



TREASURE ISLAND

CANDIDATE'S GUIDE BOOK

FOR

GENERAL ELECTION

MARCH 10, 2009

CANDIDATE'S GUIDE

CITY OF TREASURE ISLAND, FLORIDA GENERAL ELECTION MARCH 10, 2009

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TO: All Candidates

FROM: Dawn Foss, City Clerk

SUBJECT: Procedure for Filing for Candidacy for Election

DATE: December 19, 2008

This Candidates Guide Book is an informational packet for those interested in campaigning for the City of Treasure Island's March 10, 2009 election. This booklet is being provided as a separate document for your convenience.

I respectfully urge you to take the time to read all the material provided. It is most important that not only the Candidate be familiar with the laws and regulations, but also everyone who is involved in the campaign.

The required forms necessary to become a Candidate are provided with this packet. Additional forms, if necessary, can be obtained from the City Clerk's Office.

If you or your Campaign Treasurer has any questions, please feel free to contact me at (727) 547-4575 Ext. 229.

The Treasurer Report Forms are in the packet – if you need additional forms, please see either Dawn Foss or Pamela Middleton.

**TREASURE ISLAND, FLORIDA
GENERAL ELECTION
SCHEDULE
MARCH 10, 2009**

- Dec. 19 Candidate filing begins at **12:00 noon.**
- Jan. 2 Candidate filing ends at **12 noon.**
- Jan. 7 Quarterly Treasurers' Reports are due
- Jan. 24 **Treasurer's Report is due** (46 days) by **4:30 p.m.**
- Jan. 28 Notice of Equipment Tests/Canvassing Ballots sent to candidates & Republican & Democratic Parties
- Jan 25 **Absentee ballots available.** (464-6788)
- Feb. 4 1st Day to put up Signs
- Feb. 7 **Treasurer's Report is due** (32 days) by **4:30 p.m.**
Post Notice of Election on Bulletin Boards
Certify List of Candidates
- Feb. 10 Voter Registration **books close.**
- Feb. 19 **9:00 a.m. - Public Pre-Election Test early voting and precinct touch voting machines and optical scan equipment** @ Election Service Center 13001 Starkey Road, Largo, FL
- Mar. 10 **9:00 a.m. - Second test of optical scan equipment; Canvass and process absentee ballots** @ Election Service Center 13001 Starkey Road, Largo, FL
- Mar. 10 **6:00 p.m. Continue Canvass of absentee ballots; continue processing absentee ballots 6 p.m.** @ Election Service Center 13001 Starkey Road, Largo, FL
- Mar. 10 **7:00 p.m. Process election results cartridges; release unofficial results** @ Election Service Center 13001 Starkey Road, Largo, FL
- Mar. 16 **9:00 a.m. Canvass provisional ballots and release final election results; Final test of optical scan equipment. 9 a.m.** @ Election Service Center 13001 Starkey Road, Largo, FL

- Feb. 21 **Treasurer's Report is due.** (18 days) by **4:30 p.m.**
- Feb. 24 **In Office Voting Available @ All County Offices.** (464-6788)
- Feb. 25 **Deadline for appointing poll watchers by 12 noon** (464-3551)
- Mar. 3 **Certification of Poll Watchers** for Election Day
- Feb 28 **Deadline for opposed Candidates to accept contributions.**
- Mar. 6 **Treasurer's Report** is due (4 days) by **4:30 p.m.**
- Mar. 10 **ELECTION DAY** (Polls open 7 A.M. – 7 P. M.)
- Mar. 11 Publish Canvassing Ballots/Equipment Tests
- June 2 **Final Treasurer's Report is due** from elected or unopposed Candidate (90 days) by **4:30 p.m.**
- NOTE: **IF NECESSARY, a runoff election will be held on April 14, 2009 and voter registration books will close on March 16, 2009.**

**INSTRUCTIONS ON
“ H O W TO BECOME A CANDIDATE”**

DECLARED CANDIDATES – QUALIFIED CANDIDATES

Before spending or accepting any money, obtaining signatures, posting campaign signs, etc., you must become a Declared Candidate by appointing a Campaign Treasurer and designating a campaign depository.

You cannot become a Qualified Candidate before December 19, 2008 beginning at 12:00 noon, the first day for qualifying in accordance with Section 14-9(b) of the Code of Ordinances and the qualifying period ends on January 2, 2009 at 12 noon.

You must complete and return to the City Clerk's Office (Before January 2, 2009 at 12 noon) all of the following in order to become a qualified Candidate:

1. Appointment of a Campaign Treasurer & Designation of Bank
2. Filing Fee and Election Assessment Fee (1%)
Mayor - \$178
Commissioner - \$104
3. Candidate's Application
4. Petition Cards
5. Loyalty Oath & Oath of Office
6. Financial Disclosure (Form 1)
7. Certification of Receipt of Notice of Pre-Election Tests of Voting Equipment.
8. Certification of Receipt of Notice of Penalty for Late Filing of Treasurer's Reports
9. Statement of Candidate
10. Affidavit of Receipt of Candidate Materials

APPOINTMENT OF CAMPAIGN TREASURER
&
DESIGNATION OF BANK

The Campaign Treasurer shall be a registered voter of Florida.

Before the appointment may become effective, the Campaign Treasurer shall have accepted this appointment in writing filed with the City Clerk.

Two original forms, Department of State forms DS-DE 9, are required to be completed, one for the City Clerk and the other for the bank.

A Candidate may serve as his/her own treasurer or deputy treasurer.

Each Candidate must designate a campaign depository with any financial institution (bank, savings and loan, credit union) authorized to do business in the State of Florida. **Campaign checks must contain the following information:**

The Statement “**Campaign Account of (name of Candidate).**”

1. **Account Number and name of bank.**
2. Appropriate space for:
 - (a) **Exact amount of expenditure.**
 - (b) **Signature of Campaign Treasurer;**
 - (c) **Exact purpose of expenditure; and**
 - (d) **Name of payee.**

This information may be typed on starter checks provided by the bank until printed checks arrive. This account must be separate from any personal or other account and is used only for depositing contributions and making expenditures.

F. S. 106.021(b) allows a Candidate to deposit funds, which are not currently needed into a secondary interest bearing account. Previously, such funds had to be deposited into a savings account or a certificate of deposit.

FILING FEES

All fees are to be written from the campaign account.

Section 14-10(a)(b), states that **each application by a Candidate shall be accompanied by a qualifying fee of \$50 and assessment fee – total \$128 for Mayor and \$104 for Commissioner. This check should be made out to “The City of Treasure Island”.**

F. S. 99.093 requires that each person seeking to qualify for election to a municipal office shall pay, at the time of qualifying for office, an election assessment equal to 1% of the annual salary of the office being sought. This Statute also states that any person seeking to qualify for nomination or election to a municipal office who is unable to pay the election assessment without imposing an undue burden on personal resources or on resources otherwise available to him or her shall, upon written certification of such inability given under oath to the qualifying officer, be exempt from paying the election assessment.

	<u>1% Assessment</u>	<u>Qualifying Fee</u>	<u>Total Due</u>
Commissioner (\$5,400 yr.)	\$54.00	\$ 50.00	\$104.00
Mayor	\$78.00	\$100.00	\$178.00

CANDIDATE'S APPLICATION

Every person who shall be a Candidate for the Office of City Commissioner or Mayor-Commissioner shall file with the City Clerk an application to have his/her name printed upon the ballot as a Candidate for the office to which he or she aspires, in which application he or she shall declare the district of his or her residence and whether he or she be a Candidate for Commissioner or Mayor-Commissioner, and such application shall be filed not less than forty-five (45) days before the date of the election.

The March 10, 2009 qualifying period will begin at 12:00 noon, December 19, 2008 and end at 12 noon, January 2, 2009.

All Candidates shall be required to run from the district in which he or she resides except that the Mayor-Commissioner shall be a Candidate at large.

AFFIDAVIT & PETITION CARDS

With the above application, the Candidate shall file an affidavit stating that he/she has met all State and Municipal requirements to run for office and that he/she is a registered voter residing within the City of Treasure Island. Additionally, the above-referenced affidavit shall provide that the applicant is not a Candidate for, or a nominee of, or a representative of any Political Party, or Committee or Convention representing or sitting for any political office, other than the one sought in accordance with the application. The application shall set forth the district within the City in which the applicant resides. The application shall include the petition or request of the applicant to become a Candidate for the particular office sought. Also with the application, the petition for a Candidate for Mayor-Commissioner shall be signed by not less than one hundred (100) qualified electors of the City and the petition for a Candidate for Commissioner, shall be signed by not less than twenty five (25) qualified electors of the district of the City where the Candidate resides, setting forth that the applicant is known to the petitioners and is known by said petitioners to be of good moral character qualified for the office for which he/she has applied. No elector shall sign more than two petitions for the candidacy of others to City office. (City Code, Section 14-9(d))

The Florida Division of Elections has prescribed these petition cards that are to be used in obtaining the required number of signatures. They can be downloaded from the following web address: <http://election.dos.state.fl.us/forms/pdf/DSDE104.pdf> or the City Clerk can provide an electronic file via e-mail.

This standardized card requires that the name of the registered voter be printed as it appears on the voter registration roll and it requires the signature, address, and precinct number of the voter. Ask them to check their voter registration card if they are in doubt.

LOYALTY OATH & OATH OF CANDIDATE

The Candidate must indicate on the Oath of Candidate the exact way his/her name is to appear on the ballot. (F.S. 99.021) One copy is filed with the Pinellas County Supervisor of Elections.

FINANCIAL DISCLOSURE - FORM 1

At the time of qualifying for office, each Candidate shall file a full and public disclosure of financial interests. (F.S. 99.061)

CERTIFICATION OF RECEIPT OF NOTICE OF PRE-ELECTION TEST OF VOTING EQUIPMENT

In accordance with the provisions of Florida Law, I am advising you in writing of the following times and locations of the pre-election tests of the voting equipment and will obtain a signed receipt that such notice has been given.

All of these tests will be held at the Elections Service Center, 13001 Starkey Road, Largo, FL. (727) 464-3551.

Candidates are welcome to observe the testing of the equipment.

- | | |
|---------|---|
| Feb. 19 | 9:00 a.m. – Test early voting and precinct touch screen voting machines and optical scan equipment |
| Mar. 10 | <u>9 a.m. Second test of optical scan equipment; Canvass and process absentee ballots.</u> |
| Mar. 10 | <u>6 p.m. Continue canvass of absentee ballots; Continue processing absentee ballots</u> |
| Mar. 10 | <u>7 p.m. Process election result cartridges; Release unofficial results</u> |
| Mar. 16 | <u>9 a.m. provisional ballots and release final election results; Final Test of optical scan equipment</u> |

These dates and times are subject to change.

CERTIFICATION OF RECEIPT OF NOTICE OF PENALTY FOR LATE FILING OF TREASURER'S REPORTS

Any candidate failing to file a report on the designated due date shall be subject to a fine of \$50 per day for the first 3 days late and, thereafter, \$500 per day for each late day, not to exceed 25% of the total receipts or expenditures, whichever is greater, for the period covered by the late report.

However, for the reports IMMEDIATELY PRECEDING each primary and GENERAL ELECTION THE FINE SHALL BE \$500 PER DAY for each late day, not to exceed 25% of the total receipts or expenditures, whichever is greater, for the period covered by the late report, as provided in Section 106.07(2), (8), F.S.

For a Candidate's Termination Report, the fine shall be \$50 per day for each late day, not to exceed 25% of the total receipts or expenditures, whichever is greater for the period covered by the late report.

The fine MUST be paid from the Candidate's personal funds – NOT campaign funds.

STATEMENT OF CANDIDATE

Section 106.023 of the Florida Statutes provides that each Candidate must file a statement with the qualifying officer within 10 days after he/she files his appointment of campaign treasurer and designation of campaign depository, stating that he/she has read and understands the requirements of Chapter 106 of the Florida Statutes.

Willful failure to file this form is a first degree misdemeanor.

The following documents need to be completed and returned to the City Clerk's Office:

1. Appointment of Campaign Treasurer & Designation of Bank
(One for the bank and one to be filed with City Clerk) **This is the first thing that MUST be completed.**
2. Candidate Information
3. Candidate Application
4. Affidavit and Oath
5. Loyalty Oath & Oath of Candidate
6. Form 1, Statement of Financial Disclosure
7. Certification of Receipt of Notice of Pre-Election and Post Election Tests of Voting Equipment
8. Certification of Receipt of Notice of Penalty for Late Filing of Treasurer's Reports
9. Statement of Candidate
10. Petition Cards (100 for Mayor, 25 for Commissioner)

CANDIDATE INFORMATION

This office is frequently questioned (i.e, St. Pete Times, Tampa Tribune, etc.) regarding the background of Candidates. **Please complete the following and add any other information you believe may be useful.** Please be advised that all this information will become public information once filed with the City Clerk. Under Florida's Public Records Law (Chapter 119), if requested this information will be given out to any person.

NAME: _____

ADDRESS: _____

PHONE: OFFICE _____ HOME _____
 FAX _____ CELL _____ (optional)
 E-MAIL _____ (Optional)

EDUCATION: _____

LENGTH OF TIME IN FLORIDA: _____ **IN TREASURE ISLAND** _____

WHERE YOU LIVED PRIOR TO FLORIDA: _____

BUSINESS/PROFESSION: _____

MARRIED/SPOUSE'S NAME: _____

CHILDREN: _____

AFFILIATION WITH CLUBS, ORGANIZATIONS, ETC.: _____

ADDITIONAL INFORMATION:

CANDIDATE APPLICATION
March 10, 2009 General Election

**CITY OF TREASURE ISLAND
PINELLAS COUNTY
FLORIDA**

The undersigned, being duly sworn, deposes and says: I am a Candidate for the office of: (check one)

Mayor, At-Large _____

Commissioner, City District #1 _____

Commissioner, City District # 2 _____

of the City of Treasure Island, Pinellas County, Florida, created by Chapter 31322, Laws of Florida, 1955. That I reside at _____ in the City of Treasure Island, Florida. That I have met all the requirements of and I am a legal voter in the City of Treasure Island, Florida.

That I am not a Candidate or a nominee or representative of any political party or committee or convention representing or sitting for a political party.

The qualifying fee of \$50 (Commissioner) and \$100 (Mayor) and the Assessment fee (\$78 for Mayor and \$54 for Commissioner) are included with and made a part of this application.

PHONE NUMBERS

Home: _____

Office: _____

Fax: _____

Signature of Candidate

**State of Florida
County of Pinellas**

Sworn and subscribed to before me this ____ day of _____ 2008.

NOTARY PUBLIC

Personally known _____ or Produced identification _____

Type of identification produced _____

AFFIDAVIT AND OATH

STATE OF FLORIDA
COUNTY OF PINELLAS

BEFORE ME, the undersigned authority, this day personally appeared _____
_____ who being duly sworn, deposes and says:

1. That I, _____, hereby submit this Affidavit to the City Clerk of the City of Treasure Island to qualify as a Candidate from District No. _____ for the Municipal Election scheduled for March 10, 2009.

3. I acknowledge that the City Clerk of the City of Treasure Island has identified for me the geographical boundaries for the District and that I am familiar with the district boundary. If Candidate for Mayor the Municipal boundaries were identified by the City Clerk.

4. I declare that I reside at _____
Treasure Island, Florida.

5. Further Affiant sayeth naught.

Under penalties of perjury, I declare that I have read the foregoing Affidavit and Oath and that the facts stated in it are true.

Candidate Signature

BEFORE ME, the undersigned, personally appeared _____
_____, who under oath, testified that he/she executed the above and foregoing Affidavit and Oath and that the statements contained are true and correct. The Affiant is personally known to me or who has produced _____
_____ as identification and who did take an oath.

WITNESS my hand and official seal, this ___ day of _____, 2008.

Signature Notary Public

My Commission Expires:

**CERTIFICATION OF RECEIPT OF NOTICE OF PRE-ELECTION
TEST OF VOTING EQUIPMENT**

In accordance with the provisions of Chapter 101.5612 (1), Florida Statutes, notice is hereby given that an accuracy test certification of the ballot counting equipment to be used in the General Election to be held on Tuesday, March 10, 2009, in the City of Treasure Island, Florida, will be conducted on:

- Feb. 19 **9:00 a.m. – Test early voting and precinct touch screen voting machines and optical scan equipment**

- Mar. 10 **9 a.m. Second test of optical scan equipment; Canvass and process absentee ballots.**

- Mar. 10 **6 p.m. Continue canvass of absentee ballots; Continue processing absentee ballots**

- Mar. 10 **7 p.m. Process election result cartridges; Release unofficial results**

- Mar. 16 **9 a.m. provisional ballots and release final election results; Final Test of optical scan equipment**

All of these tests will be conducted at the Supervisor of Elections' Service Center 13001 Starkey Road, Largo, FL, by their staff. Candidates are welcome to attend.

IN WITNESS WHEREOF, I hereunto set my hand and official seal this _____ day of _____, 2008.

City Clerk

In accordance with Florida Law, **I hereby certify that I have received this Notice of Pre-Election and Post Election Testing of Tabulating Equipment as above written.**

Candidate's Signature

**CERTIFICATION OF RECEIPT OF NOTICE OF PENALTY
FOR LATE FILING OF CAMPAIGN TREASURER'S REPORTS**

I HEREBY CERTIFY, that I have been informed of the following penalties for late filing of Treasurer's Reports for the March 10, 2009, Treasure Island General Election.

Any candidate failing to file a report on the designated due date shall be subject to a fine of \$50 per day for the first 3 days late and, thereafter, \$500 per day for each late day, not to exceed 25% of the total receipts or expenditures, whichever is greater, for the period covered by the late report.

However, for the reports IMMEDIATELY PRECEDING each primary and GENERAL ELECTION THE FINE SHALL BE \$500 PER DAY for each late day, not to exceed 25% of the total receipts or expenditures, whichever is greater, for the period covered by the late report, as provided in Section 106.07(2), (8), F.S.

For a Candidate's Termination Report, the fine shall be \$50 per day for each late day, not to exceed 25% of the total receipts or expenditures, whichever is greater for the period covered by the late report.

The fine MUST be paid from the Candidate's personal funds – NOT campaign funds.

Date: _____

Candidate's Signature

ATTEST:

CITY CLERK

PETITION CARDS

The Florida Division of Elections has a new requirement that candidates must obtain the petition cards from the Supervisor of Elections or on line at www.election.dos.state.fl.us or by calling (850)245-2600.

The City requires that twenty five for Commissioner and one hundred for Mayor be submitted to the City Clerk in order to qualify to seek office.

Note: You may want to submit extra cards in order to assure that enough of them are legal cards.

TREASURER'S REPORT

It is the duty of a Campaign Treasurer to keep detailed accounts of all contributions received and all expenditures made by or on behalf of the candidate. Each Campaign Treasurer is also responsible for filing all required reports for all contributions and expenditures.

Deputy Treasurers may exercise any of the powers and duties of a Campaign Treasurer when specifically authorized to do so by the Campaign Treasurer and the Candidate. A Candidate may serve as his/her own Treasurer or Deputy Treasurer.

Note: It is a good idea for candidates to serve as Deputy Treasurer, if they appoint another person as Treasurer, in the event the Treasurer for any reason is not able to submit the reports on time then the candidate may submit the reports as the Deputy Treasurer.

Each Candidate shall, within 90 days after having become unopposed, withdrawing his/her candidacy, being eliminated, or elected to office dispose of funds in his/her account and file a final report.

In accordance with Chapters 106.07 and 106.141 of the Florida Statutes, the Campaign Treasurer's Reports are to be filed with the City Clerk **no later than 4:30 P.M.** on the following dates:

January 24, 2009	46th day prior to the election date
February 7, 2009	32nd day prior to the election date
February 21, 2009	18th day prior to the election date
March 6, 2009	4th day prior to the election date
June 8, 2009	Final Report 90 days after the Election date

EXTRA REPORT FORMS

- TREASURER'S REPORT FORMS
- WAIVER OF REPORT FORMS
- RETURN OF CONTRIBUTIONS
- LOAN REPORT FORM

POLITICAL SIGNS
&
CAMPAIGN MATERIALS

December 19, 2008

Dear Candidates:

In order to clean up any confusion regarding the City's political sign regulations the following guidelines are being provided to you.

The City Code of Treasure Island defines a "Political Sign" as "any sign", or poster that is used for the attraction of the public to the political campaign of a person of issue."

Before having any political signs made and before placing them in any area(s) of the City, please visit the Community Improvement Department, located at City Hall, 120 108th Avenue, Treasure Island or call 727-547-4575.

DISTRIBUTION OF CAMPAIGN MATERIALS

1. It shall be unlawful for any person to throw, cast, affix, or distribute any handbill, circular, card, booklet, place card or other advertising and commercial matter whatsoever, in or upon any public street or other public place of the City, or in or upon any motor vehicle located thereon.
2. It shall be unlawful for any person to go in, on, or upon any private residence, apartment or premises, in the City for the purpose of distributing any handbill, circular, card, booklet, placard or other advertising and commercial matter whatsoever, without first having received from the owner or occupant permission to so enter such premises and distribute such material.
3. Nothing in this section shall be deemed to prohibit or otherwise regulate the distribution or sale of newspapers regularly sold by the copy or by subscription or to prevent the lawful distribution of religious, local community organization and civic monthly bulletins, charitable or **political matter** or anything other than commercial and business advertising matter.

ABSENTEE BALLOTS

&

POLL WATCHERS

ABSENTEE BALLOT

An absentee ballot may be requested by an elector in one of the following ways:

1. By calling the Election's Office at 464-6788 and requesting that an absentee ballot be mailed to you.

(Available beginning the week of January 25, 2009)

2. By going to the following County offices and voting in-office. (Voting in-office begins the week of February 24, 2009. The office hours are 8:00 a.m. to 5:00 p.m.

The County Building located at 501 – 1st Avenue North, 5th N. Entrance, St. Petersburg, Florida (727) 582-7851

The Pinellas County Courthouse located at 315 Court St., Room 117, Clearwater, Florida (727) 464-3551

The Election Service Center located at 13001 Starkey Road, Largo, FL (727) 464-6788

THERE WILL BE NO ABSENTEE BALLOTS AND NO IN-OFFICE VOTING AVAILABLE AT CITY HALL.

NOTE: In order to be counted your absentee ballot must be received before 7:00 p.m., Election Day (March 10, 2009) at one of the above listed Supervisor of Elections Offices.

VOTED ABSENTEE BALLOTS CANNOT BE ACCEPTED AT POLLING PLACES OR CITY HALL.

For any additional information regarding absentee ballots call Pinellas County Supervisor of Elections at (727) 464-6788.

POLL WATCHERS

F. S. 101.131

1. **Each Candidate may have only one watcher in each polling room at any one time during the election.** No watcher shall be permitted to come closer to the official's table or the voting booths than is reasonably necessary to properly perform his/her function, but each shall be allowed within the polling room to watch and observe the conduct of electors and officials. **The watchers shall furnish their own materials and necessities and shall not obstruct the orderly conduct of any election. Each watcher shall be a qualified and registered elector of Pinellas County.**
2. **Each Candidate requesting to have poll watchers shall designate, in writing, the desired poll watchers for each precinct prior to noon the second Tuesday preceding the election (February 25, 2009).**
3. **No Candidate or sheriff, deputy sheriff, police officer, or other law enforcement officer may be designated as a poll watcher.**

NOTES: (1) The precinct clerk is in charge of the polling place; (2) A poll watcher may challenge the eligibility of a voter by completing an "Oath of Person Entering Challenge of Voter"; (3) A Poll watcher may examine the precinct register/poll list when there is a lull in voting, with permission of the precinct clerk; (4) Poll watchers may not wear campaign items; t-shirts, pins, hats, stickers, etc.; (5) Poll watchers may not use phones assigned to precinct clerks.