaid bills are listed in Schedule 3A (Incurred Obligations Excluding Loans). Loans and the individuals who guarantee loans for the committee are listed in Schedule 3B (Loans).

Schedule 4 (Termination Request) of the campaign finance report is used for requests to terminate registration. A final campaign finance report must be filed with a termination request.

Short Form

If a candidate receives no contributions, makes no disbursements and incurs no obligations during a reporting period, the registrant may file a post card report form, GAB-2a. This post card form should be used **only** when there has been no financial activity and the cash balance remains unchanged during the reporting period. If there is any financial activity, a registrant is required to use the regular campaign finance report form, GAB-2L.

How to Complete GAB -2L Campaign Finance Reports

Reporting Receipts

In preparing to report receipts on a campaign finance report, please remember the following:

1. Anonymous contributions of $10 or less can be accepted from individuals only. Under this threshold, the individual donor's name and address do not have to be tracked. If any anonymous receipts of more than $10 are received, the excess donations must be donated to the common school fund or to charity.
2. Receipts of $20 or less, including contributions from individuals and other income, such as interest and refunds, can be reported as unitemized receipts. However, the candidate's own records must record and be able to show all campaign receipts.
3. A single contribution or cumulative contributions from the same person totaling more than $20 must be itemized, and include the person's name and address.
4. Contributions of $50 or less may be accepted in cash. Contributions over $50 require a check, or other negotiable instrument.
5. If a single contribution is over $100 (or if one person's total contributions for the calendar year go over $100) the committee must report not only the contributor's name and address, but also the contributor's occupation and the name and address of his or her principal place of employment.
6. Contributions from individuals received through a conduit are reported as receipts. They are treated in the same manner as other individual contributions.
7. Each individual contributor's name, address, date and amount of contribution must be entered separately for each transaction.

8. A contribution given from a joint checking account should be reported as a contribution from the individual that signed the check. If any part of the amount on the check is intended to be contributed by the other owner of the account, that amount must be clearly indicated on the check or in some other writing which accompanies the check. *Note: If the amount is divided, each individual must be itemized separately.*
9. Receipts from raffles, auctions, garage sale, and other similar fundraising events are individual contributions and must be entered as a receipt.
10. Contributions received from a sole proprietorship or partnership are reported as individual contributions under the name of the owner(s). (corporations and associations are not allowed to contribute).
11. All contributions from political committees, regardless of the amount, must be itemized and entered as a receipt from the contributing committee. The full name and address of the registrant, the date and amount of the contribution are required.
12. In-kind contributions such as political posters, lawn signs, and other items are reported at their fair market value at the time of contribution. These contributions are reported as both a receipt and an expenditure. As a receipt, they are entered as a contribution type of "in-kind", with the appropriate information about the contributor. This offsetting entry procedure is necessary because an in-kind contribution is treated as if cash was given, and then used to buy the item contributed.
13. A loan from an individual is considered a contribution. It must be reported as a contribution and as a loan. Payments on the loan should be reported as expenditures and the cumulative amount paid in a reporting period is also reported. **THE LOAN ADDED TO OTHER CONTRIBUTIONS FROM THE SAME INDIVIDUAL CANNOT EXCEED THE APPLICABLE INDIVIDUAL CONTRIBUTION LIMIT.** Loans from political committees are considered contributions and are reported.
14. Contributions returned from other registrants, refunds, interest income and loans from commercial lenders are also reported as money received by the campaign.

Reporting Disbursements - Gross Expenditures

In preparing Schedule 2 of the campaign finance report, the treasurer should remember the following:

1. All expenditures totaling $20 or less are unitemized expenditures that can be lumped together and reported as an unitemized total.
2. An expenditure that exceeds $20 in amount or value is an itemized expenditure requiring the name and address of the person or business to whom it was made and the date and amount of the payment.
3. The specific political purpose of an expenditure must be reported. Please remember that the purpose of campaign finance reports is to inform the public. The descriptions should provide a person, perhaps unfamiliar with the intricacies of campaigning, with information on the nature of the expenditure and how it relates to the political process. For example, if food has been purchased for a fundraiser or for a party for workers, give the purpose as "food for fundraiser" or "food for party for campaign workers." Do not write "food" only. If T-shirts are purchased for resale by the committee, give the purpose as "campaign T-shirts for resale," not "T-shirts" only.
4. Expenditures from a petty cash fund must be supported by receipts. They are reported as payments to the vendors and are itemized or unitemized expenditures depending on the amount.

5. An in-kind contribution of goods or services to another committee must be itemized, regardless of the amount. The itemization must include the name and address of the registrant on whose behalf the disbursement (in-kind contribution) is made, the name and address of the original vendor of the goods or services, and the date and amount of the disbursement.
6. The receipt of an in-kind contribution is also reported as an in-kind expenditure and either itemized or unitemized, depending on the amount. If the candidate or other person makes an in-kind contribution to the committee, the in-kind expenditure must include the name of the original vendor of the goods or services, and the political purpose of the expenditure.
7. Payments made on loans and incurred obligations are reported as expenditures. The cumulative amount paid to each creditor is reported.
8. All financial institution service charges should be listed as itemized or unitemized expenditures depending on the amount.
9. Contributions to other political registrants should be reported and must be itemized regardless of the amount transferred. The itemization must list the name and address of the registrant receiving the contribution, the date and amount of the contribution.
10. A letter should be sent to the filing officer within 5 days of donating money to a charitable organization, the Common School Fund, or any government entity. The letter should include the date of the donation, the name of the organization, and shall provide an explanation to the filing officer of why the funds were not retained by the committee. See 11.65 *Wis. Stats.*

Reporting Incurred Obligations

1. Incurred obligations are to be reported when an enforceable agreement has been reached. If the exact amount of the obligation has not yet been defined then the amount of the obligation must be estimated. Although the committee may not have received a bill, the amount recorded should be a good faith estimate of the amount owed.
2. Each obligation must be carried forward on subsequent reports until the obligation has been reduced to zero.

Reporting Loans

It is important to remember the following information concerning the recording and reporting of loans:

1. A loan from an individual or a political committee is reported as a contribution in Schedule 1A (individual) or in Schedule 1B (political committee) and is listed in Schedule 3B.
2. A loan from a financial institution is reported in Schedule 1C as other income and in Schedule 3B as a loan.
3. Each payment on a loan must be reported as an expenditure in Schedule 2A. The cumulative amount of the payments made on a loan is reported in Schedule 3B.

TERMINATION OF REGISTRATION AND REPORTING REQUIREMENTS

A candidate may terminate its registration if it meets the following requirements:

1. Determines that all financial activity will stop, and that she or he will no longer receive contributions, make disbursements, or incur obligations; and
2. Files a termination campaign finance report showing that all incurred obligations have been paid or satisfied, and that the cash balance has been reduced to zero; and,
3. Completes a request for termination in Schedule 4 (Termination Request).

A candidate that is exempt from filing campaign finance reports need not file a termination report.

A candidate may not terminate his or her registration before a primary or election in which he or she is a candidate. If a candidate loses a primary, he or she may terminate before the election.

Disposal of Residual Funds

A candidate may dispose of remaining funds when terminating by:

1. Returning money to contributors in amounts that are not more than the contributor's original contribution (note: the candidate or treasurer may choose which contributors to refund. You *are not required* to prorate and return a portion to all contributors); or
2. Donating money to any tax-exempt charitable organization, the Common School Fund, or any other government entity; or
3. Transferring money to another registrant within the permitted contribution limit; or
4. Using any combination of the above.

Prior to making these disbursements, make sure the committee does not have any pending fees or settlement offers.

CAMPAIGN REGISTRATION STATEMENT
STATE OF WISCONSIN
GAB-1

FOR OFFICE USE ONLY

IF A CANDIDATE DOES NOT FILE THIS STATEMENT BY THE DEADLINE FOR FILING NOMINATION PAPERS, THE CANDIDATE'S NAME WILL NOT BE PLACED ON THE BALLOT.

NOTICE: ANY CHANGE OF INFORMATION ON THIS REGISTRATION STATEMENT MUST BE FILED WITHIN 10 DAYS.

IS THIS AN AMENDMENT? ☐ Yes ☐ No

1. CANDIDATE AND CANDIDATE COMMITTEE INFORMATION

Name of Candidate	Party Affiliation	Office Sought (include district or branch number)
Residence Address (number and street)	Primary Date	Candidate Telephone Number (residence)
City, State and Zip Code	Election Date	Candidate Telephone Number (employment)

Campaign Committee Name (if any) Check One: ☐ Personal Campaign Committee ☐ Support Committee	Candidate Email Address
Campaign Committee Address (if different than above) - Number, Street, City, State and Zip Code	Committee Email Address
Telephone Number (if different than above)	

2. POLITICAL COMMITTEE INFORMATION

(For use ONLY by Political Action Committees, Political Party Committees, Political Groups, etc.)

Name of Committee	
Address - Number, Street, City, State and Zip Code	
Telephone Number	Committee Email Address
Sponsoring Organization - Name and Complete Address	
Acronym (if any)	

Type of Committee:

A. ☐ Special Interest Committee (PAC)
- ☐ Resident Committee ☐ Nonresident Committee – (Must also file GAB-40 with WI Secretary of State's Office)
- ☐ Incorporated Labor Organization - Attach Information Required by s.11.05(3)(n), Stats.

B. ☐ Political Party Committee
- ☐ National ☐ State ☐ County ☐ Other _____

C. ☐ Legislative Campaign Committee – Attach Statement Required by s.11.05(3)(o), Stats.

D. ☐ Political Group (Referendum) _____ ☐ Support ☐ Oppose
Name of Referendum

E. ☐ Recall Committee _____ ☐ Support Recall ☐ Oppose Recall
Name of Officer Subject to Recall
- Attach Statement Required by s.9.10(2)(d)

F. ☐ Independent Disbursement Committee - Also, Complete Oath of Independent Expenditures, Form GAB-6

G. ☐ Individual - Also, Complete Oath of Independent Expenditures, Form GAB-6

3. COMMITTEE TREASURER (Campaign finance correspondence is mailed to this address.)

Treasurer's Name	Telephone Number (residence)
Address (number and street)	Telephone Number (employment)
City, State and Zip Code	Treasurer Email Address

4. PRINCIPAL OFFICERS OF COMMITTEE AND OTHER CUSTODIANS OF BOOKS AND ACCOUNTS

Attach additional listing if necessary. Indicate which officers or committee members are authorized to fill a vacancy in nomination due to death of candidate by an asterisk(*). This provision only applies to independent and local nonpartisan candidates. s.8.35, Stats.

NAME	MAILING ADDRESS	Email Address	Phone #	POSITION

5. DEPOSITORY INFORMATION

Name of Financial Institution	Account Number (Attach list of any additional accounts and deposit boxes, location, type and number, i.e., savings, checking, money market, etc.)
Address (number and street)	City, State and Zip Code

CERTIFICATION

TREASURER

I, _____ (print full name) certify the information in this statement is true, correct and complete.

Signature _____, Treasurer _____
Date

CANDIDATE (or recall petitioner)

I, _____(print full name) certify the information in this statement is true, correct and complete, and that this is the only committee authorized to act on my behalf.

Signature _____, Candidate/Petitioner _____
Date

+ + + EXEMPTION FROM FILING CAMPAIGN FINANCE REPORTS §11.05(2r), Wis. Stats. + + +

You may be eligible for an exemption from filing campaign finance reports. Consult the Campaign Finance Instruction and Bookkeeping Manual to determine if the registrant qualifies for exemption.

☐ This registrant is eligible for exemption. This registrant will not accept contributions, make disbursements or incur obligations in an aggregate amount of more than $1,000 in a calendar year or accept any contribution or cumulative contributions of more than $100 from a single source during the calendar year, except contributions by a candidate to his or her campaign of $1,000 or less in a calendar year.

☐ This registrant is no longer eligible to claim exemption.

_____ _____
Signature of Candidate or Treasurer Date

THE INFORMATION ON THIS FORM IS REQUIRED BY §§9.10(2)(d), 11.05, 11.06(7), WIS. STATS. FAILURE TO PROVIDE THE INFORMATION MAY SUBJECT YOU TO THE PENALTIES OF §§8.30(2), 11.60, 11.61, 11.66, WIS. STATS.

CAMPAIGN REGISTRATION STATEMENT (GAB-1) INSTRUCTIONS

Who Must Register	When		Where
Candidates	As soon as they form the intent to run for office. Prior to raising or spending any funds, beyond those needed to open a bank account		Local office or referenda- with the local clerk (town, village, city, school) State office or statewide referenda – with the Government Accountability Board For a mix of state and local offices – with the Government Accountability Board
Non-candidate committees	Before spending or taking in more than $300		
Referenda committees	Before spending or taking in more than $2,500		

Completing a Registration Statement

Section 1: Candidate and Candidate Committee Information - Section 1 should be completed by candidate committees only.

- Campaign Committee Name – Any candidate that accepts a donation must have a committee. Any communication (flyers, newspaper ads, website) requires a disclaimer 'Paid for by *Committee name, individual name, treasurer'*.
    - Candidates are only allowed one active committee for all state and local offices sought. If you are seeking multiple offices (town, county, school board), or plan to seek another office in the future, you may want to consider a generic committee name without the name of the office sought such as 'Friends of …', or 'Committee to Elect ….'. This will allow you to keep the same committee name for various offices.
    - Your committee name does not have to include your last name, but including your last name makes searching for your committee easier.

Section 2: Non-Candidate Committee Information - Section 2 should be completed by non-candidate committees only.

- A. Special Interest Committee (PAC)
    - PACs may receive money from individuals or other PACs, and contribute money directly to candidates. PACs may not accept money from corporations, including LLCs.
    - Committees intending to make only independent disbursements, without contributing to or coordinating with candidate committees, should register as an Independent Disbursement committee, letter F below.
    - A resident committee is based in Wisconsin and must report all receipts and expenses.
    - A non-resident committee is based outside of Wisconsin and must report only receipts from Wisconsin residents and expenses in Wisconsin state-level contests. A non-resident committee does not have to report cash balances. A non-resident committee must also file a GAB-40 form with the Wisconsin Secretary of State.
- B. Political Party Committee
    - To use the name of one of the recognized political parties in Wisconsin – Constitution, Democratic, Libertarian, or Republican, you must have permission from the state party.

- F. Independent Disbursement Committee
    - Committees making only independent disbursements may not contribute to or coordinate with candidate committees. These committees may accept unlimited contributions from individuals and from corporations. Before spending any money for or against a candidate, an Independent Disbursement committee must file a notarized GAB-6 Oath of Independent Disbursement stating whether they support or oppose the candidate.

Section 3. Campaign Treasurer - Section 3 should be completed by all committees.

All committees must name a treasurer. A Candidate may designate any elector to serve as their treasurer, or the candidate may server as his/her own treasurer. It is important that the treasurer's name, complete address, telephone number and email address 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.** Failure to receive notice of the filing requirement does not exempt a candidate from the requirement to file the reports.

Item 4. Principal Officers of the Committee and Other Custodians of Books and Accounts (Optional)

If the committee has officers or other contacts besides the treasurer, they should be listed in Item 4. For a recall committee, the recall petitioner must be included here. The G.A.B. recommends that you provide more than one person's contact information.

Item 5. Depository Information (MANDATORY)

In some cases, banks may require a completed GAB-1 registration form to open a bank account. Your committee may register without a bank account, but the GAB-1 form must be amended **within 10 days** to report any change, including a new bank account number.

Failure to provide depository information **within 5 business days** of the first donation and before making any disbursements may disqualify a candidate for ballot placement. (Wis. Stats. §11.10(1))

In general, all committees must have and provide a campaign depository account number. One of three things must be entered here:

1. Separate Campaign bank account
    - This account may be used only for campaign funds
    - The bank may require an Employer Identification Number (EIN) from the IRS to open a committee account
2. Only Candidates may use a personal bank account
    - This is allowed only if the candidate is claiming the exemption from filing finance reports (under $1,000 of receipts, under $1,000 expenses, no more than $100 from a single source)
3. Only Candidates are allowed to not have a bank account, but only if:
    - The candidate will receive no contributions and make no disbursements. No communications may be authorized or distributed. This includes in-kind contributions and expenses.
    - The candidate must claim exemption by checking the appropriate box on this form.
    - The candidate should add a hand-written statement to the form that he or she will spend no money.

Candidates running for more than one elected office are only allowed one campaign depository account. All contributions and all disbursements for all offices must be run through the one account.

Certification

The candidate and committee treasurer must sign the original registration statement of a personal campaign committee or a support committee certifying that the information is true, correct, and complete, and that the committee is the only committee authorized to act on the candidate's behalf. For a recall committee, the recall petitioner and the treasurer must both sign. A candidate serving as his/her own treasurer only needs to sign once. Non-candidate committees require only the treasurer's signature. Amendments to the registration may be signed by either the candidate or treasurer. If there is a change in treasurer, the new treasurer should sign.

Exemption From Filing Campaign Finance Reports

All committees must file campaign finance reports, unless they check the box to claim exemption and remain within those limits.

- A non-candidate committee may not accept more than $100 from any single source (individual or committee) in one calendar year.
- A candidate committee may not accept more than $100 from any other single source (individual or committee) in a calendar year. The candidate may contribute up to $1000 to their own committee.
- A committee may not spend more than $1000 total in a calendar year.
- A referenda committee that does not accept contributions, make disbursements, or incur obligations of more than $2,500 is not required to register or file campaign finance reports. Referenda committees over this threshold may not claim exemption – they must register and file all required reports.

If a committee on exempt status exceeds any of the limits listed above:

- The committee must immediately file an amended GAB-1 with the appropriate filing officer, revoking the exempt status.
- The committee must report all campaign finance activity back to the beginning of the calendar year. Any reports past their deadline that were not filed should be filed as soon as possible.

If a committee filed reports for the previous calendar year, and wishes to go on exempt status for the upcoming year, the committee must file a January Continuing report covering all activity through December 31st. Include an updated GAB-1 requesting exempt status for the upcoming year.

Amending a Registration Statement

When any of the information reported on the registration statement changes the statement must be amended by filing a new GAB-1. The candidate or treasurer must file the new GAB-1 within **10 days** of the change, checking the "yes" box at the top of the form to indicate that it is an amendment.

FOR OFFICE USE ONLY

Declaration of Candidacy

(See instructions for preparation on back)

Is this an amendment?

☐ **Yes** (if you have already filed a DOC for this election) ☐ **No** (if this is the first DOC you have filed for this election)

I, _____, being duly sworn, state that
Candidate's name

I am a candidate for the office of _____
Official name of office - **Include district, branch or seat number**

representing _____
If partisan election, name of political party or statement of principle - five words or less (*Candidates for nonpartisan office may leave blank*.)

and I meet or will meet at the time I assume office the applicable age, citizenship, residency and voting qualification requirements, if any, prescribed by the constitutions and laws of the United States and the State of Wisconsin, and that I will otherwise qualify for office, if nominated and elected.

I have not been convicted of a felony in any court within the United States for which I have not been pardoned.[1]

My present address, including my municipality of residence for voting purposes is:

				Town of ☐ **Village** of ☐ **City** of ☐
House or fire no.	Street Name	Mailing Municipality and State	Zip code	Municipality of Residence for Voting

My name as I wish it to appear on the official ballot is as follows:

_____
(Any combination of first name, middle name or initials with surname. A nickname may replace a legal name.)

_____
(Signature of candidate)

STATE OF WISCONSIN
County of _____ } ss.
(County of notarization)

Subscribed and sworn to before me this _____day of _____, _____.

_____
(Signature of person authorized to administer oaths)

NOTARY SEAL NOT REQUIRED

My commission expires _____ or ☐ is permanent.

☐ Notary Public or _____
(Official title, if not a notary)

The information on this form is required by Wis. Stat. § 8.21, Art. XIII, Sec. 3, Wis. Const., and must be filed with the filing officer in order to have a candidate's name placed on the ballot. Wis. Stats. §§ 8.05 (1)(j), 8.10 (5), 8.15 (4)(b), 8.17 (2), 8.20 (6), 120.06 (6)(b).

1 A 1996 constitutional amendment bars any candidate convicted of a misdemeanor which violates the public trust from running for or holding a public office. However, the legislature has not defined which misdemeanors violate the public trust. A candidate convicted of any misdemeanor is not barred from running for or holding a public office until the legislature defines which misdemeanors apply.

Instructions for Completing the Declaration of Candidacy

All candidates seeking ballot status for election to any office in the State of Wisconsin must properly complete and file a ***Declaration of Candidacy***. This form must be **ON FILE** with the proper filing officer no later than the deadline for filing nomination papers or the candidate's name will not appear on the ballot. A facsimile will be accepted if the FAX copy is received by the filing officer no later than the filing deadline **and** the signed original declaration is received by the filing officer with a postmark no later than the filing deadline.

***Information to be provided by the candidate*:**

- Type or print your name on the first line.
- The title of the office and **any district, branch, or seat number** for which you are seeking election must be inserted on the second line. *For legislative offices insert the title and district number, for district attorneys insert the title and the county, for circuit court offices insert the title, county and branch number, and for municipal and school board offices insert the title and any district or seat number.*
- Type or print the political party affiliation or principle supported by you in five words or less on the third line. *Nonpartisan candidates may leave this line blank.*
- **Felony convictions: Your name cannot appear on the ballot if you have been convicted of a felony in any court in the United States for which you have not been pardoned. Please see footnote on page 1 for further information with respect to convictions for misdemeanors involving a violation of public trust. *These restrictions only apply to candidates for state and local office.***
- Your current address, including your municipality of residence for voting purposes, must be inserted on the fourth line. This must include your entire mailing address (**street and number**, **municipality where you receive mail)** *and* **the name of the municipality in which you reside and vote** (town, village, or city of __). If your address changes before the election, an amended Declaration of Candidacy must be filed with the filing officer. Wis. Stat. § 8.21. *Federal candidates are not required to provide this information, however an address for contact purposes is helpful.*
- Type or print your name on the fifth line as you want it to be printed on the official ballot. You may use your full legal name, or any combination of first name, middle name, and initials, or nickname with last name.

  Note: 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. For example, John “Jack” Jones or John (Jack) Jones are not acceptable, but John Jones, Jack Jones or John Jack Jones are acceptable.

This form must be sworn to and signed in the presence of a notary public or other person authorized to administer oaths, such as a county or municipal clerk. Wis. Stat. § 8.21(2).

***Information to be provided by the person administering the oath*:**

- The county of notarization.
- The date the Declaration of Candidacy was signed and the oath administered.
- The signature and title of the person administering the oath. If signed by a notary public, the date the notary’s commission expires must be listed. *The notary seal is not required*.

All candidates for offices using the nomination paper process and all school district candidates must file this form with the appropriate filing officer no later than the deadline for filing nomination papers. Wis. Stats. §§ 8.10 (5), 8.15 (4)(b), 8.17 (2), 8.20 (6), 8.50 (3)(a), 120.06 (6)(b).

Candidates nominated for local office at a caucus must file this form with their municipal clerk within 5 days of receiving notice of nomination. Wis. Stat. § 8.05 (l)(j).

State of Wisconsin \ Elections Board

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http://elections.state.wi.us

KEVIN J. KENNEDY
Executive Director

MEMORANDUM

TO: County and Municipal Clerks

FROM: Kevin J. Kennedy, Executive Director
State Elections Board

DATE: July 1, 1997

SUBJECT: Effect of Constitutional Amendment Barring Convicted Felons from Running for or Holding Elective Office in Wisconsin

In November 1996, the electors of the State of Wisconsin ratified a constitutional amendment which bars any person, who has been convicted of a felony for which they have not been pardoned, or who has been convicted of a misdemeanor involving a violation of public trust for which they have not been pardoned, from holding a state or local office. As a result of the adoption of this constitutional amendment, which took effect on November 5, 1996, local election officials will have to address a number of questions relating to convicted felons who seek to run for office or who are elected to office.

The constitutional amendment deals with two different types of crimes. The first involves felony convictions. Any person convicted of a felony in any federal or state court in the United States is barred from running for state or local office in Wisconsin, unless that person has been pardoned.

The second involves misdemeanor convictions involving a violation of public trust. The term, "misdemeanor involving a violation of public trust," has not been defined by state law. Filing officers do not have to worry about individuals convicted of that category of crime until the term has been defined. At the present time, there is no such thing as a misdemeanor involving a violation of public trust.

The State Elections Board staff has revised the Declaration of Candidacy form (EB-162) to reflect this constitutional change. Any person seeking to be a candidate for state or local office must file a Declaration of Candidacy. That declaration contains a sworn statement that the person has not been convicted of any felony for which they have not been pardoned, or any misdemeanor involving a violation of public trust for which they have not been pardoned. Any person who falsely signs this statement could be convicted of a violation of S. 12.13(3)(a), (am), Wis. Stats. If a person seeking to become a candidate advises you that they have been convicted of a felony, your best approach is to advise them that they cannot be a candidate and discourage them from filing ballot access documents, including nomination papers, a Declaration of Candidacy and Campaign Registration Statement.

If it is brought to your attention that a person who is a convicted felon has filed ballot access documents, the matter needs to be resolved in consultation with your municipal or county attorney. It is the position of the State Elections Board that you should only act on information that has been presented to you, in the form of a sworn complaint, alleging that a person has been convicted of a felony and evidence is provided in support of that allegation. Your municipal attorney can assist you in verifying the basis of the complaint.

Once it has been determined that a candidate or an elected official has been convicted of a felony, the municipal attorney can assist you in removing the person's name from the ballot or take appropriate steps to have the person removed from office. A formal notice should be sent to the candidate or elected official informing that person of the filing officer's decision to remove his or her name from the ballot.

This change to Wisconsin law regarding candidate qualifications and the qualifications of elected public officials does not require the municipal clerk to verify that every elected official or candidate for elected public office has not been convicted of a felony for which they have not been pardoned. The clerk should rely on the sworn statement of the candidate on the Declaration of Candidacy. No action should be taken unless there is evidence, in the form of a sworn complaint, setting forth allegations which establish that a candidate or elected official has been convicted a felony for which they have not been pardoned.

G:\Lowe\EB Forms\EB-162 Memo

Instructions for Preparing Nomination Papers for Nonpartisan Office

This is a sample nomination paper form. It conforms to the statutory requirements for nomination papers for nonpartisan office. All information concerning the candidate must be completed in full before circulating this form to obtain signatures of electors. All information concerning the signing electors and the circulator must be completed in full before filing with the appropriate filing officer. This form may be reproduced in any way. A candidate's picture and biographical data may also be added to this form. The Government Accountability Board has determined that no disclaimer or other attribution statement is required on nomination papers. Candidates are advised to send a sample of their completed form the filing officer for review before circulation.

Page Numbers – Number each page consecutively, beginning with "1", before submitting to the filing officer. A space for page numbers has been provided in the lower right-hand corner of the form.

Candidate's Name - Insert the candidate's name. 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.

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.

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. If the election is a special nonpartisan election, the date of the special election must be listed.

Title of Office - The name of the office must be listed **along with any branch, district, or seat number** that clearly identifies the office the candidate is seeking. If necessary, the name of the jurisdiction that identifies the office, such as Dane County Circuit Court Judge, Branch 3, must also be listed.

Name of Jurisdiction - The nomination papers must also indicate the municipality or jurisdiction in which the signing electors are qualified to vote, as it relates to the office sought by the candidate named on the nomination paper. For example, for a statewide office the jurisdiction is the State of Wisconsin. Others may be the county, town, village, city, aldermanic district, school district, or town sanitary district, as required.

Signatures and Printed Name of Electors - Only qualified electors of the jurisdiction or the 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 & 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 alone does not show where the elector actually resides. The date the elector signed the nomination paper, including month, day and year, must be indicated. Ditto marks that follow correct and complete address or date information are acceptable. The circulator may add any missing or illegible address or date information before the papers are filed with the filing officer.

Signature of Circulator - The circulator should carefully read the language of the *Certification of Circulator*. 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**. 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.

Other Instructions - Candidates and circulators should review Ch. GAB §§ 2.05, 2.07, Wis. Adm. Code.

- *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 to the filing officer. Ch. GAB § 6.04(2), Wis. Adm. Code.
- Nomination papers with the required number of signatures must be filed 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. Special elections may have different filing deadlines. Check with the filing officer.
- 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-169) containing the appropriate number of signatures for the office sought no later than the filing deadline. Wis. Stat. § 8.10(3). 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. Wis. Stat. § 19.43. If any one of these required forms is not filed by the deadline, the candidate's name will not be placed on the ballot. Wis. Stat. § 8.30.
- If a candidate or circulator has any questions, he or she should contact the filing officer.

NOMINATION PAPER FOR NONPARTISAN OFFICE

Candidate's name; no titles may be used.			Street, fire, or rural route number; box number (if rural route); and name of street or road		
Name of municipality for voting purposes ❑ Town ❑ Village _____	Name of municipality for mailing purposes	State **WI**	zip code	Type of election ❑ spring ❑ special	Election date
Title of office		Branch, district or seat number ❑ Branch ❑ District ❑ Seat	Name of jurisdiction or district in which candidate seeks office		

I, the undersigned, request that the candidate, whose name and address are listed above, be placed on the ballot at the election described above as a candidate so that voters will have the opportunity to vote for ❑ him or ❑ her for the office listed above. I am eligible to vote in the jurisdiction or district in which the candidate named above seeks office. I have not signed the nomination paper of any other candidate for the same office at this election.

The municipality used for mailing purposes, when different than municipality of residence, is not sufficient. The name of the municipality of residence must always be listed.

Signatures of Electors	Printed Name of Electors	Street and Number or Rural Route Rural address must also include box or fire no	Municipality of Residence Provide name of municipality	Date of Signing
1.			❑ Town ❑ Village ❑ City	
2.			❑ Town ❑ Village ❑ City	
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4.			❑ Town ❑ Village ❑ City	
5.			❑ Town ❑ Village ❑ City	
6.			❑ Town ❑ Village ❑ City	
7.			❑ Town ❑ Village ❑ City	
8.			❑ Town ❑ Village ❑ City	
9.			❑ Town ❑ Village ❑ City	
10.			❑ Town ❑ Village ❑ City	

CERTIFICATION OF CIRCULATOR

I,_____ certify: I reside at _____.
(Name of circulator) (Circulator's residence - **Include number, street, and municipality.**)

I further certify I am either a qualified elector of Wisconsin, or a U.S. citizen, age 18 or older who, if I were a resident of this state, would not be disqualified from voting under Wis. Stat. §6.03. I personally circulated this nomination paper and personally obtained each of the signatures on this paper. I know that the signers are electors of the jurisdiction or district the candidate seeks to represent. I know that each person signed the paper with full knowledge of its content on the date indicated opposite his or her name. I know their respective residences given. I intend to support this candidate. I am aware that falsifying this certification is punishable under Wis. Stat. § 12.13(3)(a).

_____ (Date) _____ (Signature of circulator)

Page No.

NOMINATION PAPER FOR NONPARTISAN OFFICE

Candidate's name; no titles may be used.			Street, fire, or rural route number; box number (if rural route); and name of street or road		
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_____ (Date) _____ (Signature of circulator)

Page No.

This form must be filed with:
City Clerk/Treasurer
City of Kenosha

This space for office use:
Postmark/Received Date:

CITY OF KENOSHA

Statement of Economic Interest

Last Name | First Name | Middle Initial

City, Town or Village In Which You Reside

Position Held or Sought: _____

General filing information:

- The information sought in this form is required by Chapter XXIX of the Code of General Ordinances.
- The information to be provided in this Statement of Economic Interest covers the period from January 1 of the preceding taxable year to the date this Statement of Economic Interest is filed with the City Clerk/Treasurer as required by Chapter XXIX of the Code of General Ordinances.

A copy of Chapter XXIX of the Code of General Ordinances, "Statement of Economic Interest by City Officers, Employees, Candidates and Nominees" is available at http://www.kenosha.org.

1. BUSINESS ACTIVITIES. List businesses, farms, rental, commercial, and income producing real estate, and business activities in the City of Kenosha which you, your spouse, cohabitant or domestic partner had a least a 10% or greater interest. If none, state none.

Name of Business	Address	Describe Nature of Business

2. REAL ESTATE. List the specific location of real estate located in the City of Kenosha in which you, your spouse, cohabitant or domestic partner had an interest except your principal residence and real estate whose location you listed in Item 1. If none, state none.

LOCATION OF PROPERTY Street address or tax parcel no. if vacant land	**TYPE OF PROPERTY** (e.g., farm, apartment, condominium or second home)	**NATURE OF INTEREST** (e.g., own, lease, option, easement, land contract, partnership, limited liability company)

3. EMPLOYER. List your and your spouse's, cohabitant's or domestic partner's employers. If self-employed list nature of business. If none, state none.

Name of Employer If City of Kenosha identify office or department	City	State	Nature of employer's business

4. FOR PROFIT AND NOT-FOR-PROFIT AFFILIATIONS. List organizations with which you, your spouse, cohabitant or domestic partner was affiliated as an officer, director or any other paid or unpaid position unless already listed in Item 1. If none, state none.

Name of Organization	Nature of Organization	City and State	Position

I certify that the information contained in this ***Statement of Economic Interest*** is true, correct and complete to the best of my knowledge, information and belief. In the event this Statement of Economic Interest is filed prior to the time for filing set forth in Section 29.04 of the Code of General Ordinances, I certify that I will amend it, if amendment is necessary, to bring it into conformity with the true statement of my economic interest as of the time for filing set forth in Section 29.04 of the Code of General Ordinances.

_____

Signature of person filing Date

Address: _____

_____

Daytime Phone Number _____

E-mail Address _____

Instructions

Attachments:

Additional pages may be used to provide all of the information necessary to complete your Statement of Economic Interest. Attached pages should conform to the same formatting as the existing Statement of Economic Interest.

Definitions:

1. BUSINESS ACTIVITIES. List businesses, farms, rental, commercial, and income-producing real estate and business activities in the City of Kenosha in which you, your spouse, cohabitant or domestic partner had at least a 10% or greater interest. Include interests owned directly or through (a) a partnership; (b) a corporation (c) a limited liability company; (d) a limited liability partnership; (e) a trust; or (f) any other enterprise.

- List the name of each business, farm, and rental, commercial and income-producing real estate that operated under a business name.
- If you, your spouse, cohabitant or domestic partner owned rental or other income-producing real estate, but did not operate under a business name, list the street address of the real estate, and describe the nature of the business.
- If you, your spouse, cohabitant or domestic partner was self-employed, but did not operate under a business name, list the street address of the real estate, and describe the nature of the business.

2. REAL ESTATE. List the specific location of real estate located in the City of Kenosha in which you, your spouse, cohabitant or domestic partner had an interest. Do not list your principal residence or real estate whose location you listed in Item 1. Include real estate you, your spouse, cohabitant or domestic partner owned directly or through: (a) a partnership; (b) a corporation; (c) a limited liability company; (d) a limited liability partnership; (e) a trust; or (f) any other enterprise.

3. EMPLOYER . List your and your spouse's, cohabitant's or domestic partner's employers . If self-employed list nature of business.

4. FOR PROFIT AND NOT- FOR- PROFIT AFFILIATIONS. List organizations with which you, your spouse, cohabitant or domestic partner was affiliated as an officer, director or any other paid or unpaid position unless already listed in Item 1.

- List all for profit and not-for-profit organizations except those listed in Item 1.