

2012 Election Commissioners' Association Winter Conference

Village Petition Rules & Regulations

VILLAGE DESIGNATING PETITIONS - TO BE USED WHEN THE VILLAGE ELECTION IS CONDUCTED BY THE COUNTY BOARD OF ELECTIONS (NOTE: Requires the date of the Village Primary Election)

Village Designating Petition Section 6-204 Election Law

I, the undersigned, do hereby state that I am a registered voter of the Village of _____ and a duly enrolled voter of the _____ Party and entitled to vote at the next Primary Election of such Party, that my place of residence is truly stated opposite my signature hereto, and I hereby designate the following named person (or persons) as a candidate (or candidates) for the nomination of such Party for public office or (public offices) to be voted for at the Primary Election to be held on the 31st day of January, 2012 as hereinafter specified.

Names of Candidates Public Office Term Place of Residence

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

- 1.
2.
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10.

STATEMENT OF WITNESS

I, _____ (name of witness) state: I am a duly qualified voter of the State of New York and an enrolled voter of the _____ PARTY and now reside in the Village of _____, County of _____, State of New York at _____ (residence address) therein. Each of the individuals whose names are subscribed to this petition sheet containing _____ (fill in the 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.

Dated _____ 2012 Signature _____

Sheet Number: _____

Note: The above petition does not include the optional statement that would be used by a notary public The notary public option can only be used if the election is conducted by the County Board of Elections

VILLAGE DESIGNATING PETITION RULES: The following rules apply when the Village Election is conducted by the County Board of Elections.

- ✓ In a Village where there is no Village Committee with a Chairperson, the Chair of the County Committee or such other person as the rules of the Party provide shall designate an enrolled member of the Party who is a qualified voter of the Village as the Village Election chair.
- ✓ The Chair of the County Committee shall file with the Board of Elections, at least one week before the first day to file designating petitions, a notice giving the name and address of the chair of the Village Committee or Village Election Chair.
- ✓ On the Designating Petition the candidate(s) information must be clearly stated
 - Name
 - Public Office (If the term is to fill a vacancy it must be stated)
 - Term of Office (2 years, 4 years, etc.)
 - Residence
- ✓ The number of signatures required on a Village Designating Petition is **5%** of the number of enrolled voters of the Party residing in the Village.
- ✓ Signers must reside in the Village and be enrolled members of the Party.
- ✓ Signatures must be in ink.
- ✓ The sheets of the petition must be sequentially numbered and bound together.
- ✓ Petitions of 10 or more pages must include a cover sheet with the required information.
- ✓ Witness to the petition must be a resident of the Village, an enrolled member of the Party, and *qualified to sign the petition*.
- ✓ An individual may witness both a designating petition and an independent petition providing they have not SIGNED another petition for the same public office.
- ✓ If the Village Election is conducted by the County Board of Elections the following statement signed by a notary public is acceptable:

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

Date

Signature and Official Title

- ✓ Candidates who are not enrolled members of the Party filing the Village Designating Petition must file a certificate of Acceptance (or Declination) not later than **three (3)** days after the last day to file designating petitions.
- ✓ If the candidate(s) is not an enrolled member of the Party a Certificate of Authorization must be filed by proper Party authorities within **three (3)** days after the last day to file the Village Designating Petition.
- ✓ Written objections to a Village Designating Petition, Party Authorization or Certificate of Acceptance must be filed *not later than the day after* the last day to file the petition or certificate.

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Village Petition Rules & Regulations

VILLAGE INDEPENDENT PETITIONS - TO BE USED WHEN THE VILLAGE ELECTION IS CONDUCTED BY THE COUNTY BOARD OF ELECTIONS (NOTE: Requires the date of the Village Election)

Village Independent Nominating Petition Section 6-206 Election Law

I, the undersigned, do hereby state that I am a registered voter of the Village of _____ that my place of residence is truly stated opposite my signature, and I do hereby nominate the following named person (or persons) as a candidate (or candidates) for election to public office or public offices to be voted for at the election to be held on the 19th day of March, 2012 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.

Names of Candidates Public Office Term Place of Residence

I do hereby appoint (insert the names and addresses of at least three persons, all of whom shall be registered voters within such Village) as a committee to fill vacancies in accordance with the provisions of the election law.

In witness whereof I have signed this petition the day and year stated before my signature:

Date Signature Residence

- 1.
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STATEMENT OF WITNESS

I, _____ state that I am a duly qualified voter and now reside at _____ (residence address) in the Village of _____ in the State of New York in the County of _____. Each of the voters whose names are subscribed to this petition sheet containing ____ (fill in the number) signatures, subscribed his or her name in my presence. 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.

Dated _____ 2012 Signature _____

NOTARY PUBLIC

(This can only be used if the Village Election is conducted by the County Board of Elections)

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 themselves, said that the foregoing statement made and subscribed by them, was true.

Date Signature and Official Title of Officer Administering Oath

Sheet Number ____

VILLAGE INDEPENDENT PETITION RULES:

- ✓ An independent petition for nominations for **village** office must be signed by at least 100 voters in villages with a population of five thousand or more, by at least 75 voters in villages with three thousand and less than five thousand, and by 50 voters in villages with a population of one thousand and less than three thousand. In villages with a population of less than one thousand by voters numbering at least 5% of the number of voters at the last regular village election.
- ✓ Signatures must be in ink.
- ✓ Signers must be registered with the County Board of Elections at the time of signing.
- ✓ The sheets of a petition shall be sequentially numbered at the foot of each sheet
- ✓ Petitions shall be securely fastened together.
- ✓ Petitions containing ten (10) or more sheets shall be accompanied by a cover sheet containing the following information:
 - Title of the Office
 - District Number (where appropriate)
 - Name and Residence Address of Each Candidate
 - The Number of Volumes Comprising the Petition
 - A Statement that the Petition Contains the Number of Valid Signatures Required
 - A Place Designating a Contact Person to be Notified to Correct Noncompliance with Regulations.
- ✓ The name selected for the independent body must be in English and may not include the name or part of the name of an existing Party.
- ✓ The emblem selected must not cause confusion with that of an existing Party.
- ✓ If the name or emblem (or both) selected is that of a previously filed petition or if the petition does not have a name or emblem (or both) the Board of Elections shall select either (or both) to distinguish between the candidates.
- ✓ A Certificate of Acceptance (or Declination) of an independent nomination must be filed not later than **three (3)** days after the last day to file the petition. Failure to do so will result in the County Board of Elections invalidating the petition.
- ✓ Written objections to an independent petition must be filed not later than the day after the last day to file such petition. Written specifications must be filed within two days thereafter.

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Village Caucus Rules & Regulations

What is a Party Caucus?

A Party caucus is an open meeting held in a political subdivision to nominate candidates. Only voters enrolled in such Party residing in such subdivision are eligible to vote. As the result of a caucus a Nominating Certificate must be filed at the local Board of Elections Office within the timeframe specified in the current year's political calendar.

CERTIFICATE OF NOMINATIONS (Note: Requires the date of the General Election) FOR USE AT VILLAGE CAUCUS (Section 6-200, Election Law)

We, the undersigned, Presiding Officer and Secretary, of a meeting held of the enrolled voters of the _____ Party held in the Village of _____ in the County of _____ held on _____ do hereby certify that the following were nominated for offices to be filled at an election to be held on March 20, 2012.

Table with 3 columns: TITLE OF OFFICE, NAME OF CANDIDATE, ADDRESS OF CANDIDATE. Includes four rows of blank lines for entry.

We further certify that the following were appointed as a Committee to Fill Vacancies:

Table with 2 columns: Name, Address. Includes three rows for committee members and two rows for signatures and dates.

(The method (petition or caucus) by which local candidates are designated/nominated are set forth in Party By-Laws at the local level)

Note: If the candidate named on the Nominating Certificate is not an enrolled member of the Party nominating such candidate there are two (2) supporting documents that must be filed for the Nominating Certificate to be valid. The candidate must file an Acceptance (or Declination) within three (3) days of the Nominating Certificate being filed (6-158.7) and a Certificate of Authorization signed and acknowledged by proper party officials must also be filed within four (4) days of the filing of the petition. (6-120.3)

CAUCUS RULES & PROCEDURES:

- ✓ A Village caucus shall be held no earlier than 56 days before the election.
- ✓ In the event there is no village committee the chair of the county committee, or other person as the rules of such committee provide, shall designate an enrolled member of the Party who is a qualified voter of the village as the village election chair.
- ✓ The chair of the county committee shall file with the Board of Elections, at least one week before the first day to file designating petitions for the primary elections, the name and address of the village chairperson.
- ✓ A notice of Party Caucus shall be given by party officials by posting such notice in the public areas at the offices of the village clerk and the county Board of Elections **and** by filing a copy of the notice with those offices at least ten (10) days preceding the day of the caucus **and** either by newspaper publication within the village at least one week and not more than two weeks preceding the caucus or by posting such notice in six public places in the village at least ten days preceding the day of the caucus. The notice shall specify the time, place, and purpose including offices for which candidates shall be nominated.
- ✓ There shall be a Chairperson and Secretary and tellers may be appointed. All shall take the Constitutional Oath before acting.
- ✓ The village committee or other committee provided for by Party by-laws may establish rules governing the conduct of the caucus.
- ✓ Only enrolled members of the Party residing in the village may participate (register attendees, handle caucus materials, address the caucus chair, speak from the floor, nominate candidates, second nominations and vote).
- ✓ The Certificate of Nomination must be filed not later than 47 days prior to the village election. A list of the enrolled members of the party participating in the caucus must accompany the Nominating Certificate when filed.
- ✓ A Certificate of Acceptance (or Declination) must be filed not later than **three** (3) days after the last day to file the Nominating Certificate if the candidate(s) is not an enrolled member of the Party.
- ✓ A Certificate of Authorization signed and acknowledged by the presiding officer and secretary of the caucus must be filed not later than **four** (4) days after the last day to file the Nominating Certificate if the candidate(s) is not an enrolled member of the Party.