

# 2021 Running for Elective Office in Wayne 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 NY Election Law for specific petition requirements.

The current political parties in New York State are:

Democratic, Republican, Conservative, and Working Families.

## Elected County Positions

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

### Designating Petitions 6-132

Designating Petitions are used to nominate party members, county offices and higher, including the Towns of Lyons, Macedon, Marion, Savannah, and the Town and Villages of Sodus Republicans. Only enrolled members of a party qualified to vote for an office may sign a designating petition of the party. If more designating petitions than openings are filed for the same office and of the same party a primary election would be held for that office. Petition form and detailed instructions are on page 6 & 7 of this booklet.

### Independent Nominating Petition 6-140

To run for office on a line other than an official party line, one must file an independent nominating petition. Any registered voter who has not already signed a designation petition for an office, and who is qualified to vote for an office, may sign an independent nominating petition for that office. Please see detailed instructions and forms on page 8 & 9 of this booklet.

### Certificate of Authorization 6-120

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 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 need when filing an Independent Petition, and needs to be notarized. A Certificate of Declination is needed to be filed for any candidate declining a nomination, and needs to be notarized. Deadline dates for filing these certificates is included in the political calendar and Schedule of Deadlines.

## Elected Town and Village Positions

Nominations for elected town and village positions are made either by caucus or independent petition with the exception of the Republican Party in the Towns of Lyons, Macedon, Marion, Savannah, and the Town and Villages of Sodus. These locations would use Designating petitions for their town and village positions. You may contact your Wayne County Party Chairman, town chair, or the Election Office for more information.

Republican County Chairman:	MaryAnne Nicosia-McCarthy	315 946-4937
Democratic County Chairman:	Mark Alquist	315 589-8864
Conservative County Chairman:	Michael Garlock	585-415-9641

### Caucus

A caucus is an open meeting of a town or village political party at which candidates are nominated for elective office. (Town, 6-108, Village 6-202) 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 official party member of that political unit. If you wish to be nominated at a caucus, contact your party chairman. Our office has names of all organized committee members in Wayne County. Please refer to the political calendar or Schedule of Deadlines (included in this booklet) for caucus dates and deadlines.

### Independent Nominations

To run for office on a line other than an official party line, one must file an independent nominating petition. The Election Law sets forth the form of this petition; Sec 6-140 (state, county, town offices), and Sec 6-206 (village offices). Village offices have a different petition than for town positions. For Village offices, if you participated in a caucus, you may not sign an independent petition.

This petition can be filed by a person of any party. A voter wanting to be a candidate that was not successfully nominated at a caucus can elect to be on the ballot under an independent party name. You would create a name for your independent party. The party name must not be same or similar to one of the current constituted parties in NYS, or more than fourteen characters. An emblem must be filed when filing the petition that would represent your party name. We have samples if needed. Certificate of Acceptance must be filed with this petition in a timely manner. See Schedule of Deadlines or the Political Calendar.

## 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 [§6-204, 6-206 \(village designating and independent petitions\)](#). 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;
- 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, 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, then 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 unit. Please refer to specific instructions regarding the position you are seeking, or call our office.

## Witnesses to a Petition

Under 2 different federal court cases, 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. The cases are Lerman, (2000) and Chou (2004).

The information required for the witness statement is mandatory. Omissions, errors, or unexplained alterations/corrections, may invalidate the entire page. 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' signature, may be provided by anyone, at any time before the petition is filed. This information includes the town or city; and county of the witness' voter registration. A candidate can be a witness to his/her own petition provided that they have not signed this petition. The last section of notary or commissioner is not needed if the witness statement is complete. Page numbers must be on the petition pages and in numerical order. **Wayne County Board of Elections requires all petitions to have a cover 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

This section must also be completed before passing the petition. In this area enter the name of the candidate(s), the office or position seeking, and their residence address, and mailing if different than residence. It is a 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 people they can serve as a committee to fill vacancies. If there is not a committee stated here, any vacancies created due to declination, could 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 indicating they will endorse you for the above stated position.

**Date:** signer to enter actual date signing petition. **Name of signer:** ask signer to print name under signature. **Residence:** address that the signer is registered to vote from, not PO Box. **Enter Town or City:** it is very important to enter the proper name of the town. For example, Arcadia, not Newark; Galen, not Clyde; Rose, not North Rose; Sodus, not Sodus Point, Wolcott, not Red Creek.

## Section 5

**Statement of Witness:** person passing petition is the witness. Person passing as the witness can not be a “signer”. 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.

## Section 6

Pages must be numbered, in order, and bound with a cover sheet when filed with the Board of Elections.

## Notary statement not included on this example

This section does not have to be completed if the witness statement is signed.

1

# Independent Nominating Petition—Sec 6-140, Election Law

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(s) as a candidate (s) for election to public office or offices to be voted for at the election to be held on the \_\_\_\_\_day \_\_\_\_\_20\_\_\_\_, 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) \_\_\_\_\_ of such body.

**Name of Candidate(s)** \_\_\_\_\_ **Public Office** \_\_\_\_\_ **Place of Residence (also post office address)** \_\_\_\_\_

2

I do hereby appoint (here insert the names and address of at least three persons, all of whom shall be registered voters within said political unit),

3

In witness whereof, I have hereunto set my hand, the day and year placed opposite my signature.

Date	Name of signer (signature required) Printed name may be added	Residence	Enter Town or City
1 / / Printed Name	_____		
2 / / Printed Name	_____	<b>4</b>	
3 / / Printed Name	_____		
4 / / Printed Name	_____		
5 / / Printed Name	_____		
6 / / Printed Name	_____		

### STATEMENT OF WITNESS

5

I, (name of witness) \_\_\_\_\_ state: I am a duly qualified voter of the State of New York. I now reside at residence (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 \_\_\_\_\_

# Independent Petition Instructions

## 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. Name of the party and emblem is created by the candidate or independent body. The party name can not be one of the already constituted parties, or more than fourteen characters. Our office has a booklet of suggested emblems for you to choose from.

## Section 2

This section **must also** be filled in before passing the petition. In this area enter the name of the candidate(s), the office or position seeking, and their residence address, and mailing if different than residence. It is a 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 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 indicating they will endorse you for the above stated position. **Date:** signer to enter actual date signing petition. **Name of signer:** ask signer to print name under signature. **Residence:** address that the signer is registered to vote from, not PO Box. **Enter Town or City:** it is very important to enter the proper name of the town. For example, Arcadia, not Newark; Galen, not Clyde; Rose, not North Rose; Sodus, not Sodus Point, Wolcott, not Red Creek.

## Section 5

**Statement of Witness:** person passing petition is the witness. Person passing as the witness can not be a "signer". 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.

## Section 6

Pages must be numbered, in order, and bound with a cover sheet when filed with the board of elections.

## **Notary Statement (not included on this example)**

This section does not have to be completed if the witness statement is signed.

# Cover Sheet for Designating and Independent Petitions

\_\_\_\_\_ (Place Name of Party or Independent Body Here)

Name of Candidate	Public Office or Party Position <small>Include district name/number if appropriate</small>	Residence Address, also Mailing address if different

Volume Number \_\_\_\_\_

Total Number of Volumes in Petition: \_\_\_\_\_  
(A volume is one group of petitions bound together)

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

Contact person to correct deficiencies: **(Please Print)**

Name \_\_\_\_\_

Residence Address: \_\_\_\_\_  
(also mailing if different)

Phone \_\_\_\_\_ Fax \_\_\_\_\_

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 Sheets**

All petitions filed with the Wayne County Board of Elections requires a cover sheet. Cover sheet must contain the following information:

- Name and residence address, and mailing address if different, of the candidates
- The public office or party position sought. (Including district name/number if appropriate.
- 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.
- The volume number and total number of volumes. A volume is one group of petitions bound together.

The contact name, residence address (and mailing address if different), and telephone number.

## **THE 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.

## **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 and the appropriate board of election office. No filings will be accepted by facsimile. Candidates must file a certificate of acceptance for nominations made by independent nominating petitions, or if they are named in a designating petition but are not enrolled members of that party. 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 may challenge the validity of a petition. Written objections must be filed within three days of the petition filing, (1 day in a village election). Specifications of objections must be filed within 6 days of the filing of general objections, (2 days in a village election). For petitions filed with the State Board of Elections and Wayne County 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 Board. These procedures must be strictly adhered to. For further details see Election Law 6-154, 6-212, and Part 6204 of the rules and regulations.

## **Campaign Finance Disclosure**

Special instructions and forms available on-line at the NYS Board of Elections. [www.elections.ny.gov](http://www.elections.ny.gov)