

Running for Elective Office in Madison County



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General Information

NOTE: The information contained here is intended to provide general guidance for those who are preparing to circulate petitions, or expand their knowledge of the nomination process, and is not to be used as a substitute for consulting the Election Law for specific petition requirements.

The current recognized political parties in New York State are:
Democratic, Republican, Independence, Conservative and Working Families Party.

Elected County Positions

Party nominations for elected county positions are made either by designating petition or independent petition. Caucuses are not held for county-wide positions.

Designating Petitions

Designating Petitions are used to nominate party members for most elected offices. Only enrolled members of a party qualified to vote for an office may sign designating petitions of the party. If more designating petitions than openings are filed for the same office and of the same party that would force a Primary Election for that office. (Example: 3 designating petitions filed for an office that only has 2 openings.) A sample petition form and detailed instructions are on page 6 and 7 of this booklet.

Independent Nominating Petition

To run for office on a line other than a designated party line, one must file an independent nominating petition. Any registered voter who has not already signed a designating petition or participated in a caucus and who is qualified to vote for that office may sign an independent nominating petition for that office. A sample petition form and detailed instructions are on page 8 and 9 of this booklet.

Certificate of Authorization

A Certificate of Authorization is needed for a person nominated on a designating petition that is not of the political party named on the petition. A Certificate of Authorization must be signed and acknowledged by the presiding officer and secretary of that party. This form needs to be filed with the petition. A Certificate of Authorization is available at our office. This form is not needed for nominations resulting from a caucus or for a candidate for judicial office.

Certificate of Acceptance

A Certificate of Acceptance is needed for a candidate that is not of the party passing the designating petition. The Certificate of Acceptance always has to be filed with an Independent Petition, except for judicial candidates. This certificate has to be notarized and filed not later than the fourth day after the last day to file the petition (third day for Independent Petitions). A Certificate of Acceptance is available at our office.

Certificate of Declination

A Certificate of Declination has to be filed for any candidate declining a party designation or nomination. The deadline dates for filing this certificate are the same as the Certificate of Acceptance and are included in the yearly Political Calendar. This certificate has to be notarized and is available at the Board of Elections office.

Elected City, Town and Village Positions

Party Nominations:

Party nominations of candidates for elective office are made at either a party caucus or by filing designating petitions. If more petitions are filed for an office than positions available there will be a Primary Election to determine the party candidate(s).

If you are interested in running for office on a designated party line, you may contact the Madison County Party Chairman, the town/village chairman, or the Madison County Board of Elections for more information.

Democratic County Chairperson:	Mike Oot, 495-2585
Republican County Chairperson:	Ken Kunkel, 662-7481
Independence County Chairman:	Terry Karst, 363-0024
Conservative County Chairman:	Chris Kendall, 684-7810

Designating Petitions:

Candidates for town and village positions circulate designating petitions for the Republican, Independence and Conservative lines. In the City of Oneida all parties (Democrats, Republicans, Independence and Conservative) circulate designating petitions for office. Only enrolled members of a party qualified to vote for an office may sign designating petitions of the party. (Example: only Republicans can sign a petition being circulated for a Republican candidate.) The current Political Calendar provides the dates to circulate and file the petitions.

Designation of a Non-Party Member:

Political parties may endorse a candidate who is not an enrolled member of the political party. A party member or a notary passes the petitions for the designated candidate. Such parties must file a certificate of authorization, signed and acknowledged by the presiding officer and secretary of the meeting at which the authorization is given. (A certificate of authorization is not needed for a candidate for a judicial office or for nominations resulting from a caucus.) All candidates given this authorization have to file a notarized certificate of acceptance, except for judicial candidates.

Caucus:

A caucus is an open meeting of a town or village political party at which candidates are nominated for elective office. Only residents of the town or village who are enrolled members of the party may participate in the caucus. A caucus is organized by the town or village party chairman (in the absence of a party chairman, the county committee chairman may designate the caucus chair). If you wish to be nominated at a caucus, contact your party chairman. In Madison County the Democrats caucus for town and village positions, the Republicans may caucus in a village. The current Political Calendar provides the caucus dates and deadlines.

Independent Nominating Petitions:

Independent nominating petitions are used to run for office on a line other than a designated party line. Any registered voter who has not already signed a petition and who is qualified to vote for that office may sign an independent nominating petition for that office. The rules are different in regards to village and town elections for independent petitions and participation in a caucus. Please check with our office so that we can explain it to you. This petition can be passed and filed by a person of any party. An independent nomination requires the candidate to create a name for the party line. The party name must not be the same or similar to one of the current constituted parties in NYS. The candidate may choose an emblem from the list provided by the County Board of Elections or create their own. The name and emblem for the party must be filed when filing the petition. A notarized Certificate of Acceptance must be filed within three days for all independent nominating petitions (except for judicial offices).

For Village Elections conducted by the Village Clerks, potential candidates are advised to contact the Village Clerk for caucus information, petition rules, and dates.

Forms of Petitions

The statute requires that all petitions be substantially in the form set forth in the law. See Election Law § 6-132 (party designating petitions), § 6-140 (independent nominating petitions) and § 15-108 (village designating and independent petitions). Deviations or slight rearrangements of the form of petition are not fatal defects, provided that the petition contains all of the required information.

Each sheet of the petition must correctly set forth:

- the date of the Election: Primary Election date for Designating Petitions, General Election Date for Independent Nominating Petitions;
- the name of the candidate and the office or position sought;
- the candidate's residence, and if different, their mailing or post office address;
- information about the signer: date of signing, voter's residence address, town or city and
- information relating to the person who witnesses the signatures.

A petition may include a committee to fill vacancies. Failure to provide such a committee, or naming a committee of fewer than three persons, will not invalidate the petition.

The voter need only sign the appropriate line on the petition sheet. All other information may be filled in by someone else. Corrections may be made to any information on the signature line. However, corrections or alterations in the date or the signature **MUST** be initialed by the person making the correction.

Voters may not sign a petition for more candidates than there are openings for an office. For example, if there is one council seat open, the voter may only sign one petition for a candidate for that office. If there are 2 seats open, the voter may sign petitions for 2 candidates.

The pages of a petition must be sequentially numbered and securely fastened.

Signature Requirements

The number of signatures needed depends on the position and political party. Please contact the Madison County Board of Elections for individual signature requirements.

Witnesses to a Petition

The person passing the petition is the witness and in filling out the statement of witness is swearing that each signature on the petition was scribed in their presence.

Any registered voter in the State of New York may witness a petition anywhere in the State of New York. If it is a designating petition, they must be enrolled in the party or a notary.

The information required for the witness statement is mandatory. Omissions, errors, or unexplained alterations/corrections, may invalidate the entire page. Any alterations in the statement must be made by the witness and initialed. When the witness signs the statement of witness, they are making an oath that subjects them to penalties for perjury if the information preceding their signature is false. The information preceding the signature includes the name and residence of the witness, the number of signatures on the page, a statement that each person signed in their presence, and the date they are signing the statement. Witness identification information, which follows the witness's signature, may be provided by anyone, at any time before the petition is filed. This information includes the town or city and the county of the witness's voter registration. A candidate can be a witness to his/her own petition provided that they have not signed the petition. The notary or commissioner of deeds section is only completed when the petition is carried by a notary or commissioner of deeds.

A sample of a designating petition follows on the next page

Instructions for Designating Petitions

Section 1

This section needs to be completed before you start to obtain signatures. The signer needs to read and understand this statement indicating the nature of the petition. Also in Section 1, the voter is stating that they are a duly enrolled voter and entitled to sign this petition.

Section 2

In this area, enter the name of the candidate(s), the office or position they are seeking, and their residence address, along with mailing address if different than residence. It is of vital importance that the office or position be worded in a way that complies with the wording on the ballot. More than one name and position may be put on a petition.

Section 3

By listing the names and addresses of at least three qualified people to serve as a committee to fill vacancies, if a vacancy is created due to declination, this committee can fill the vacancy. If there is not a committee stated here, the vacancy can not be filled.

Section 4

Directly above Name of Signer is a statement "In witness whereof, I have hereunto set my hand, the day and year placed opposite my signature". By signing the petition, the voter is allowing the candidate ballot access for the above stated position.

- A designating petition shall be signed in ink.
- Date: actual date that the signer signed the petition.
- Name of signer: the signer signs their legal name. (A wife cannot sign Mrs. John Doe. She has to sign Mary Doe. A person cannot sign for anyone else.)
- Residence: address that the signer is registered to vote from, not PO Box.
- Township or City: it is very important to enter the proper name of the township. For example, Brookfield- not Leonardsville or North Brookfield; Fenner- not Cazenovia or Canastota.
- No ditto marks are allowed on the petition. Everything must be filled in.

Section 5

Statement of Witness: the person passing petition is the witness and can not sign this petition. (They can sign a petition for the same candidate(s) being passed/witnessed by someone else.) Complete this section with name, residence, and number of signatures contained on the petition sheet. Date and sign where indicated. The date of the witness must be the same day or later than any signature date listed in the body of the petition. Do not leave anything blank. If the number of signatures is understated, only the number entered will count. If the number of signatures is overstated, the page is invalid. **Any changes in the statement of witness must be made by the witness and initialed by the witness.**

Section 6

If a person is a notary public or commissioner of deeds, they may fill this section out instead of the Statement of Witness. They must duly swear each signer that the foregoing statement made and subscribed by him was true. This section does not have to be completed if the witness statement is filled out and signed.

Section 7

All pages must be numbered in sequential order and securely fastened when filed with the Board of Elections.

A sample of an Independent Nominating Petition is on the following page.

Independent Nominating Petition Sec. 6-132, ELECTION LAW

1 I, the undersigned, do hereby state that I am a registered voter of the political unit for which a nomination for public office is hereby being made, that my present place of residence is truly stated opposite my signature hereto, and that I do hereby nominate the following named person (or persons) as a candidate (or as candidates) for election to public office (or public offices) to be voted for at the election to be held on the ___ day of _____, and that I select the name (fill in name) _____ as the name of the independent body making the nomination (or nominations) and (fill in emblem) _____ as the emblem of such body.

Name(s) of Candidate(s) Public Office or Party Position Place of Residence (also Post Office address, if not identical)

2

I do hereby appoint (here insert the names and addresses of at least three persons, all of whom shall be enrolled voters of said party),

3 as a committee to fill vacancies in accordance with the provisions of the election law.
 IN WITNESS WHEREOF, I have hereunto set my hand, the day and year placed opposite my signature.

DATE -	SIGNER-SIGNATURE REQUIRED	RESIDENCE	TOWNSHIP/CITY
1	4		
2			
3			
4			
5			
6			
7			
8			
9			
10			

Complete ONE of the following
1) STATEMENT OF WITNESS

5 I, (name of witness) _____ state: I am a duly qualified voter of the State of New York and am an enrolled voter of the _____ party. I now reside at (residence address) _____

Each of the individuals whose names are subscribed to this petition sheet containing (fill in number) _____ signatures, subscribed the same in my presence on the dates above indicated and identified himself to be the individual who signed this sheet.

I understand that this statement will be accepted for all purposes as the equivalent of an affidavit and, if it contains a material false statement, shall subject me to the same penalties as if I had been duly sworn.

_____ Date

_____ Signature of Witness

WITNESS IDENTIFICATION INFORMATION: The following information for the witness named above must be completed prior to filing with the board of elections in order for this petition sheet to be valid.

Town or City _____

County _____

2) NOTARY PUBLIC OR COMMISSIONER OF DEEDS

6 On the dates above indicated before me personally came each of the voters whose signatures appear on this petition sheet containing (fill in number) _____ signatures, who signed same in my presence and who, being by me duly sworn, each for himself, said that the foregoing statement made and subscribed by him, was true.

_____ Date

_____ Signature and Official Title of Officer Administering Oath

Instructions for Independent Petition

Section 1

This section needs to be completed before you start to obtain signatures. The signer needs to read and understand this statement indicating the nature of the petition. In this section the voter is stating that they are a duly enrolled voter and entitled to sign this petition. The name of the party and emblem is created by the candidate or independent body. The party name and emblem can not be the same or similar to the already constituted parties.

Section 2

In this area, enter the name of the candidate(s), the office or position they are seeking, and their residence address, along with mailing address if different than residence address. It is of vital importance that the office or position be worded in a way that complies with the wording on the ballot. More than one name and position may be put on a petition.

Section 3

By listing names and addresses of at least three qualified people, they can serve as a committee to fill vacancies. If there is not a committee stated here, any vacancies created due to declination, can not be filled.

Section 4

Directly above Name of Signer is a statement "In witness whereof, I have hereunto set my hand, the day and year placed opposite my signature." By signing the petition, the voter is allowing the candidate ballot access for the above stated position.

- A designating petition shall be signed in ink.
- Date: actual date that the signer signed the petition.
- Name of signer: the signer signs their legal name. (A wife cannot sign Mrs. John Doe. She has to sign Mary Doe. A person cannot sign for anyone else.)
- Residence: address that the signer is registered to vote from, not PO Box.
- Township or City: it is very important to enter the proper name of the township. For example, Brookfield- not Leonardsville or North Brookfield; Fenner- not Cazenovia or Canastota.
- No ditto marks are allowed on the petition. Everything must be filled in.

Section 5

Statement of Witness: the person passing petition is the witness and can not sign this petition. (They can sign a petition for the same candidate(s) being passed/witnessed by someone else.) Complete this section with name, residence, and number of signatures contained on the petition sheet. Date and sign where indicated. The date of the witness must be the same day or later than any signature date listed in the body of the petition. Do not leave anything blank. If the number of signatures is understated, only the number entered will count. If the number of signatures is overstated, the page is invalid. **Any changes in the statement of witness must be made by the witness and initialed by the witness.**

Section 6

If a person is a notary public or commissioner of deeds, they may fill this section out instead of the Statement of Witness. They must duly swear each signer that the foregoing statement made and subscribed by him was true. This section does not have to be completed if the witness statement is filled out and signed.

Section 7

All pages must be numbered in sequential order and securely fastened when filed with the Board of Elections.

Cover sheet for designating and independent petition; with respect to all other petitions filed

(Place Name of Party or Independent Body Here)

Name of Candidate

Residence Address
(also mailing address if different)

Public Office
or
Party Position

Volume Number _____

Total Number of Volumes in Petition: _____

The petition contains the number, or in excess of the number, of valid signatures, required by the Election Law.

Contact Person to Correct Deficiencies

Name: _____
(please print)

Residence Address: _____
(also mailing address if different)

Phone: _____ **Fax:** _____
(Include if notice by fax desired)

I hereby authorize that notice of any determination made by the Board of Elections be transmitted to the person named above:

(Candidate or Agent)

Cover Sheet Instructions

If there are 10 or more petition pages, there must be a cover sheet. A multi-volume petition requires a cover sheet for each volume.

Cover sheets **MUST** contain the following information:

- name, residence address, and mailing address if different, of the candidate;
- the public office or party position sought;
- the name of the party or independent body making the nomination;
- a statement that the petition contains a number of signatures equal to or in excess of the number required by statute and
- the volume number and total number of volumes.

The following information is optional however, we suggest you provide:

- the name of a contact person,
- residence address (and mailing address if different) and
- the telephone number and facsimile number of the person designated to receive notice of deficiencies in binding or cover sheet requirements.

A cover sheet must be permanently fastened to the petitions (no paper clips).

There are additional requirements if the petition contains candidates for county committee, and if there are different candidates on the several pages of the petition. Those requirements are contained in Part 6215 of the rules and regulations of the State Board of Elections.

Pursuant to Part 6215 of the rules and regulations of the State Board of Elections, the Board will provide notice of any correctable errors in cover sheet(s) and binding.

Filing of Petitions, Acceptances, Authorizations and Declinations

All filings must be filed timely (between the hours of 9 AM and 5 PM) and in the proper manner at the appropriate Board of Elections (County or State). No filings will be accepted by facsimile or email. If the last day for filing falls on a Saturday, Sunday or legal holiday, the next business day shall become the last day for filing. All papers sent by mail in an envelope postmarked prior to midnight of the last day of filing shall be deemed timely filed and accepted for filing when received.

Candidates must file a certificate of acceptance for nominations made by independent nominating petitions. If they are named in a designating petition but are not enrolled members of that party an authorization must be filed with the petition and an acceptance must be filed by the candidate. Neither an authorization nor an acceptance is required if the individual is a candidate for a judicial office. A declination must be filed if the candidate decides not to accept the designation or nomination.

Objections

Every petition is presumed to be valid when filed, if, on its face, it appears to be in proper form and to contain enough signatures. However, a registered voter qualified to vote for the position may challenge the validity of a petition. Written objections must be filed within three days after the petition is filed (one day in a Village Election). Specifications of objections must be filed within 6 days of filing the general objections (2 days in a Village Election). For petitions filed with the State Board of Elections, objectors must deliver a copy of the specifications of the objections to the candidate and file proof of such delivery with the State Board. For further details see Election Law 6-154 and 6-212 and part 6204 of the rules and regulations of the State Board of Elections.

Campaign Finance Disclosure

All candidates and committees are responsible for tracking and reporting financial activity supporting the campaign. Three filings are required for each Election Cycle (Village, Primary, and General) that the candidate is involved in. Two additional Periodic filings are due January 15th and July 15th for all committees and any campaigns with open accounts.

Candidates running for a local position (in an area with less than 10,000 people) do not have to file any Financial Disclosure Statements if:

“a candidate or a committee taking part solely in his campaign...in a city, town or village having a population of less than ten thousand...unless the aggregate receipts of said candidate...exceed one thousand dollars.”(EL 14-124)

The candidate/ committee has to file an Exemption Claim (CF-05) with the County Board of Elections.

Candidates running for a local position (in an area with more than 10,000 people) may file In-Lieu-Of Statements (on the cover page of the report) for each filing period if:

at the close of the Reporting Period... neither the Total Receipts nor the Total Expenditures of the campaign have exceeded \$1,000.

A candidate or committee spending more than \$1,000 must:

- *File all Financial Disclosures electronically with the State Board of Election
- *Continue periodic financial filings with the State until the account is closed

***All candidates running for State Offices must register and file with the State Board of Elections**

The forms required to register a candidate or committee, disclosure statements to report receipts and disbursements, and a calendar of filing dates, as well as a handbook of instructions, are available online at the New York State Board of Elections and at the Madison County Board of Elections. Please call our office for more information at 366-2231.

State Board of Elections:

<http://www.elections.ny.gov/>

Madison County Board of Election:

<http://www.madisoncounty.ny.gov/boe/>

Poll Watchers

To ensure fair and honest elections, New York State law provides for appointing Poll Watchers to observe voting at the polls.

Poll Watchers are designated by party chairman or the candidates. They are assigned to particular pollsites to observe the election and keep a record of attending voters on behalf of a particular candidate, political party, or organization. If they observe irregularities, they are to report these observations to either the Election Inspectors or the County Board of Elections. While keeping a voter list, they must not interfere with the election process.

Each watcher must be a qualified voter of the city or county in which he/she is to serve. Poll Watchers must present a certificate in writing (issued by the chairman or secretary of the political party, independent body or candidate) to the Inspectors of the election district they are assigned to.

WATCHER CERTIFICATE
FOR USE ON ELECTION DAY

Section 8-500 Election Law

I/We, the undersigned, being _____ of the _____ party,
(chair/candidates) (political party/ independent body)

do hereby appoint _____ county of Madison to be a watcher for the election
(watcher's name)

to be held on _____ in the _____ election district, in the _____ ward (if applicable) of the town, city,
(date of election)

or village of _____, or the _____ Assembly District in Nassau County or the City of New York.

Signature

Title

GUIDELINES

- ◆ Watchers shall be appointed by the chair of any party committee or independent body whose candidates names appear on the ballot or any two or more candidates in a primary election.
- ◆ Each watcher must be a qualified voter of the city or county in which he/she is to serve.
- ◆ Watcher certificates must be delivered to an inspector at the election district.
- ◆ Not more than three watchers for any party committee or independent body or candidates whose names appear on the ballot may be appointed to serve at the same election district.
- ◆ Watchers may be present at the polling place at least fifteen minutes before the unlocking and examinations of any voting machine or ballot box at the opening of the polls, until after the signing of the inspectors' returns and proclamation of the result.
- ◆ Not more than one watcher appointed by each party committee or independent body or candidates whose names appear on the ballot may be within the guard rail at any one time.

Pollwatcher Certificates are available at the County Board of Elections and from your party Chairman.

MADISON COUNTY OFFICES UP 2014

Office	Currently held by-	Party	Term
<u>COUNTY WIDE</u>			
Governor & Lt Governor	Andrew Cuomo/ Bob Duffy	Dem	4 year
Attorney General	Eric Schneiderman	Dem	4 year
Comptroller	Thomas DiNapoli	Dem	4 year
Justice of the Supreme Court- 6 th JD	Robert Mulvey	Rep	14 year
Representative in Congress- 22 nd CD	Richard Hanna	Rep	2 year
State Senate- 53 rd District	David Valesky	Dem	2 year
Member of Assembly- 121 st District	Bill Magee	Dem	2 year
Madison County Treasurer	Cindy Edick	Rep	4 year
<u>PARTY COMMITTEES</u>			
Democratic State Committee	2 members	Dem	2 year
Independence State Committee	2 members	Ind	2 year
Democratic County Committee	2 or more per district	Dem	2 year
Republican County Committee	2 per district	Rep	2 year
Conservative County Committee	2 per district	Con	2 year
<u>TOWN JUSTICE</u>			
Cazenovia	Timothy Moore	Rep	4 year
Fenner	Norman Watts	Rep	4 year
Smithfield	Eugene Rifenburg (appt)	Rep	4 year
<u>VACANCIES</u>			
Cazenovia Town Council	Thomas Driscoll (appt)	Rep	1 yr vacancy
Fenner Town Council	Richard Sears (appt)	Rep	1 yr vacancy
Georgetown Town Council	Mac Sergent (appt)	Rep	1 yr vacancy

Village Elections – March 18, 2014

Canastota

Justice	Edward Pokorny	Rep	4 year
Trustee	Margaret Peters	Rep	4 year
Trustee	Scott Rapasadi	Rep	4 year

Chittenango

Justice	John Button	Rep	4 year
Trustee	Wayne Horning	Rep	4 year
Trustee	Alan Laube	Rep	4 year

DeRuyter

Trustee	Eugene Selden	Rep	2 year
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Earlville

Trustee	Margaret Corey	Blk	2 year
Trustee	Sara Chapman DuVal	Dem	2 year

Munnsville

Trustee	Howard Love	Dem	2 year
Trustee	Pamela Mitchell	Dem	2 year

Village Elections - June 17, 2014

Cazenovia

Justice	Timothy Moore	Rep	4 year
Trustee	Jim Joseph	Rep	2 year
Trustee	David Porter	Dem	2 year

Hamilton

Justice	Thomas Bogan	Blk	4 year
Trustee	Samuel Cooper	Rep	2 year
Trustee	Russell Lura	Blk	2 year

Morrisville

Trustee	Emily Marshall	Rep	4 year
Trustee	Mark Whitney	Dem	4 year

