



CANDIDATE HANDBOOK



**Running for
Public Office**



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A. FORMS

All of the following forms must be completed and filed on time for candidates running for municipal office (Mayor, Municipal Judge, and Council Member) in order for the candidate's name to be placed on the ballot for the Spring Primary and/or Spring General Election §8.10:

- Campaign Finance Registration Statement (CF-1)
- Declaration of Candidacy (EL-162)
- Nomination Paper for Nonpartisan Office (EL-169)

The filing officer is the City Clerk for municipal offices, and candidates should contact the City Clerk (608-789-7510) with any questions.

Filing Timelines

Prior to announcing your candidacy for office and/or collecting or disbursing funds for campaign purposes, you must file a Campaign Finance Registration Statement and Declaration of Candidacy in the City Clerk's Office.

You may NOT begin circulating Nomination Papers until December 1, and the deadline for filing nomination papers is 5:00 p.m. on the first Tuesday in January.

Forms

1. **Campaign Finance Registration Statement (CF-1)**. Candidates should file a Campaign Registration Statement as soon as the intent to seek elective office is known, and before any funds are collected or spent. All candidates should file a Campaign Finance Registration Statement or amended statement before they begin to circulate nomination papers on December 1.

2. **Nomination Papers (EL-169)**. Nomination papers may be circulated any time after December 1, and after the candidate has filed a Campaign Finance Registration Statement with the City Clerk. If running for one of the Common Council offices, all signers must live within that aldermanic district. If running for a citywide office, all signers must live within the city limits. Signers do not need to be registered voters, but must be eligible to vote. Signers must include their complete signature, printed name, complete residential address (house number, street and municipality – no post office boxes), and must list their municipality of residence. Signers must date their signature, including the year.

The person circulating the nomination paper does not have to live in the municipality. However, circulators are 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 Statutes, sec. 6.03. Each Nomination Paper must be signed by the Circulator after all signatures on the page have been collected. Signatures dated after the date of the Certification of Circulator will not be counted.

Nomination papers may not be left unattended on counters or posted on bulletin boards. They must be personally circulated by the person who signs as the Circulator. The instructions for the completion of the Nomination Papers are on the back of each paper and should be followed carefully.

The numbers of signatures required are as follows:

- Council Member 20 – 40
- Mayor, Municipal Judge 200 – 400

It is important to secure more than the minimum number of signatures just in case some signatures are declared invalid and removed from the count.

Each page of the Nomination papers must be numbered before filing.

Information regarding the treatment and sufficiency of nomination papers, as well as challenges to nomination papers, can be found in the Wisconsin Elections Commission Administrative Rule EL 2.

https://docs.legis.wisconsin.gov/code/admin_code/el/2

To determine whether an address is in the district, check online at <https://myvote.wi.gov> .

3. Declaration of Candidacy (EL-162). This form must be filed with the City Clerk no later than the deadline for filing Nomination Papers. The candidate must indicate how their name should appear on the official ballot. This form must be sworn to and signed in the presence of a notary or person authorized to administer oaths, such as the Municipal Clerk.

4. Notification of Noncandidacy (EL-163). The purpose of this form is to notify the filing officer and the electorate of an incumbent officeholder's intent

NOT to seek re-election to the same office, and to avoid an extension of the deadline for filing nomination papers.

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

5. Campaign Finance Report (CF-2L). This form discloses the financial activity of the registrant. Unless an exemption is claimed on the Registration Form CF-1, the law requires filing reports for disclosure of income, disbursements, and incurred obligations. This information is required to be placed on separate schedules of the Campaign Finance Report. All forms can be found at: <https://ethics.wi.gov/Pages/CampaignFinance/Forms.aspx>. For more detailed information on filing requirements, candidates should refer to the *Campaign Finance Overview for Local Candidate Committees* available on the Wisconsin Ethics Commission website at: <https://ethics.wi.gov/Pages/CampaignFinance/Candidates.aspx>.

Following the submittal of all of the required ballot access forms to the City Clerk, the nomination papers will be checked for validity. After the filing deadline, the candidate's names will be drawn by lot to determine order placement on the ballot.

B. SIGN RESTRICTIONS. Temporary signs are subject to the following regulations per Section 111-96 of the Municipal Code.

Political signs on behalf of candidates for public office or issues on election ballots are subject to the following regulations:

- (1) Permission shall be obtained from the owners or tenants in possession of the property upon which an election campaign sign is erected. No sign shall be located on public property.
- (2) Said signs may be erected during the election campaign period, which is defined as the first day of circulation of the nomination papers by candidates, or the first day on which candidates would circulate nomination papers were papers to be required, and shall be removed within seven days following said election. If the signs are not removed within the seven-day period, the Fire Department – Division of Fire Prevention and Building Safety shall cause said signs to be removed without the necessity of giving notice

and the cost of such removal shall be chargeable to the owner of the property in which said sign is located.

- (3) In areas zoned other than residential, each sign shall not exceed 32 square feet in area. In residential areas, no political or campaign signs may be constructed, erected or placed so as to adversely affect traffic or pedestrian safety and shall not exceed 12 square feet in area. Political and campaign signs shall have no electrical, mechanical or audio auxiliary.

Please remove your signs promptly following Election Day.

C. DISTRIBUTION OF FLYERS. Please exercise care when distributing campaign brochures. Section 36-26 of the La Crosse Municipal Code reads as follows: “No person shall upon the public streets distribute any hand bill, circular, notice or printed matter of any kind if the distribution of such materials results in the littering of streets or other public ways. Violations of this section are a Class B offense as provided in section 1-7.

D. ADDITIONAL RESOURCES

You are responsible for familiarizing yourself with the election and campaign finance requirements that apply to your campaign. If you have questions, consult Chapters 5-12 of the Wisconsin State Statutes. If you have further questions, please refer to the contact information below:

Office of City Clerk - 789-7510
elections@cityoflacrosse.org
www.cityoflacrosse.org

Wisconsin Elections Commission - (608) 266-8005
<http://elections.wi.gov>

Wisconsin Ethics Commission – (608) 266-8123
CampaignFinance@wi.gov (for Campaign Finance questions)
<https://ethics.wi.gov>

E. CAMPAIGN FINANCING (§ Chapter 11)
<https://docs.legis.wisconsin.gov/statutes/statutes/11>

Contribution Limits from an Individual. An individual (other than the candidate) may contribute to a candidate no more than the following amounts specified for the candidate whose nomination or election the individual supports:

Candidates for local offices, an amount equal to the greater of the following:

1. Five hundred dollars.
2. Two cents times the number of inhabitants of the jurisdiction or district, according to the latest federal census or the census information on which the district is based, as certified by the appropriate filing officer, but not more than \$6,000.

The number of the inhabitants in the jurisdiction is determined by the latest federal census.

Clerk's Calculation of Formula:

- $51,320 \text{ census} \times .02 = \underline{\$1,026.40}$ for citywide candidates
- Approx. $3,948 \text{ per district} \times .02 = \78.96 so the greater of \$500 for district candidates

Candidates are exempt from filing a Campaign Finance Reports (CF-2) if they meet the following criteria:

1. The candidate anticipates that he/she will not accept contributions, make disbursements, or incur loans and other obligations in an aggregate amount exceeding \$2,000 in a calendar year.
2. The candidate or treasurer signs and dates the request for exemption on the Campaign Finance Registration Statement.

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

A candidate who is exempt from filing campaign finance reports may use a personal account as the campaign depository. In that case, a separate campaign depository account is not required. However, be aware that your campaign account is subject to open records requests so having a separate account may be preferable.

If a decision is made at a later date to exceed the \$2,000 limit on contributions and disbursements during a calendar year, the candidate must immediately file an amended Campaign Finance Registration Statement.

The Campaign Finance Report (CF-2L), for contributions of \$2,000 or more, can be downloaded from the Wisconsin Ethics Commission website at: <https://ethics.wi.gov/Pages/CampaignFinance/Forms.aspx>

F. CAMPAIGN RESTRICTIONS (§ Chapter 12.03 and 12.04)

No person may engage in electioneering during polling hours on election day at a polling place, or in the municipal clerk's office or at an alternate absentee site during the hours that absentee ballots may be cast.

No person may engage in electioneering on any public property within 100-feet of an entrance to a building containing a polling place during polling hours on Election Day, or during the hours that absentee ballots may be cast in the municipal clerk's office or at an alternate site.

Electioneering is defined as any activity which is intended to influence voting at an election. In addition, any activity beyond 100 feet that disrupts voting or interferes with the orderly conduct of the election is prohibited.

Prohibited Election Practices are in Chapter 12 of the Wisconsin Statutes: <https://docs.legis.wisconsin.gov/statutes/statutes/12>

G. ATTRIBUTION STATEMENT (DISCLAIMERS) (§ Chapter 11.1303)

Every communication which is paid for by political funds or private funds to influence an election must contain an attribution statement or disclaimer identifying the source of the funds paying for the communication. This includes every printed advertisement, billboard, handbill, unofficial sample ballot, television or radio advertisement or other communication paid for by political funds. Disclaimers should be included on each piece of material of political communication, including letterhead and enclosures. Disclaimers should also be on items such as T-shirts, bumper stickers and yard signs. The disclaimer **must** use the words "**Paid for by**" (abbreviations should not be used for this language or the name of a candidate or campaign committee) followed by the name of the committee or group making the payment or assuming responsibility for the communication and the name of the treasurer or other authorized agent. When the communication is being paid for through an in-kind contribution, it must bear the disclaimer of the recipient campaign committee.

No attribution or disclaimer is required on certain small items, including business cards, buttons, pencils, pens, or pins.

Audio, online ads and electronic communications are addressed in the Ethics Commission Administrative Rules.

Administrative Rule ETH 1.96 regarding Attribution Requirements.

https://docs.legis.wisconsin.gov/code/admin_code/eth/1

Format for Disclaimers

When the communication is paid for by a candidate committee, the disclaimer must include the words "Paid for by" followed by the name of the committee:

"Paid for by Friends of Mary Smith"

"Paid for by Friends of Mary Smith for Mayor, John Jones, Treasurer"

When the communication is paid for by another in coordination with a candidate committee, both the person making the payment and the committee accepting the in-kind contribution should be listed:

"Paid for by Citizens for Government, Authorized by Mary Smith for Governor"

H. ELECTION BRIBERY (§ Chapter 12.11)

12.11 Election Bribery.

(1) In this section, "anything of value" includes any amount of money, or any object which has utility independent of any political message it contains and the value of which exceeds \$1. The prohibitions of this section apply to the distribution of material printed at public expense and available for free distribution if such materials are accompanied by a political message.

(1m) Any person who does any of the following violates this chapter:

(a) Offers, gives, lends or promises to give or lend, or endeavors to procure, anything of value, or any office or employment or any privilege or immunity to, or for, any elector, or to or for any other person, in order to induce any elector to:

1. Go to or refrain from going to the polls.

2. Vote or refrain from voting.

3. Vote or refrain from voting for or against a particular person.

4. Vote or refrain from voting for or against a particular referendum; or on account of any elector having done any of the above.

(b) Receives, agrees or contracts to receive or accept any money, gift, loan, valuable consideration, office or employment personally or for any other person, in consideration that the person or any elector will, so act or has so acted.

(c) Advances, pays or causes to be paid any money to or for the use of any person with the intent that such money or any part thereof will be used to bribe electors at any election.

(2) This section applies to any convention or meeting held for the purpose of nominating any candidate for any election, and to the signing of any nomination paper.

(3)

(a) This section does not prohibit a candidate from publicly stating his or her preference for or support of any other candidate for any office to be voted for at the same election. A candidate for an office in which the person elected is charged with the duty of participating in the election or nomination of any person as a candidate for office is not prohibited from publicly stating or pledging his or her preference for or support of any person for such office or nomination.

(b) This section does not apply to money paid or agreed to be paid for or on account of authorized legal expenses which were legitimately incurred at or concerning any election.

(c) This section does not apply where an employer agrees that all or part of election day be given to its employees as a paid holiday, provided that such policy is made uniformly applicable to all similarly situated employees.

(d) This section does not prohibit any person from using his or her own vehicle to transport electors to or from the polls without charge.

(e) This section does not apply to any promise by a candidate to reduce public expenditures or taxes.

Violation of Chapter 12.11 is a Class I felony.