

2010

TOWN OF FORT MYERS BEACH

CALENDAR OF REPORTING DATES FOR CANDIDATES

2 Town Council Positions on March 9, 2010

ANNOUNCING CANDIDACY

A person may announce his candidacy at any time. No person shall accept ANY contribution, or make ANY expenditure or collect candidate petition signatures with a view to bringing about his or her nomination, election, or retention in public office, or authorize another to accept such contributions or make such expenditure on the person's behalf, unless such person has appointed a campaign treasurer and designated a primary campaign depository. Form DS-DE 9 Appointment of Campaign Treasurer and Designation of Campaign Depository must be filed with the Town Clerk's Office. (Florida Statute 106.021(1)(a)).

FORMS TO FILE	REFERENCE Florida Statutes
<p>Open campaign file. Campaign file can be opened with the Town Clerk any time prior to or during qualifying week. (required of all candidates) Final candidate-qualifying documents must be finalized and submitted during the week of qualifying. (Candidate qualifying is Noon, Tuesday, January 19, 2010 through Noon, Monday, January 25, 2010)</p>	<p>FS §106.021 and FS §99.061 for more details</p>
<p>File Form DS-DE 9 Appointment of Campaign Treasurer and Designation of Campaign Depository. Once this form is filed, a candidate who intends to qualify by the petition process may begin collecting candidate petition signatures. (required candidate-qualifying form) Only persons designated as treasurer or deputy treasurer may sign campaign account checks. A candidate may be his/her own treasurer or deputy treasurer. Up to 3 deputy treasurers may be appointed to sign checks in the treasurer's absence. The Town Clerk shall provide the form.</p>	<p>FS §99.095 and FS §106.021 for more details</p>
<p>Open campaign checking account at bank. Opening a campaign checking account at the bank does not need to be done immediately. It is recommended that the bank account be open as soon as possible after filing the Appointment of Campaign Treasurer and Designation of Campaign Depository so that the account will be in place for expenditures and receipt of contributions in connection with the candidate's campaign.</p>	<p>FS §106.021 for more details</p>
<p>Within 10 days of opening campaign file, candidate must file a Statement of Candidate Form DS-DE 84 with the Town Clerk. The filing of this form by the candidate indicates that the candidate has received, read, and understands the requirements of Florida Statutes Chapter 106 (Campaign Financing). The Town Clerk shall provide the form.</p>	<p>FS §106.023 for more details</p>
<p>Filing of required campaign treasurer's reports. (filing of campaign reports is required) A candidate will be provided with an election cycle calendar of campaign treasurer's reporting dates. The reports must be filed when due even if a campaign checking account HAS NOT been opened. Reports must be filed even if the candidate accepts no contributions or makes no expenditures. As a courtesy, the Town Clerk MAY provide candidates will a verbal or written reminder when reports are due, however, this is not a requirement and the candidate is responsible for the timely filing of all campaign treasurer's reports. (Please refer to attached calendar for reporting dates).</p>	<p>FS §106.07 for more details</p>

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<p>Candidate petition process for municipal candidates. Municipal candidates shall qualify by submitting the signatures of 46 registered electors of the Town of Fort Myers Beach. The candidate must FIRST file Form DS-DE 9 Appointment of Campaign Treasurer and Designation of Campaign Depository with the Town Clerk, before collecting ANY candidate petition signatures. The deadline to submit candidate petition signatures is PRIOR TO NOON December 22, 2009. Candidate petition signatures shall be submitted to the Main Office of the Lee County Supervisor of Elections for signature verification. The signature verification fee is 10 cents per signature submitted and payable by campaign check or cash. When a candidate has obtained the required number of candidate petition signatures, the Lee County Supervisor of Elections will issue a Notice of Certification of Candidate Petition Signatures to the Town Clerk.</p>	<p>Deadline To Submit Signatures 46 SIGNATURES PRIOR TO NOON DECEMBER 22, 2009 Signature Verification Fee 10 cents per signature</p>
<p>Candidate Pre-Qualifying. The pre-qualifying period allows a candidate who may not be able to appear during the week of qualifying, to finalize and submit all required candidate-qualifying forms during the pre-qualifying period. The qualifying officer may accept and hold qualifying papers submitted no earlier than 14 days prior to the beginning of the qualifying period, to be processed and filed during the qualifying period. Pre-qualifying for municipal candidates begins Tuesday, January 5, 2010.</p>	<p>FS §99.061 for more details BEGINNING TUESDAY JANUARY 5, 2010</p>
<p>Florida Resign-To-Run Law. (Local Candidates) 10 Days Prior To The 1ST Day of Qualifying. No person or elected officer may qualify as a candidate for more than one public office, whether federal, state, district, county or municipal if the terms or any part thereof run concurrently with each other. Elected officers must resign from the office he/she presently holds. The resignation is irrevocable. The WRITTEN resignation must be submitted at least 10 days prior to the 1st day of qualifying and must be effective no later than the earlier of the following dates: the date the officer would take office, if elected or the date the officer's successor is required to take office. An original written statement must be filed with the qualifying officer with whom the official originally qualified, and a copy filed with the Governor's Office in Tallahassee. The deadline to submit the resignation is January 8, 2010.</p>	<p>FS 99.012§ for more details DUE ON OR BY FRIDAY JANUARY 8, 2010 USPS Postmark NOT acceptable.</p>
<p><u>QUALIFYING BEGINS NOON, TUESDAY, 01-19-10.</u> Qualifying begins for municipal candidates at NOON 01-19-10. Candidates shall qualify for office with the Town Clerk. Candidates shall qualify by submitting the required candidate-qualifying forms and paying a candidate filing fee (if required) and election assessment.</p>	<p>NOON 01-19-10 THROUGH NOON 01-25-10</p>
<p>Loyalty Oath for Non Partisan Office (required candidate-qualifying form) During the pre-qualifying period or during the week of qualifying, a candidate must file the appropriate Form DS-DE 25 Loyalty Oath for Non Partisan Office. The Town Clerk will provide this form. A candidate's name, as the candidate wants it to appear on the ballot, shall be taken from the completed and signed Loyalty Oath, and CANNOT be changed after the qualifying period has ended</p>	<p>FS §99.021 and FS 9§9.061 for more details</p>
<p>Financial Disclosure Form 1 Statement of Financial Interest (required candidate-qualifying form). During the pre-qualifying period or during the week of qualifying a candidate must file a Form 1 Statement of Financial Interest. The Town Clerk will provide this form.</p>	<p>FS 99.061 and Florida Constitution Article II Section 8 for more details</p>
<p>Notice Of Canvassing Board Meeting and Logic and Accuracy Testing Schedule At the time of qualifying, each candidate shall receive written notice of the time and location of the public pre-election test of the automatic tabulating equipment and the county canvassing board-meeting schedule. A signed receipt will be obtained by the Town Clerk indicating that such notice has been given to the candidate; if the schedule is not available at the time the candidate qualifies for office, the Town Clerk shall mail the schedule to the candidate, by certified mail, when said schedule becomes available</p>	<p>FS §101.5612 and FS §102.141 for more details</p>
<p><u>QUALIFYING ENDS AT NOON, MONDAY 01-25-10.</u> The Town Clerk must receive, before the close of the qualifying period, for each candidate, the official certification of valid candidate petition signatures from the Lee County Supervisor of Elections. The Town Clerk must also be in possession of each candidate's required, properly executed candidate-qualifying forms before the close of the qualifying period.</p>	<p>NOON 01-19-10 THROUGH NOON 01-25-10</p>

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<p>Payment of qualifying fee. All candidates are required to pay an election assessment fee which is 1% of the annual salary of the Town Council, or \$144.00. A qualifying fee of 3% of the annual salary shall also be paid, unless the candidate for office qualifies by the petition method. Both fees can be waived should the candidate file an Oath of Undue Burden, pursuant to Florida Statutes 99.093, 99.097 or 106.141(6).</p>	<p>FS §99.061, 99.093 and 99.097 for more details PRIOR TO NOON 01-25-10</p>
<p>Voter registration books close. Monday, February 8, 2010, voter registration books close 29 days prior to the 03-09-10 Town election. This is the last day to register to vote for the 03-09-10 Town election.</p>	<p>FS §97.055 for more details MONDAY FEBRUARY 8, 2010</p>
<p>Last day to request an absentee ballot for the 03-09-10 Town election. The Lee County Supervisor of Elections will accept a request for an absentee ballot for the 03-09-10 Town election up to 5:00 p.m. Wednesday, March 3, 2010. To request a Ballot By Mail please call the Lee County Supervisor of Elections Absentee Department at 239-533-6919 or 533-8683.</p>	<p>FS §101.62 for more details 5:00 P.M. WEDNESDAY MARCH 3, 2010</p>
<p>Election Day. Polling places are open from 7:00 a.m. to 7:00 p.m.</p>	<p>FS §100.011 03-09-10 ELECTION DAY POLLS OPEN 7 AM TO 7 PM</p>
<p>Elected council member(s) take office. The term of a member of the council shall begin at the first council meeting following the Town election.</p>	<p>Town Charter §5.02 for more details MONDAY 03-15-10</p>

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IMPORTANT INFORMATION FS §106.07 and FS §106.141

FILING CAMPAIGN TREASURER'S REPORTS

Candidates and political committees shall file all campaign treasurers' reports with the Town Clerk. Candidates and political committees shall be required to report all contribution and expenditures on the required campaign finance reporting forms. The Town Clerk shall provide each candidate, campaign treasurer, or political committee with the appropriate reporting forms.

Campaign treasurer's reports must be filed no later than 5:00 p.m., Eastern Standard Time, on or by the reports designated due date. A United States postmark bearing the due date or an earlier date is acceptable. Campaign treasurer's reports shall be filed at designated intervals as follows: on the 46th, 32nd, 18th, and 4th days preceding the Town election.

WAIVER OF CAMPAIGN TREASURER'S REPORT

During a reporting period, when there has been no campaign finance activity, i.e., (no contributions received and funds expended or received) the filing of the report may be waived by notifying the filing officer, in writing, that no activity has occurred. The notification shall be made by filing, with the Town Clerk, a form DS-DE 87 Waiver of Campaign Treasurer's Report Form on or by the reports designated due date. The form may be mailed. A United States postmark bearing the due date or an earlier date is acceptable.

PENALTIES FOR FILING A LATE REPORT

Late reports are 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. **For a report that is due immediately preceding the Town election, the fine shall be \$500 per day for each late day, not to exceed 25 percent of the total receipts or expenditures, whichever is greater, for the period covered by the late report.**

The Town Clerk has no statutory authority to waive a fine. Only the Florida Elections Commission may waive a fine based on a timely appeal filed by a candidate or political committee. The Commission shall meet and hold a hearing to determine if a fine shall be waived.

TERMINATION REPORTS AND LATE FILING PENALTIES

Each candidate shall, within 90 days after having withdrawn, become unopposed, been eliminated or elected to office, dispose of all funds in the campaign account and file a final report with the Town Clerk. Any candidate failing to file a termination report on the designated due date shall be subject to a fine of \$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. (FS 106.07 and 106.141)

The Town Clerk shall notify each candidate, required to file a termination report, at least 14 days before the termination report is due. (FS 106.141)

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REPORT DUE DATE	REPORT TYPE CODE	REPORTING PERIOD COVERED	IMPORTANT REMINDERS
01-11-10 Monday	Q4	10-01-09 through 12-31-09	For candidates who opened campaign files prior to 12-31-09. The report is due by 5:00 p.m. by hand delivery to the Town Clerk or the report can be mailed and must bear a United States Postal Service postmark that reflects the due date or an earlier date.
01-22-10 Friday 5:00 p.m.	FMB-1	01-01-10 through 01-15-10	46 th day prior to the 03-09-10 election. The report is due by 5:00 p.m. by hand delivery to the Town Clerk or the report can be mailed and must bear a United States Postal Service postmark that reflects the due date or an earlier date.
02-05-10 Friday 5:00 p.m.	FMB-2	01-16-10 through 01-29-10	32 nd day prior to the 03-09-10 election. The report is due by 5:00 p.m. by hand delivery to the Town Clerk or the report can be mailed and must bear a United States Postal Service postmark that reflects the due date or an earlier date.
02-19-10 Friday 5:00 p.m.	FMB-3	01-30-10 through 02-12-10	18 th day prior to the 03-09-10 municipal election. The report is due by 5:00 p.m. by hand delivery to the Town or the report can be mailed and must bear a United States Postal Service postmark that reflects the due date or an earlier date.
LAST DAY FOR CANDIDATES TO ACCEPT CAMPAIGN CONTRIBUTIONS FOR THE 03-09-10 ELECTION IS THURSDAY, MIDNIGHT 03-04-10 THE FMB-4 CAMPAIGN TREASURERS REPORT IS DUE IMMEDIATELY THE NEXT DAY! 03-05-10			
03-05-10 Friday 5:00 P.M.	FMB-4	02-13-10 through 03-04-10	4 th day prior to the 03-09-10 election. The report is due by 5:00 p.m. by hand delivery to the Town Clerk or the report can be mailed and must bear a United States Postal Service postmark that reflects the due date or an earlier date.
04-26-10 Monday 5:00 P.M.	FMB-TR1	closing date of last report filed through the date campaign account is closed	90-day termination report due for candidates unopposed after the close of the candidate-qualifying period for the 03-09-10 election. The report is due by 5:00 p.m. by hand delivery to the Town Clerk or the report can be mailed and must bear a United States Postal Service postmark that reflects the due date or an earlier date.
06-07-10 Monday 5:00 P.M.	FMB-TR2	03-05-10 through the date campaign account is closed	90-Day termination report due for candidates elected or defeated in the 03-09-10 election. The report is due by 5:00 p.m. by hand delivery to the Town Clerk or the report can be mailed and must bear a United States Postal Service postmark that reflects the due date or an earlier date.

A FINE SHALL BE ASSESSED ON ANY LATE CAMPAIGN TREASURER'S REPORT.