

# **RUNNING FOR ELECTIVE OFFICE IN TIOGA COUNTY 2019**

**Tioga County Board of Elections  
1062 State Route 38, PO Box 306  
Owego, NY 13827  
Phone: (607) 687-8261**



## **Commissioners**

Bernadette M. Toombs  
James C. E. Wahls

## **Deputy Commissioners**

Vera Lin Layman  
Emily Price

**For Election results and other election information, please visit:**

Tioga County Website:  
<http://www.tiogacountyny.com/departments/board-of-elections/>

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

## IMPORTANT DATES 2019

STATE/LOCAL PRIMARY -----Tuesday, June 25, 2019, 12 PM – 9 PM

GENERAL ELECTION -----Tuesday, November 5, 2019 – 6 AM-9 PM

### **Designating Petitions ...**

- ✓ The first day to sign is **Tuesday, February 26<sup>th</sup>**
- ✓ Dates for filing are from **April 1 – April 4**
- ✓ The date on top of petition needs to be **JUNE 25, 2019**

### **Independent Petitions ...**

- ✓ The first day to sign is **Tuesday, April 16<sup>th</sup>**
- ✓ Dates for filing are from **May 21 – May 28**
- ✓ The date on top of petition needs to be **NOVEMBER 5, 2019**

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**\*\*\*Please read each and every page so that you will be eligible for any upcoming election.**

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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 political parties in New York State are:

- Democratic
- Republican
- Conservative
- Green Party
- Libertarian Party
- Independence Party
- Save America Movement (SAM) Party
- Reform

### **Elected Positions**

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

#### **Designating Petitions...**

Designating petitions are used to nominate party members for elected officials for town offices and higher. If there is more than one Designating Petition filed for the same office and of the same party, then that would force a primary election for that office. Petition instructions are on page 4 - 6 of this packet.

#### **Independent Petitions...**

To run for office on a line other than an official party line, one must file an independent nominating petition. You would create a name for your independent party. The party name must not be one of the current constituted parties in NYS. An emblem must be filed on the petition, which would represent your party name, prior to circulation. We have samples from the state printer. A Certificate of Acceptance must be filed with this petition. Any registered voter who has not already signed a designating petition for an office, and who is qualified to vote for an office, may sign an independent nominating petition for that office.

### **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 of that party. This form needs to be filed not later than four days after the last day to file the designating petition, certificate of nomination or certificate of substitution to which such authorization relates. A Certificate of Authorization is available at our office or on the State Board of Elections (SBOE) website for those persons eligible to use them.

### **Certificate of Acceptance and Declination...**

A Certificate of Acceptance is needed for a **candidate** that is not of the party passing the petition. A Certificate of Acceptance is always needed when filing an Independent Petition.

A Certificate of Declination is needed to be filed for any candidate declining a nomination. The deadline for filing these certificates are included in the Political Calendar, which is available at our office, on our website or on the SBOE website.

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## **RULES FOR PETITION CARRIERS**

\*\*To be eligible to circulate and witness a designating petition for a major party, you must be an enrolled voter of the party in the state. Any registered voter in New York State may carry an independent petition. A petition may also be carried by a Notary Public.

1. Be sure the upper portion of the petition is properly filled in: including **Party, Date of Election, Name of Candidate, Public Office with the district or Party Position, Term of Office, AND Place of Residence** (our office cannot accept just the mailing address). **Failure to have the correct election date will invalidate the entire petition.**
2. Fill in **vacancy committee**, if applicable, in correct space. Failure to list (3) three eligible voters **WILL NOT** invalidate the petition unless a vacancy occurs, which under the NYS Election Law may be filled only by such committee.
3. Designating petitions require the number of signatures equal to 5% of the voters currently enrolled in the party within the political subdivision, or the

statutory minimum, whichever is less. Independent nominating petitions require the number of signatures equal to 5% of the total number of votes cast for Governor at the last gubernatorial election for the political subdivision.

4. All columns must be completed and must be in **ink**. Otherwise a fatal defect for that signature could become invalid upon objection. Any alteration or correction of information appearing on a signature line, **other than the signature itself and the date**, will not invalidate such signature. The alteration or correction must be initialed.
5. In addition to the requirement for the signature, the printed name of the signer may be added, provided that the failure to provide a place to print the name or failure to print a name if a space is provided shall **NOT** invalidate the signature or petition.
6. Use current enrollment and registration lists to determine voter's eligibility to sign a petition. They must reside in the political subdivision for the public office or party position listed on the petition. **Fill in the name of the Town in the last column, not village nor post office**. A signature will not be deemed invalid solely because the address provided is the post office address of the signer. The proof that such address is the accepted address of such signer is provided to the BOE no later than three days following the receipt of specific objections to such signature.
7. Each petition must be numbered sequentially at the foot of each sheet before being filed. Any two or more petition sheets must be **securely bound** (paper clips are not acceptable, staples are highly recommended), which will hold the pages together in numerical order. All petitions containing ten or more sheets must be accompanied by a cover sheet. **Do not number the petition sheets unless you are the person who will be binding or filing the petition**.
8. You cannot circulate a petition for a candidate if you have already signed a petition for another candidate for the same office.
9. **Witness Statement:** The witness must be an enrolled voter of the same party enrollment as the voters qualified to sign the petition and who is a resident in the State of New York. The carrier must witness all signatures on his/her petition. **Do NOT** give a petition to someone else to obtain signatures and then sign your name as the witness. Never allow anyone to sign another name except his/her own.

10. You **CANNOT** witness your own signature. You may sign another carrier's petition for the same candidate, but are advised only to do so when they are finished circulating petitions.
11. When you have completed each sheet, print your name on the first line of the Witness Statement where it asks for "Name of Witness". Fill in your party, residence, and number of signatures. Subscribing witness information may be inserted by someone other than the witness provided that it is done prior to the witness signing or in the witness' presence. Information below the witness' signature (Town and County) can be filled-in by anyone prior to filing the petition.
12. All papers required to be filed pursuant to the Election Law shall, unless otherwise provided, be filed within the given dates located in the front of this petition packet and between the hours of 9:00 am and 5:00 pm.
13. All petitions or other legal papers sent by mail in an envelope postmarked prior to midnight of the last day of filing shall be deemed "timely" and accepted for filing when received. However, due to the inconsistency of the mail, it is advisable to file petitions in person at the Board of Elections office.

**\*\*\*\*NOTE:** The above information is provided to assist petition carriers and candidates in the petition process and does **NOT** represent all sections of NYS Election Law associated with nominating petitions. For more detailed information, see the State of New York Election Law Book, ARTICLE 6 and/or call our office – **(607) 687- 8261**.

## **LAST MINUTE CHECKS**

The following are some common petition errors. Please check your petitions for these errors before filing.

- ✓ Petitions with multiple pages must be securely bound. **Paper clips are not acceptable, staples are highly recommended.**
- ✓ Petitions with **10 or more pages must have a cover sheet.**
- ✓ Cover sheet must be completed and **signed.**
- ✓ Petitions pages must be **sequentially numbered** at the foot of the page.
- ✓ Top of petition must have party and **correct date of election as follows:**
  - ✦ **Designating Petition will have Primary Election Date**
  - ✦ **Independent Petition will have General Election Date**
- ✓ Public Office or Party Position must include Town and Term of Office.
- ✓ Each signature line must have **all** requested data in **ink.**
- ✓ The witness statement must have **all** requested data in **ink.**
- ✓ Any alterations or corrections other than the signature and date must be initialed.

The purpose of this list is to provide filers with common petition errors. It is NOT a complete list of all possible petition errors or requirements per NYS Election Law. You may ask one of the employees in the Board of Elections to review your petition before filing.

## 2019 5% SIGNATURES REQUIRED

### DESIGNATING NOMINATING PETITIONS

OFFICES	DEM	REP	CON	WOR	GRE	IND
County Sheriff	405	687	24	6	6	86
County Clerk	405	687	24	6	6	86
County Coroner (2 positions)	405	687	24	6	6	86
Barton	70	96	4	2	2	15
Berkshire	11	21	2	1	1	4
Candor	42	71	3	1	1	8
Newark Valley	27	53	2	1	1	8
Nichols	19	36	2	1	1	5
Owego	174	293	10	2	3	34
Richford	10	14	1	1	1	3
Spencer	25	39	2	1	1	5
Tioga	31	69	2	1	1	8

### INDEPENDENT NOMINATING PETITIONS

County	915
Barton	116
Berkshire	26
Candor	94
Newark Valley	72
Nichols	42
Owego	419
Richford	21
Spencer	53
Tioga	77

### 6<sup>TH</sup> JUDICIAL DELEGATES/ALTERNATES (No. of signatures required for 124<sup>th</sup> Assembly District)

DEM	405
REP	500*
CON	24
WOR	6
GRE	6
IND	86

\*NY Election Law [6-136 (3)]: "The number of signatures on a petition to designate a candidate or candidates for the position of delegate or alternate to a state or judicial district convention... need not exceed the number required for member of assembly."



## Rules for Petition Objections

1. Any person examining any petition or certificate may not use or have in his hand a pen or pencil during the process of examining a petition.
2. No person or group may examine any petition or certificate for a period of more than two (2) consecutive hours if another person is waiting to examine the same petition or certificate.
3. You may examine a petition or certificate only in the Board of Elections office, and in the presence of one or more employees of the Board.
4. To be considered, objections must be submitted **within three days** after the filing of a petition or certificate, or within three days after the last day to file such a certificate, if no such certificate is filed.
5. When such an objection is filed, specifications of the grounds of the objections shall be filed within six days thereafter with the same officer or board and if specifications are not timely filed, the objection shall be null and void.
6. The objection must state only that there is an objection to a named petition, must be dated, signed and contain the address and telephone number of the objector.
7. Any person filing general objections to any designating or independent nominating petition filed with the County Board of Elections who thereafter files specifications of his objections to any such petition with such board shall do so in accordance with the provisions of §6-154 of the NY Election Law. All such specifications shall substantially comply with the following requirements:
  - A) The volume number (if applicable), page number, and line number of any signature objected to on any petition shall be set forth in detail. In addition, any portion of any petition or any signature line or witness statement objected to shall be specifically identified and reasons given for any such objection;
  - B) The total number of signatures objected to shall be set forth and all objections relating to a single signature line should be grouped together;
  - C) Symbols and/or abbreviations may be used to set forth objections, provided that a sheet explaining the meaning of any such symbols and/or abbreviations is attached to the specifications.
8. No specifications of objections to any petitions will be considered by the Board unless the objector filing the specifications mails, by certified mail, a

duplicate copy of the specifications to each candidate for public office named on the petition. In the case of a petition containing candidates for party position, service of the specifications shall be made on either the named candidates or the first person named on the petition's committee to fill vacancies. Service shall be made on or before the date of filing of any specifications with the Board. Proof of service shall accompany the specifications or be received by the end of two business days following the filing of the specifications, whichever is later.

9. Any notice and/or determination relating to a petition for which specifications of objections have been filed shall be transmitted by the Board to the objector filing the specifications, provided that any such objector may designate an attorney or agent to receive any such notice and or determination on his behalf. Any such designation shall be in writing and include the name, address and telephone number of any such attorney or agent, and any such attorney and /or the agent shall be eligible to represent any such objector in any proceeding conducted by the Board relating to the specifications.

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## **POLICY FOR DUPLICATING PETITONS**

A Certificate of Examination form needs to be signed and copy charge paid before copies of petitions are released. (\$.20 per page)

Authorization from Commissioners or Deputy Commissioners must be obtained before copies are released.

## **CAMPAIGN FINANCE**

**\*\*Check out the Campaign Financial Disclosure filing calendar online at either of the websites listed on the cover of this packet.**

### **Who Must File?**

All candidates and political committees are required to disclose, at specific times, all of the financial activity made in connection with their campaign or in support or opposition of candidates, committees or ballot proposals/propositions. Such disclosure is made by filing campaign financial disclosure reports.

## **When are Reports Filed?**

**Election Reports:** There are three campaign financial disclosure reports filed in connection with each election (**primary, general and special**). The exact dates for filing are found on the political calendar, which you may pick up in our office, from our website, or the SBOE website. The following disclosures are to be filed:

- ✓ 32-day pre-election; **and**
- ✓ 11-day pre-election: **and**
- ✓ 10-day post-election for **primary elections**
- or-**
- ✓ 27-day post-election for **general or special elections**

**Periodic Reports:** All candidates and committees obligated to file campaign financial disclosure reports must submit, in addition to any required election reports, periodic campaign financial disclosure reports twice a year on the following dates:

- ✓ January 15<sup>th</sup>;
- ✓ July 15<sup>th</sup>.

These periodic reports must be filed until such time as the **candidate or committee terminates** (CF-18; *Termination or Resignation Request Form/ No-Activity Report Form*)).

Candidates are obligated to file campaign financial disclosures unless they have an authorized committee which has registered with the Board of Elections and the candidate is not going to raise or spend money themselves, except through their authorized committee. In this case, the candidate must file only a form [CF-16](#) (Candidate's Authorization for a Committee to make Campaign Financial Disclosures). This statement names the candidate's authorized committee that will file the financial disclosure statements on the candidate's behalf. The committee must file the form [CF-02](#) (Committee Registration/Treasurer and Bank Information) and [CF-03](#) (Committee Authorization Status). If the named treasurer does not file these documents ([CF-02 & CF-03](#)) which indicate that he/she has accepted the responsibility for filing the financial reports, then that responsibility remains with the candidate.

Candidates who run their own campaigns (without a committee) **and** candidates with an authorized committee, who raise and spend monies outside of their committee, are required to file either "In-Lieu-Of", "Itemized" or "No-Activity" Financial Disclosure Statements.

- **In-Lieu-Of Statement** is on the form [CF-01](#). This form can be submitted on paper (with original signature). You qualify to file an In-Lieu-Of Statement if you are a candidate and/or authorized committee solely supporting one candidate, or a ballot proposition committee, and if, at the close of each reporting period for which such statement would be required, neither the total receipts nor the total expenditures of the campaign have exceeded \$1,000, including the candidate's own money.
- **Itemized Statement** is required once the \$1,000 threshold is exceeded. You must now file an itemized statement covering all transactions since the beginning of the campaign. Also, once an itemized report is required, you may not file an In-Lieu-Of Statement for any future reporting and become a State Board of Elections filer. These filers are required to file their Financial Disclosure Statement electronically with few exceptions.
  - To file an **Itemized Statement** electronically, you must download the [Electronic Filing Software \(EFS\)](#). Then prepare the report on the software, save the report and attach the report to an e-mail to [efsfiling@elections.state.ny.us](mailto:efsfiling@elections.state.ny.us) or submit report on a disc, DVD or CD.
  - After sending your report to the NYSBOE (either by email attachment or by mail), it is necessary for you to access the NYSBOE website to verify receipt and content of your filing. It typically takes up to 24 business hours after NYSBOE has received and successfully uploaded your filing to access your Reports online.
- **No-Activity Statement** is to be filed by itemized filers when there are no transactions to report for the reporting period (i.e., receipts and/or expenditures). No-Activity Statements can be filed on paper using the form [CF-18](#) (Termination or Resignation Request Form/ No-Activity Report Form) or submit a [No-Activity Report](#) online at [www.elections.ny.us](http://www.elections.ny.us)

For any and all other information you may go to any of the following sources:

- State of New York Election Law book, Article 14 – Campaign Receipts and Expenditures,
- NYS Board of Elections - Campaign Finance Handbook 2017,
- NYS Website: [www.elections.ny.gov](http://www.elections.ny.gov),
- Call the Tioga County Board of Elections at (607) 687-8261.


## **FURTHER PROVISIONS**

Please be aware that there may be other requirements which may apply to running for any particular office. These may include but not be limited to:

### **FINANCIAL DISCLOSURE REQUIREMENTS:**

- The New York State Election Law requires candidates and political committees to file statements disclosing information about contributions received and expenditures made in connection with an election.
- The forms required to register a committee and to report receipts and disbursements, as well as a comprehensive handbook of instructions, are available at the State Board of Elections and your county Board of Elections.
- View the [Campaign Finance Page](#) for more information on financial disclosure requirements or contact the State Board of Elections at 1-800-458-3453 or 518-474-8200 or contact your [county board of elections](#)

### **Hatch Act:**

- Call 1-800-85 HATCH - Website [www.osc.gov](http://www.osc.gov) 

### **The Commission on Judicial Conduct:**

- [www.scjc.state.ny.us](http://www.scjc.state.ny.us)
- Call (646) 386-4800 - Main Office
- (518) 453-4600 - Albany
- (585) 784-4141 - Rochester

### **Judicial Campaign Ethics Center:**

- [www.nycourts.gov/ip/jcec/](http://www.nycourts.gov/ip/jcec/)
- 1-888-600-JCEC

### **State Ethics Commission:**

- Call 1-800-873-8442

### **Legislative Ethics Committee:**

- Call (518) 432-7837

Revised: February 4, 2019