



Campaign Finance and Candidate Information for 2016

As a candidate for office, you may find the following information helpful as you prepare for the 2016 Spring Election.

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

Important Dates	
December 1, 2015	First day to circulate nomination papers.
December 28, 2015	Deadline for incumbents not seeking re-election to file Notice of Non- Candidacy.
January 5, 2016	All papers and forms due in City Clerk's Office
January 27, 2016	Last day to register to vote through the mail.
February 11, 2016	Deadline to request absentee ballot by mail for the Spring Primary.
February 16, 2016	Spring Primary, if needed.
March 16, 2016	Last day to register to vote through the mail.
March 31, 2016	Deadline to request absentee ballot by mail for the Spring Election.
April 5, 2016	Spring Election.

Necessary Forms

The following forms must be completed and filed **by 5 p.m. on January 5** in order for the candidate's name to be placed on the ballot for the Spring Primary and/or the Spring General Election:

- Campaign Registration Statement
- Declaration of Candidacy
- Nomination Papers

Campaign Registration Statement

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

Declaration of Candidacy

The declaration of candidacy must include the candidate's name in the form it is to appear on the official ballot. A candidate may use his or her full legal name or any combination of first name, middle name, initials, or nickname with last name. No abbreviations or titles are permitted.

A nickname is defined as a familiar or shortened form of a proper name by which an individual is commonly known. Names that are not familiar or shortened forms of proper names, such as "Red," "Skip," or "Lower Taxes" are not permitted. A nickname is a substitute for the candidate's legal name. It is not permissible to add the nickname in quotes between the first and last name. For example, John "Jack" Jones is not acceptable, but Jack Jones is acceptable.

Nomination Papers

The first day for circulating nomination papers is December 1, and the deadline for filing nomination papers is 5 p.m. on the first Tuesday in January. This deadline is extended to the first Wednesday in January if the first Tuesday of January is a holiday (§8.10).

Signatures of qualified electors on nomination papers must be obtained between December 1, 2015, and 5 p.m. on January 5, 2016. Please pay careful attention to the signatures you obtain on your nomination papers. All electors signing your nomination papers must live within your district. Those signing do not need to be registered voters, but must be eligible to vote.

Signers must give their complete address (house number, street and municipality – no Post Office boxes), and must list the municipality of residence. Signers must date their signature, including the year. In order for a signature to be valid, state law requires the signer to legibly print his or her name in a space provided next to his or her signature.

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

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

Signatures Required			
Office	Minimum	Maximum	Wisconsin State Statute
School Board	100	200	§8.10(3)(km)

Candidates' names are drawn by lot for order placement on the ballot.

If a potential candidate does not submit all necessary forms and an adequate number of nomination signatures by 5 p.m. on January 5, 2016, his or her name will not be placed on the ballot.

Notification of Non-Candidacy

The notification of non-candidacy form is to notify the City Clerk's Office and the electorate of an incumbent officeholder's intent to not seek re-election to the same office. Incumbent office holders who do not intend to seek re-election to the same office should file the notification of non-candidacy no later than 5 p.m. on December 28, 2015. If an incumbent not seeking re-election files the notification timely, the nomination paper deadline is unchanged. If the incumbent has a change of mind after filing the notification of non-candidacy, he or she can run for re-election by filing the appropriate ballot access papers by January 5, 2016.

Write-In Candidates

To seek office as a write-in candidate:

- Download your campaign registration statement from the Government Accountability Board website at any time.
- File your campaign registration statement with the City Clerk's Office as soon as you decide to become a write-in candidate. Write-in votes are counted at the Spring Primary for candidates who file a campaign registration statement by noon on February 12. Write-in votes are counted at the Spring Election for candidates who file a campaign registration statement by noon on April 1.
- Educate supporters to write your name on the write-in portion of the ballot, under the proper position.

File your forms with the City Clerk's Office, City-County Building room 103, 210 Martin Luther King, Jr., Boulevard.

Campaign Finance

Chapter 11 of the Wisconsin Statutes

The campaign finance report is available on the Government Accountability Board website and is provided to candidates, upon request, by the City Clerk's Office.

Candidates are required to file periodic campaign finance reports on the dates listed below. Candidates for local office whose names do not appear on the primary ballot are not required to file a pre-primary report.

Report	Reporting Period	Filing Deadline
Spring Pre-Primary	January 1 – February 1, 2016	February 8, 2016
Spring Pre-Election (if primary is held)	February 2 – March 21, 2016	March 28, 2016
Spring Pre-Election (if no primary)	January 1 – March 21, 2016	March 28, 2016
July Continuing	March 22 – June 30, 2016, or January 1 – June 30, 2016	July 15, 2016
January Continuing	July 1 – December 31, 2016	January 16, 2017

Eligibility for Exemption

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

- Candidate anticipates not accepting contributions, making disbursements, or incurring loans and other obligations in an aggregate amount exceeding \$2,000 in a calendar year.
- Candidate or treasurer signs and dates request for exemption on campaign registration statement.

Financial Records Kept During Exemption

- When the candidate is exempt, he or she is not required to file any campaign finance reports. However, the candidate or treasurer is required to keep an adequate record of all contributions and all expenditures.
- Maintaining these records is especially important in the event of unexpected large contributions or expenses exceeding \$2,000. The information is then readily available for the candidate to immediately amend his or her campaign registration statement.
- A candidate who is exempt from filing campaign finance reports may use a personal account as the campaign depository. A separate campaign depository account is not required, but you must provide the account number for whichever account you will use.

Revoking Exemption

- If a decision is made to exceed the \$2,000 limit on contributions and disbursements, the candidate must amend his or her campaign registration statement immediately.
- The candidate/committee is required to file a campaign finance report beginning with the next regular report. The first report must cover all financial activity from the time of registration or from the date of the last financial report before going on exemption.

In-Kind Contributions

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

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

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

Prohibited Contributions

Certain contributions are prohibited by Wisconsin law:

- Anonymous contributions of more than \$10
- Contributions in cash of more than \$50
- Contributions given in the name of someone other than the contributor (laundered)
- Contributions from cooperatives or corporations
- Contributions in excess of limits set by law

Pre-Election Spending for Incumbents

Wisconsin Statute 11.33

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

Continuing Reports

Wisconsin Statute 11.20

Some candidates and committees choose not to terminate their registered status after an election, even if they're eligible to do so. There is no limit on how long a candidate or committee remains registered. Every registered candidate or committee must file continuing reports until a termination report is filed with the City Clerk's Office. The January continuing campaign finance report covers activity from July 1 through December 31. The July continuing campaign finance report covers activity from January 1 through June 30.

Failure to File Reports

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

The Dane County District Attorney may impose fines on local candidates who stop filing continuing reports without terminating their registration.

Campaign Finance Report Changes in 2016

- Every contribution must be itemized (date, amount, name, and address), even donations of \$20 or less. Anonymous donations of up to \$10 per donor may still be accepted.
- Every disbursement exceeding \$20 must be itemized.
- An occupation must be provided for any individual donor of over \$200. However, committees no longer have to provide an employer name or employer address.
- The January Continuing Report is due January 15, and the July Continuing Report is due July 15.
- All Political Action Committees, Independent Expenditure Committees, conduits, and political parties now register with the state, even if they are only active at the municipal level.
- A referendum committee does not have to register until it collects or spends over \$10,000 in a calendar year.
- A recall committee must register before circulating recall petitions.
- The threshold for exemption has increased. A committee may claim exempt status if it does not collect or spend more than \$2,000 in a calendar year.
- An elected official is now allowed to form a second committee to pursue another office.
- Contribution limits have increased; see the chart on the next page.

Contribution Limits

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

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

Campaign Finance Contribution Limits			
Per campaign (2 to 4 years, depending on office)			
Office	District Population (2010 Census)	Individual or Candidate Committee Limit	Political Action Committee Limit
School Board	226,308	\$4,526	\$4,526
Ald. District 1	11,960	\$500	\$400
Ald. District 2	11,809	\$500	\$400
Ald. District 3	11,782	\$500	\$400
Ald. District 4	11,988	\$500	\$400
Ald. District 5	11,385	\$500	\$400
Ald. District 6	11,837	\$500	\$400
Ald. District 7	11,637	\$500	\$400
Ald. District 8	11,822	\$500	\$400
Ald. District 9	11,813	\$500	\$400
Ald. District 10	11,315	\$500	\$400
Ald. District 11	11,336	\$500	\$400
Ald. District 12	11,700	\$500	\$400
Ald. District 13	11,612	\$500	\$400
Ald. District 14	12,002	\$500	\$400
Ald. District 15	11,426	\$500	\$400
Ald. District 16	11,561	\$500	\$400
Ald. District 17	11,693	\$500	\$400
Ald. District 18	11,319	\$500	\$400
Ald. District 19	11,755	\$500	\$400
Ald. District 20	11,457	\$500	\$400
Municipal Judge	233,209	\$4,664	\$4,664
Mayor	233,209	\$4,664	\$4,664

Termination of Registration and Reporting Requirements

Wisconsin Statute 11.19

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

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

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

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

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

Disclaimers

Wisconsin Statute 11.30

Every communication that is paid for by political funds must contain a disclaimer or attribution statement identifying the source of the funds paying for the communication. This includes every printed advertisement, billboard, handbill, sample ballot, television or radio advertisement or other communication paid for by political funds.

Disclaimers should be included on each separate page of a political communication, including stickers and yard signs. The disclaimer must use the words "paid for by" (abbreviations should not be used for this language), followed by the name of the committee or group making 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. Abbreviations may not be used for the name of a candidate or campaign committee.

No disclaimer is required on:

- Personal correspondence not reproduced by machine for distribution
- A single personal item not reproduced or manufactured by machine or other equipment
- Nomination papers, even if the papers contain biographical information
- Pins, buttons, pens, balloons (small items on which disclaimer cannot be conveniently printed)
- Envelopes that have campaign committee identification printed on them

Formats for Disclaimers

- When a communication is paid for by a candidate without a committee, or paid for by an individual, the disclaimer should read, "Paid for by Mary Smith."
- When the communication is paid for by the campaign committee of a candidate or by a political committee, the disclaimer should read, "Paid for by Friends of Mary Smith for Mayor, John Jones, Treasurer," or "Paid for by the Committee for Voters, John Jones, Treasurer."

Campaign Signs

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

Signs should not be placed in the median strip of boulevards or displayed on posts, trees, or other supports in any public street.

Please instruct your campaign committees and other volunteers to obey the law. Non-compliance with this ordinance may result in the issuance of citations with civil forfeitures from \$30 to \$500, plus costs.

Election Day Campaign Restrictions

Wisconsin Statutes 12.03 & 12.04

State Statute 12.03 prohibits electioneering on public property within 100 feet of any entrance to a building that serves as a polling place. This prohibition does not apply to private property within 100 feet of an entrance to a polling place. All polling places, even those located at private businesses, are considered public property on Election Day.

Election Observers

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

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

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

Voter Lists

Lists of voters or absentee ballot requestors can be obtained from the Government Accountability Board. Visit <https://badgervoters.gab.wi.gov/> to purchase a voter list.

Helpful Online Resources

- Government Accountability Board www.gab.wi.gov
- My Vote WI <https://MyVote.wi.gov>