

Iowa CANDIDATES GUIDE

2004 PRIMARY ELECTION



Prepared in the office of the Secretary of State

Chester J. Culver

Iowa Secretary of State

www.sos.state.ia.us

Candidate Qualifications – Primary Election - 2004

NOMINATION PAPERS TO BE FILED WITH THE SECRETARY OF STATE

<u>OFFICE</u>	<u>CITIZENSHIP</u>	<u>RESIDENCE</u>	<u>AGE</u>	<u>TERM</u>	<u>(Minimum Number of) SIGNATURES NEEDED</u>
President & Vice President are not on the Primary Ballot					
U. S. Senator [U.S. Constitution Article I, sec. 3]	9 Yrs+	Iowa resident *	30 +	6 Yrs	Signature Chart needed [43.20(1) “a”]
U. S. Representative [U.S. Constitution Article I, sec. 2]	7 Yrs+	Iowa resident *	25 +	2 Yrs	Signature Chart needed [43.20(1) “c”]
State Senator [Iowa Constitution Article III, sec. 5]	citizen+	1 year in state before election 60 days in district	25+	4 years	100 signatures from the state senate district [43.20(1) “c”]
State Representative [Iowa Constitution Article III, sec. 4]	citizen+	1 year in state before election 60 days in district	21+	2 years	50 signatures from the state representative district. [43.20(1) “c”]

NOMINATION PAPERS TO BE FILED WITH THE COUNTY AUDITOR

<u>OFFICE</u>	<u>CITIZENSHIP</u>	<u>RESIDENCE</u>	<u>AGE</u>	<u>TERM</u>	<u>(Minimum Number of) SIGNATURES NEEDED</u>
County Supervisor [331.201]	citizen*	registered voter of County or Supervisor dist.+	18*	4 years	2% of votes cast in county or Supervisor dist. for party candidate for governor (02) Or 100 , which ever is less. [43.20 (1) “d”]
County Auditor [331.501]	citizen*	resident+	18*	4 years	2% of votes cast in county for party candidate for Gov. (02) or 100 whichever is less. [43.20(1) “d”]
County Sheriff [331.651]	citizen*	resident+ no felony convictions (must be a certified peace officer)	21+	4 years	2% of votes cast in the county for party candidate for Gov. (02) or 100 whichever is less. [43.20(1) “d”]

+ When sworn in. [39.27, unless the requirement is stated in another Code section.]

* At the time of the General Election. [39.26, unless the requirement is stated in another Code section.]

Note 1: Candidates for county offices should ask the county auditor for the minimum number of signatures needed.

Note 2: The **HATCH ACT** may prohibit state and local government employees from political activity: See last page of this guide for Iowa Department of Personnel contact information; see also qualification and signatures needed next page.

Candidate's Guide Primary Election - June 8, 2004

At the Primary Election, voters of the Republican and Democratic parties will nominate candidates for the General Election on November 2, 2004.

WHERE TO GET NOMINATION PAPERS-

For state and federal offices, visit our Website: www.sos.state.ia.us/voter/elections
Office of the Secretary of State
Elections Division
321 E. 12th St., Lucas Building, 1st Floor,
Des Moines, Iowa 50319
515/281-0145 or email: jane@sos.state.ia.us

For county and township offices, visit our website. www.sos.state.ia.us election information, for your local County Auditor's office.

You may also print your own nomination petitions. For guidelines, see page 10.

QUALIFICATIONS AND SIGNATURE REQUIREMENTS:

Any person seeking election to an elective office under the laws of this state shall be an eligible elector at the time of any election at which the person's name appears on the ballot.

("Eligible elector" means a person who possesses all of the qualifications necessary to entitle the person to be registered to vote whether or not the person is in fact so registered)

Any person elected to an office under the laws of this state shall be an eligible elector. At the time an elected official takes office. The official shall be a resident of the state, district, county, township, city, or ward by or for which the person was elected, or in which the duties of the office are to be exercised.

An elected official shall continue to be a resident of the state, district, county, township, city or ward by or for which the person was elected or in which the duties of the office are to be exercised for the duration of the term of office. Other residence requirements apply to United States senators or representatives in congress or to members of the general assembly.

Refer to the chart on the opposite page for minimum signature requirements. Signature charts, if needed, are available on our website: www.sos.state.ia.us or from the Elections Division, Office of the Secretary of State (515) 281-0145.

The HATCH ACT is a federal law that restricts the political activities of some state and local employees. Workers in executive agency programs financed in whole or in part by federal loans or grants may be prohibited from being candidates. See last page for contact information.

WHERE TO FILE-

Each candidate must file nomination petitions with the required number of signatures and an affidavit.

STATE AND FEDERAL OFFICES FILE AT:

Office of the Secretary of State
Lucas Building, 1st Floor
321 E. 12th Street
Des Moines, IA 50319

COUNTY AND TOWNSHIP OFFICES FILE AT:

Office of the County Auditor
NOTE: Township candidates are not required to file petitions, just the Affidavit of Candidacy.

WHEN TO FILE-**In the Office of the Secretary of State:****FIRST DAY** = Monday, March 1, 2004.**LAST DAY** = Friday, March 19, 2004, **no later than 5 p.m.**

Election Division office hours: 8:00 a.m. to 4:30 p.m., Monday through Friday.

Friday, March 19th, 2004, (the final day of filing) the office will be open until 5 p.m.

In the Office of the County Auditor:**FIRST DAY** = Monday, March 8, 2004**LAST DAY** = Wednesday, March 31, 2004, **no later than 5 p.m.****There are no filing fees for any office.****Election results-** www.sos.state.ia.us*Primary Election winners are not officially notified. Official results of state and federal races will be available on the website of the Office of the Secretary of State approximately the first week of July.***CHECKLIST - NOMINATION PETITIONS****1. Getting Ready to Collect Signatures on Nomination Petitions:****Fill in the heading first.** Before anyone signs the petition, fill in all information requested in the heading.

Signatures on a petition page shall be counted only if the required information is written or printed at the top of each page. Petitions may be printed on both sides, as long as the heading appears on both sides of the page. You may fill in this information on one sheet and photocopy it, or print your own.

Nomination petitions larger or smaller than 8 1/2" x 11" **cannot** be accepted for filing.**Check district number:** Be sure that the district number is on each page of the nomination petitions, if needed. U.S. Representative, State Senate, State Representative, and County Supervisors elected by districts have district numbers. Other offices don't have district numbers.**County name for federal and statewide petitions.** For federal and statewide petitions, all signers on each page must live in the same county. Print the county name in the blank at the top of the petition. The county name is not needed on legislative and county petitions.**Candidate's name.** On every page of the petition print or type the candidate's name **exactly** as the candidate wants it to be on the ballot, and in **exactly** the same form. Only the candidate's name may be used; no titles may be included. Parentheses and quotation marks are not permitted to be used in names appearing on the ballot.**Party affiliation.** Include the name of the political party (Democratic or Republican Party) that the candidate is registered to vote with.**2. Circulating the Petitions:****Signatures:** You may begin collecting signatures at any time. However, the signers must still be qualified when the papers are filed. No signatures will be counted unless they are on the same side of the paper as the heading. You may print the full petition form on both sides of the page.

Signers must be qualified Each signer must:

1. Be an eligible elector of Iowa. (Does not need to be a registered voter, but must be at least 18 years old, a U.S. citizen, not disqualified from voting for any reason, and must live in Iowa.)
 2. Be a resident of the district or county. For U.S. Senate and Representative, each petition page must be signed by residents of a single county.
 3. A person may sign petitions for candidates of either, or both political parties. There is no limit on the number of nomination petitions one person may sign. Include **addresses and dates**. All signers of nomination petitions must include their residence (number, street or rural route, and city) and the date they signed.
3. **Filling out the affidavit by candidate:** **Please Note:** Nomination papers **WILL NOT** be accepted without an affidavit by the candidate. Read it carefully. The affidavit contains important information about Iowa's campaign finance laws and laws against running for more than one office.

Include office name and district number: Be sure that the affidavit includes the name of the same office and district number that appear on the nomination petition.

Candidate's name. This must be clearly printed or typed exactly as the candidate wishes the name to appear on the ballot. The candidate's name must appear on the affidavit in **exactly** the same form as it appears on the nomination petition. Only the candidate's name may be used; no titles may be included. Parentheses and quotation marks are not permitted to be used in names appearing on the ballot.

Party affiliation. Indicate whether you're registered to vote as a Democrat or a Republican.

Notary required. A notary public must be present when the candidate signs the affidavit. The notary must also sign the affidavit by the candidate and include the official title, **Notary Public**. Other officers who may legally witness oaths may substitute for a notary.

Candidate's signature. The spelling of the name, including initials, should be **exactly** the same as the spelling of the name on the nomination petitions and as printed on the affidavit. The candidate must sign the affidavit in front of a notary public or other officer who may legally witness oaths.

4. **Getting ready to file:**

Do not trim unused parts of nomination petitions. Petition pages must be 8 1/2" x 11".

Arrange petitions by county. Petitions for U.S. Senator and U.S. Representatives must be arranged by county. (This is not necessary for legislative candidates.) Put the counties with the most signatures on top.

Count the signatures. Be sure that you have more than the required minimum number of signatures. It is possible for signatures to be challenged. If there are signatures on your petition that you know should not be there, simply draw a line through the name. We will not count those signatures.

Cross Off Invalid Signatures. If there are signatures on the petition that should not be there for any reason, draw a line through them. Crossed off signatures will not be counted.

Make a copy of your petitions for your records.

Fasten all petition pages together at the top to form one bundle. Petitions that are not bound will be rejected without examination. Staples are preferred. If the stack is too thick to staple, use metal rings or heavy string or shoelaces to securely bind the petitions. If you use wire, please consider the safety of the people who will handle the petitions. **DO NOT USE** paper clips, rubber bands, or metal clamps.

Be sure you are ready. After the nomination papers have been accepted for filing nothing can be added to them and they cannot be returned. Count the pages; on the first page write how many pages there are. It is not necessary to number all the pages.

5. **Filing.** You may deliver your nomination papers yourself, send them with someone else, or mail them. Please be sure the papers arrive before the deadline.

File as early as possible. Your nomination papers will be inspected for completeness before they are accepted for filing. If the papers do not meet minimum filing requirements, they will not be accepted for filing and will be returned. If you file early enough, you may have time to correct any errors and to resubmit the papers. However, no nomination papers may be filed before the official filing period. Papers received before the filing period will be returned.

Affidavit and petitions must be filed together. No papers will be accepted without both an affidavit by candidate and the nomination petitions. The affidavit may be submitted by facsimile machine if the original is mailed to the Office of the Secretary of State or to the county auditor no later than the filing deadline.

Warning: If you fax the affidavit, the nomination papers are void if the original affidavit is not received by seven days after the filing deadline.

If you mail your papers. Please include a daytime phone number with your nomination papers. Remember that your papers must be **received** in the correct office before the deadline. **Postmark dates don't count.** You may wish to call before the filing deadline and ask whether your papers have been received.

The Deadline is Five O'clock. Papers presented after 5 p.m. on the final filing date will be rejected.

6. **Nomination petitions will be rejected if:**

- a. The petitions are not bound into a single bundle.
- b. The petition pages are smaller or larger than 8 1/2" x 11".
- c. An affidavit by candidate is not filed with the petitions.
- d. The original of a faxed candidate's affidavit is not received by 7 days after the filing deadline or if it is postmarked after the filing deadline.
- e. The top portion of each petition page is not completed.
- f. There are not enough signatures.

2004 Election Calendar

Primary Election

Monday, March 1

First day for partisan candidates for state and federal offices to file nomination petitions in the Office of the Secretary of State. [43.11(2)]

Monday, March 8

First day for partisan candidates for county and township offices to file nomination petitions in the county auditor's office. [43.11(1) and 43.21]

Friday, March 19, 5 p.m. – State Filing deadline.

Last day for partisan candidates to file nomination petitions in the Office of the Secretary of State. The deadline is 5 p.m. [43.11(2)]

Wednesday, March 24 – Withdrawal deadline – State & Federal

Last day for candidates to withdraw who filed in the Secretary of State's office. Notice must be submitted in writing. [43.16 and 43.23(1)]

Friday, March 26

Last day to file written objections to nomination petitions filed with the secretary of state. [43.24(1a)]

Tuesday, March 30– Absentee requests begin.

First day to request an absentee ballot for the Primary Election. [53.2]

Wednesday, March 31, 5 p.m. - County filing deadline.

Last day for partisan candidates for county and township offices to file in the Office of the County Auditor. The deadline is 5 p.m. [43.11(1)]

Friday, April 2, - County withdrawal deadline.

Last day for candidates who have filed nomination petitions with the county auditor to withdraw. Notice must be submitted in writing. [43.16 and 43.23(2)]

Monday, April 5, - County Objection deadline.

Last day to file written objections to nomination petitions filed with the county auditor. [43.24(1b)]

Thursday, April 29 - Absentee ballots must be ready.

First day to vote by absentee ballot in the Office of the County Auditor. [49.63, 53.10, and 53.39]

Monday, May 24 - Worry-free postmark date.

Mailed voter registration forms that are postmarked on or before today are considered on time for the Primary Election, even if they are received after 5 p.m. on May 29. [48A.9(3)]

Saturday, May 29, 5 p.m. - Voter registration deadline.

5 p.m. is the deadline to register to vote for the Primary Election. This applies to registration in person or by postcard. [48A.9(1)]

Exception: *Registration forms that were sent by mail and were postmarked on or before May 24 are considered on time even if they are received after the May 29th deadline.*

Saturday, June 5, - Auditor's office open.

The County Auditor's office must be open for at least eight hours for absentee voting and other election business. [47.2(5)]

Tuesday, June 8 - Primary Election day. [43.7]

Polls open 7 a.m. until 9 p.m. [49.73]. Absentee ballots may be delivered to the Office of the County Auditor until 9 p.m. [53.17]

Monday, June 14 - Absentee ballot deadline – noon.

Absentee ballots that were postmarked before election day (Monday, June 7 or earlier) and received by noon today are considered to be on time to be counted. [53.17(2)]

Monday or Tuesday, June 14 or 15- County canvass of votes.

County canvass of votes convenes. [43.49]

Thursday or Friday, June 17 or 18, 5 p.m. - Recount deadline.

Three days following the county canvass of votes is the deadline for recount requests to be filed in the Office of the County Auditor. [50.48(1) and 43.56]

Monday, July 5th – State Holiday Independence Day observed. Canvass deadline moves to July 6th. [47.4]**Tuesday, July 6 – State Canvass.**

State canvass of votes must be complete. [43.63]

Official State & Federal election results will be available on line
@ www.sos.state.ia.us/voter/elections

General Election Calendar:**Thursday, August 5 – Withdrawal deadline.**

Last day for candidates for state and federal offices who were nominated at the Primary Election to withdraw. Notice must be submitted in writing to the Secretary of State. 43.76(1)]

Friday, August 13, 5 p.m. – State and Federal filing deadline.

Last day to file nomination papers in the Office of the Secretary of State. This includes nonparty political organizations, candidates nominated by petition and political parties' nominations to fill ballot vacancies. The deadline is 5 p.m. [43.78(2), 44.4, and 45.4]

Friday, August 20 – Withdrawal – Objections.

Last day for candidates for county office who were nominated in the Primary Election to withdraw. Notice must be submitted in writing to the County Auditor. [43.76(2)]

Last day for nonparty candidates who have filed nomination papers in the Office of the Secretary of State to withdraw. Notice must be submitted in writing to the secretary of state. [44.9(1)]

Last day to file written objections to nomination papers filed with the Secretary of State. [44.4(1)]

Tuesday, August 24 - Absentee ballot requests begin.

First day to request an absentee ballot for the General Election. [53.2]

Wednesday, August 25, 5 p.m. - County filing deadline.

Last day to file nomination papers for county offices in the Office of the County Auditor. This includes nonparty political organizations, candidates nominated by petition and political parties' nominations to fill ballot vacancies. The deadline is 5 p.m. [43.78(3), 44.4 and 45.4]

Monday, August 30, - County objection deadline.

Last day to file written objections to nomination petitions filed with the county auditor. [44.4(2)]

Thursday, September 23 – Absentee ballots ready.

First day to vote an absentee ballot in the Office of the County Auditor. [49.63, 53.11, and 53.39]

Monday, October 18 - Worry-free postmark date.

Mailed voter registration forms that are postmarked on or before today are considered on time for the General Election, even if they are received after 5 p.m. on October 23. [48A.9(3)]

Saturday, October 23 - Voter registration deadline - 5 p.m.

5 p.m. is the deadline to register to vote for the General Election. This applies to registration in person or by Mail. [48A.11(1)]

Exception: *Registration forms that were sent by mail and postmarked on or before October 18 are considered on time even if they are received after the deadline.*

Saturday, October 30, Auditor's office open.

Auditors' offices open for at least eight hours for absentee voting and other election business. [47.2(5)]

Tuesday, November 2 - General Election day [39.1]

Polls open from 7 a.m. until 9 p.m. [49.73]

Monday, November 8 - Absentee ballot deadline - noon.

Absentee ballots that were postmarked before election day (November 2 or earlier) and received by noon today are considered to be on time to be counted. [53.17(2)]

Monday or Tuesday, November 8 or 9 - County Canvass of Votes.

County canvass of votes convenes. [50.24]

Thursday, November 11 - Veterans Day - State Holiday - Offices closed.**Friday, November 12, 5 p.m. -Recount deadline.**

Three days following the county canvass of votes is the deadline for recount requests to be filed in the Office of the County Auditor. [50.48(1)]

Monday, November 29th - State canvass complete.

State canvass of votes must be finished. [50.38]

Official State & Federal election results will be available on line after the state canvass of votes.

Go to our website @ www.sos.state.ia.us/voter/elections

Personalized Nomination Petitions

Some candidates prefer to have their own petition forms printed, even though the forms are available on the SOS website at www.sos.state.ia.us and at no cost from the Secretary of State or County Auditors' offices. Some parts of the form cannot be changed, but there is room for variety as well. If you change the official form be sure to include a disclaimer ("Paid for by...") on each copy.

Wording:

Before you begin to design your own form, look at the Secretary of States version. All of the wording printed at the top of the petition form beginning with the words "State of Iowa" and ending with "Date of signing" must be included on the petition form. This part of the form is required by Iowa law. The signature grid must include all of the columns on the state form.

Number the Signature Lines:

Numbering the lines makes it easier to count the signatures. This makes the filing process faster for everyone.

Size and Printing on Both Sides:

The petition forms must be 8 1/2" x 11" when they are filed (letter size paper). Larger or smaller forms will not be accepted. You may print the petition on both sides of a page if you print the full petition form (including the heading stating the candidate's name and the office sought) on each side.

Binding:

Nomination petitions must be bound together into one bundle when they are filed. Use staples if possible. Otherwise, punch two holes at the top of each sheet to make binding easier. Use wire, string or shoelaces to securely attach the pages together. (If you use wire be careful to crimp the ends tightly so that no one gets hurt.) Petition forms that are not bound will be returned without further examination.

Pictures:

It is okay to put pictures on the nomination petitions.

Color:

The paper and ink may be any color. Be sure there is enough contrast between the paper and ink color for easy reading.

For Additional Information:**Filing forms and procedures, see our website or please contact:**

Office of the Secretary of State
 Election Division
 321 E. 12th St. Lucas State Office Building, 1st Floor
 Des Moines, Iowa 50319
 TEL: 515/281-0145 FAX: 515/242-5953
www.sos.state.ia.us/voter/elections or email: jane@sos.state.ia.us

Iowa's Ethics & Campaign Finance reporting

Iowa Ethics & Campaign Disclosure Board
 514 E. Locust, Suite 104
 Des Moines, Iowa 50309
 515/281-4028 FAX: 515/281-3701
 Candidate Reports: email: linda.andersen@iecdb.state.ia.us
www.state.ia.us/ethics/Entry.html

To Order Lists of Registered Voters in Iowa, check our website or contact:

Office of the Secretary of State
 State Registrar of Voters
 321 E. 12th Street, Lucas Building, First Floor
 Des Moines, IA 50319
 515/281-5752 - Fax: 515/242-5953
 E-mail: anita@sos.state.ia.us
www.sos.state.ia.us/voter/elections

For Political parties, please contact:**Iowa Democratic Party**

5661 Fleur Drive
 Des Moines, Iowa 50309
 515/244-7292 - Fax: 515/244-505
www.iowademocrats.org

Republican Party of Iowa

521 E. Locust, 2nd Floor
 Des Moines, Iowa 50309
 515/282-8105 - Fax 282-9019
www.iowagop.org

Hatch Act - please contact:

Hatch Act Attorney
 Grimes State Office Building
 Iowa Dept. of Personnel
 Des Moines, Iowa 50319
 515/281-3883
http://www.osc.gov/ha_state.htm

NOTE: The information furnished in this packet has been compiled in the Office of the Secretary of State of Iowa to help candidates and the public in meeting the requirements of Iowa's election laws. If there are any errors in this guide, or if the laws have changed, **the current Code of Iowa and Iowa Administrative Code shall be followed.**