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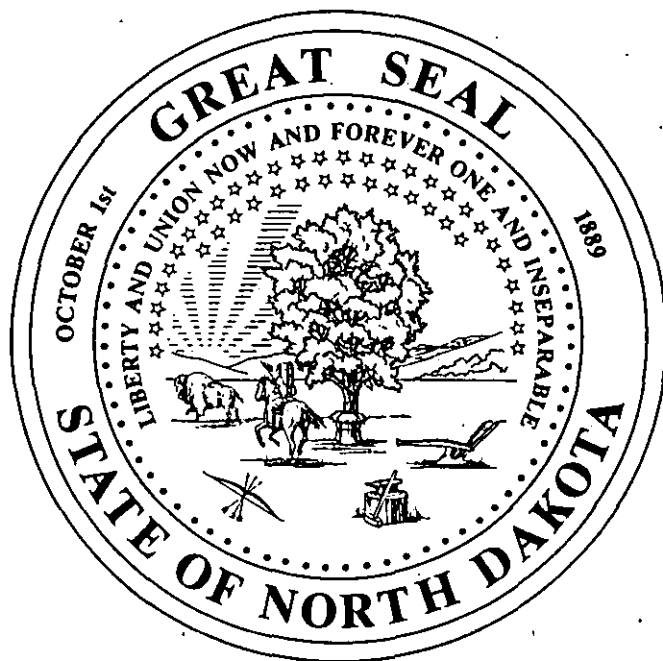
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# HOW TO RUN FOR PUBLIC OFFICE IN NORTH DAKOTA



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1101 15th ST. NW 3rd FLOOR  
WASHINGTON, DC 20005

revised January 1996

Alternate formats for disabled person are available upon request.

**\* NOTICE \***

Portions of this material are printed from the Legislative Council's computerized data base of the North Dakota Century Code (NDCC). This data base does not contain the material in the notes following the sections in the NDCC. These notes may contain temporary provisions and effective dates.

It should also be noted that though portions of the *How To Run For Public Office In North Dakota, 1996-97* are a direct download from the Legislative Council, it does not carry the same authority or weight as the actual NDCC and should not be equated with the NDCC as an equal authority. This publication is intended to be a helpful resource for consolidated election related laws. For quoting and citations, the official NDCC should be used.

The only fee associated with election requirements is a \$5 fee required when registering a political committee. [PLEASE SEE page 15 - POLITICAL COMMITTEE REGISTRATION.]

All forms associated with the election process and mentioned in the following instructions may be copied for convenience.

**\* NOTICE \***

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**HOW TO RUN  
FOR PRESIDENT OF THE UNITED STATES  
IN NORTH DAKOTA**

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These instructions pertain to the following office:

President of the United States

**INTERACTION OF FEDERAL AND STATE LAWS:** Candidates for President of the United States are subject to the registration and financial disclosure requirements of the Federal Election Campaign Act. For access to the ballot, they are subject to the laws of each of the states.

**A. Federal Election Campaign Act:** Under the Federal Election Campaign Act, a candidate is subject to registration and financial disclosure obligations when the campaign exceeds \$5,000 in either contributions or expenditures. Questions and requests for further information may be directed to the Federal Election Commission, Room 232, 999 E Street North West, Washington, D.C. 20463 (800-424-9530).

**B. North Dakota Law:** A candidate may choose to run under party affiliation by participating in the presidential primary contest to be held on February 27, 1996 or the candidate may run as an independent in the general election to be held on November 5, 1996. There are no filing fees required in North Dakota.

**PRESIDENTIAL PRIMARY**

**DATE:** Held the last Tuesday in February - **February 27, 1996.** NDCC 16.1-11-02

**PLACING YOUR NAME ON THE BALLOT:** Candidates have one of two choices for placing their names on the ballot. They are as follows:

**A. Petition of Nomination:** To place their names on the ballot, candidates for President of the United States may file Petitions of Nomination with the Secretary of State. Petitions of Nomination require at least 300 signatures. Petitions of Nomination may not be circulated or signed more than 90 days previous to the date the petition must be filed with the Secretary of State. Petitions of Nomination may be filed not earlier than 70 days prior to the contest and no later than 4:00 p.m. on the 60th day prior to the contest. Forms are available from the Secretary of State. NDCC 16.1-11-06; 16.1-11-07 and 16.1-11-15

Earliest day to begin circulating petitions..... September 30, 1995  
Earliest day to file petitions ..... December 19, 1995  
Last day to circulate and file petitions ..... December 29, 1995 (4:00 p.m.)

**B. Certificate of Endorsement:** Political party candidates may file Certificates of Endorsement with the Secretary of State in place of petitions to have their names placed on the ballot. Certificates of Endorsement may be filed with the Secretary of State not earlier than 70 days prior to the contest and no later than 4:00 p.m. on the 60th day prior to the contest. Forms are available from the Secretary of State. NDCC 16.1-11-06 and 16.1-11-07

Earliest day to file Certificates of Endorsement ..... December 19, 1995  
Last day to file Certificates of Endorsement..... December 29, 1995 (4:00 p.m.)

**AFFIDAVIT OF CANDIDACY & STATEMENT OF INTERESTS:** Whether presidential candidates file Certificates of Endorsement or Petitions of Nomination, either form needs to be accompanied by an Affidavit of Candidacy (NDCC 16.1-11-07 and 16.1-11-10) and a Statement of Interests (NDCC 16.1-09-02). Both of these forms are available from the Secretary of State.

**CERTIFICATE OF WRITE IN CANDIDACY:** A person who intends to be a write-in candidate for president of the United States at the presidential preference contest shall file a Certificate of Write-In Candidacy with the Secretary of State by 4:00 p.m. on the 21st day before the contest. The sworn Certificate of Write-In Candidacy must contain the complete post-office address of the candidate.

Last day to file Certificates of Write-In Candidacy ..... February 6, 1996 (4:00 p.m.)

## GENERAL ELECTION

**DATE:** Held the first Tuesday after the first Monday in November of each even numbered year - **November 5, 1996.** NDCC 16.1-13-01

**PLACING YOUR NAME ON THE BALLOT:** The names of presidential candidates are placed on the general election ballot one of two ways. They are:

**A. Results of Nominating Convention:** It will be the responsibility of the chairman and secretary of the national convention delegation from each recognized political party to certify a candidate's and his/her electors to be placed on the general election ballot. This certification must be made no later than 60 days prior to the election. NDCC 16.1-03-14

Last day parties may certify a presidential candidate .....September 6, 1996 (4:00p.m.)

**B. Petition/Certificate Of Nomination:** A candidate for President of the United States may elect to have their name placed on the general election ballot as an independent candidate through the petition process. The candidate must submit to the Secretary of State, not later than 4:00 p.m. of the 60th day prior to the general election, a Petition/Certificate of Nomination. The Petition/Certificate of Nomination for an independent candidate for President of the United States must contain no fewer than 4,000 signatures of qualified North Dakota electors (voters). NDCC 16.1-12-02; 16.1-12-02(4)(c) and 16.1-12-04

Last day to circulate and file petitions .....September 6, 1996 (4:00 p.m.)

**AFFIDAVIT OF CANDIDACY & STATEMENT OF INTERESTS:** Independent presidential candidates filing a Petition/Certificate of Nomination must accompany their forms with an Affidavit of Candidacy (NDCC 16.1-12-02.1) and a Statement of Interests (NDCC 16.1-09-02). Both of these forms are available from the Secretary of State.

**CERTIFICATE OF WRITE-IN CANDIDACY:** A person who intends to be a write-in candidate for the President of the United States at the general election shall file a sworn Certificate of Write-In Candidacy with the Secretary of State by 4:00 p.m. on the 21st day before the general election. The sworn Certificate of Write-In Candidacy must contain the complete post-office address of the candidate and the names and complete post-office addresses of the candidate's presidential electors. At the same time the Certificate of Write-In Candidacy is submitted to the Secretary of State, there shall be a sworn certificate of acceptance signed by the candidate's presidential electors. The certificate of acceptance for each elector is part of the form. If the presidential candidate has a vice-presidential running mate, his/her name and complete post-office address shall be contained on the Certificate of Write-In Candidacy. If there is no vice-presidential running mate, the certificate shall be appropriately marked. The sworn vice-presidential certificate of acceptance is a part of this form.

Last day to file Certificates of Write-In Candidacy .....October 15, 1996 (4:00 p.m.)

**HOW TO RUN  
FOR CONGRESSIONAL OR STATEWIDE PARTY OFFICE  
IN NORTH DAKOTA**

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These instructions pertain to the following offices:

U.S. Senator	U.S. Representative
Governor	Attorney General
Lt. Governor	Commissioner of Insurance
Secretary of State	Commissioner of Agriculture
State Auditor	Public Service Commissioner
State Treasurer	Tax Commissioner

**NORTH DAKOTA LAW:** The North Dakota Century Code (NDCC) prescribes procedures and requirements for placing one's name on the ballot for congressional or statewide office. A candidate may choose to run under party affiliation, thereby participating in the primary election, or the candidate may run as an independent and participate only in the November general election.

**PRIMARY ELECTION**

**DATE:** Held the second Tuesday in June - **June 11, 1996.** NDCC 16.1-11-01

**PLACING YOUR NAME ON THE BALLOT:** Candidates have one of two choices for placing their names on the ballot. They are as follows:

**A. Petition of Nomination:** To place their names on the ballot, candidates for congressional or statewide offices may file petitions with the Secretary of State. If the office sought is under party designation, the signatures of 3% of the total vote cast for the candidate of the party with which the candidate affiliates, for the same position at the last general election are required. However, under no circumstances are more than 300 signatures required. If the office sought did not have a candidate of a political party in the preceding general election or if the office sought is under no-party designation, at least 300 signatures are required. Petitions of Nomination may not be circulated or signed more than 90 days previous to the date the petition must be filed with the Secretary of State. Petitions of Nomination may be filed not earlier than 70 days prior to the election and no later than 4:00 p.m. on the 60th day prior to the election. Forms are available from the Secretary of State. NDCC 16.1-11-06

Earliest day to begin circulating petitions..... January 13, 1996  
Earliest day to file petitions ..... April 2, 1996  
Last day to circulate and file petitions ..... April 12, 1996 (4:00 p.m.)



**B. Certificate of Endorsement:** Political party congressional or statewide candidates may file Certificates of Endorsement with the Secretary of State in place of petitions to have their names placed on the ballot. Certificates of Endorsement may be filed with the Secretary of State not earlier than 70 days prior to the election and no later than 4:00 p.m. on the 60th day prior to the election. Forms are available from the Secretary of State. NDCC 16.1-11-06

Earliest day to file Certificates of Endorsement ..... April 2, 1996  
Last day to file Certificates of Endorsement..... April 12, 1996 (4:00 p.m.)

**AFFIDAVIT OF CANDIDACY & STATEMENT OF INTERESTS:** Whether congressional or statewide candidates file Certificates of Endorsement or Petitions of Nomination, both forms need to be accompanied by an Affidavit of Candidacy (NDCC 16.1-11-10) and a Statement of Interests (NDCC 16.1-09-02). Both of these forms are available from the Secretary of State.

**CERTIFICATE OF WRITE IN CANDIDACY:** A person who intends to be a write-in candidate for congressional or statewide office at the primary election shall file a Certificate of Write-In Candidacy with the Secretary of State by 4:00 p.m. on the 21st day before the primary election. The sworn Certificate of Write-In Candidacy must contain the complete post-office address of the candidate.

Last day to file Certificates of Write-In Candidacy ..... May 21, 1996 (4:00 p.m.)

**GENERAL ELECTION**

**DATE:** Held the first Tuesday after the first Monday in November of each even numbered year - **November 5, 1996.** NDCC 16.1-13-01

**PLACING YOUR NAME ON THE BALLOT:** The names of congressional or statewide candidates are placed on the general election ballot one of two ways. They are:

**A. Succeeding in the primary election:** Congressional or statewide candidates who receive the highest number of votes in the primary election are automatically placed on the general election ballot.

**B. Petition/Certificate Of Nomination:** A candidate for congressional or statewide office may elect to have their name placed on the general election ballot as an independent nominee through the petition process. The candidate must submit to the Secretary of State, not later than 4:00 p.m. of the 60th day prior to the general election, a Petition/Certificate of Nomination. The Petition/Certificate of Nomination for congressional or statewide candidate must contain no fewer than 1,000 signatures of qualified North Dakota electors (voters). NDCC 16.1-12-02; 16.1-12-02(4)(a); 16.1-12-02(5) and 16.1-12-04

Last day to circulate and file petitions .....September 6, 1996 (4:00 p.m.)

**AFFIDAVIT OF CANDIDACY & STATEMENT OF INTERESTS:** Independent congressional or statewide candidates filing a Petition/Certificate of Nomination must accompany their forms with an Affidavit of Candidacy (NDCC 16.1-12-02.1) and a Statement of Interests (NDCC 16.1-09-02). Both of these forms are available from the Secretary of State.

**CERTIFICATE OF WRITE IN CANDIDACY:** A person who intends to be a write-in candidate for congressional or statewide office at the general election shall file a Certificate of Write-In Candidacy with the Secretary of State by 4:00 p.m. on the 21st day before the general election. The sworn Certificate of Write-In Candidacy must contain the complete post-office address of the candidate.

Last day to file Certificates of Write-In Candidacy .....October 15, 1996 (4:00 p.m.)

**OTHER DOCUMENTS TO FILE**

(Candidates for congressional offices file with the Federal Election Commission (FEC) and need not comply with the requirements below. Congressional candidates should contact the FEC at 1-800-424-9530.)

**POLITICAL COMMITTEE REGISTRATION:** See page 15

**CAMPAIGN CONTRIBUTION STATEMENTS - CANDIDATES:** See page 15

**CAMPAIGN CONTRIBUTION FILING DEADLINES:** See page 16

**HOW TO RUN  
FOR NO-PARTY STATEWIDE OR DISTRICT OFFICE  
IN NORTH DAKOTA**

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These instructions pertain to the following offices:

Superintendent of Public Instruction \* please see qualifications on page 8  
Justice of the Supreme Court  
Judges of the District Court

**NORTH DAKOTA LAW:** The North Dakota Century Code (NDCC) prescribes the procedures and requirements for placing one's name on the primary election ballot for the offices listed above. The two candidates for each office with the highest vote totals in the primary election will automatically have their names placed on the general election ballot. NDCC 16.1-11-37

**PRIMARY ELECTION**

**DATE:** Held the second Tuesday in June - **June 11, 1996.** NDCC 16.1-11-01

**PLACING YOUR NAME ON THE BALLOT:** To place their names on the ballot, candidates for no-party offices may file petitions with the Secretary of State. Petitions require at least 300 signatures. Petitions of Nomination may not be circulated or signed more than 90 days previous to the date the petition must be filed with the Secretary of State. Petitions of Nomination may be filed not earlier than 70 days prior to the election and no later than 4:00 p.m. on the 60th day prior to the election. Forms are available from the Secretary of State. NDCC 16.1-11-06

Earliest day to begin circulating petitions..... January 13, 1996  
Earliest day to file petitions ..... April 2, 1996  
Last day to circulate and file petitions ..... April 12, 1996 (4:00 p.m.)

**AFFIDAVIT OF CANDIDACY & STATEMENT OF INTERESTS:** Independent no-party or district office candidates filing Petitions of Nomination must accompany their petitions with an Affidavit of Candidacy (NDCC 16.1-11-10) and a Statement of Interests (NDCC 16.1-09-02). Both of these forms are available from the Secretary of State.

**CERTIFICATE OF WRITE IN CANDIDACY:** A person who intends to be a write-in candidate for no-party statewide or district office at the primary election shall file a Certificate of Write-In Candidacy with the Secretary of State by 4:00 p.m. on the 21st day before the primary election. The sworn Certificate of Write-In Candidacy must contain the complete post-office address of the candidate.

Last day to file Certificates of Write-In Candidacy ..... May 21, 1996 (4:00 p.m.)

## **GENERAL ELECTION**

**DATE:** Held the first Tuesday after the first Monday in November of each even numbered year - **November 5, 1996.** NDCC 16.1-13-01

**PLACING YOUR NAME ON THE BALLOT:** The two candidates receiving the most votes for each no-party position in the primary election are automatically placed on the general election ballot.

**CERTIFICATE OF WRITE IN CANDIDACY:** A person who intends to be a write-in candidate for no-party statewide or district office at the general election shall file a Certificate of Write-In Candidacy with the Secretary of State by 4:00 p.m. on the 21st day before the general election. The sworn Certificate of Write-In Candidacy must contain the complete post-office address of the candidate.

Last day to file Certificates of Write-In Candidacy ..... October 15, 1996 (4:00 p.m.)

## **OTHER DOCUMENTS TO FILE**

(Candidates for Judicial District Judgeships need not comply with the following requirements.)

**POLITICAL COMMITTEE REGISTRATION:** See page 15

**CAMPAIGN CONTRIBUTION STATEMENTS - CANDIDATES:** See page 15

**CAMPAIGN CONTRIBUTION FILING DEADLINES:** See page 16

## **QUALIFICATIONS - SUPERINTENDENT OF PUBLIC INSTRUCTION**

In addition to meeting the qualifications for Superintendent of Public Instruction as outlined in Article V of the North Dakota Constitution, a candidate for the office must also meet the qualifications as prescribed by North Dakota law in NDCC 15-21-01. North Dakota Century Code 15-21-01 requires that the Superintendent of Public Instruction, "must be the holder of a teacher's certificate of the highest grade issued in this state."

A candidate wishing to be placed on either the Primary or General election ballot for the office of Superintendent of Public Instruction must either; be in possession of the above mentioned teaching certificate at the time his or her name is placed on the ballot, or be in possession of the above mentioned teaching certificate at the time of assuming the office.

**HOW TO RUN  
FOR LEGISLATIVE OFFICE  
IN NORTH DAKOTA**

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These instructions pertain to the following offices:

State Senator  
State Representative

**NORTH DAKOTA LAW:** The North Dakota Century Code (NDCC) prescribes the procedures and requirements for placing one's name on the ballot for legislative office. A candidate for legislative office may choose to run under party affiliation, thereby participating in the primary election, or the candidate may run as an independent and participate only in the November general election.

**PRIMARY ELECTION**

**DATE:** Held the second Tuesday in June - **June 11, 1996.** NDCC 16.1-11-01

**PLACING YOUR NAME ON THE BALLOT:** Candidates have one of two choices for placing their names on the ballot. They are as follows:

**A. Petition of Nomination:** Candidates for legislative office may file their petitions with the County Auditors. Petitions for legislative candidates must contain signatures of at least 1% of the total resident population of the legislative district. However, under no circumstances are more than 300 signatures required. Petitions of Nomination may not be circulated or signed more than 90 days previous to the date the petition must be filed with the County Auditor in the county where the candidate resides. Petitions of Nomination may be filed not earlier than 70 days prior to the election and no later than 4:00 p.m. on the 60th day prior to the election. Forms are available from the County Auditors. NDCC 16.1-11-11

Earliest day to begin circulating petitions ..... January 13, 1996  
Earliest day to file petitions..... April 2, 1996  
Last day to circulate and file petitions..... April 12, 1996 (4:00 p.m.)

**B. Certificate of Endorsement:** Legislative candidates may file Certificates of Endorsement with their County Auditor in place of petitions to have their names placed on the ballot. Certificates of Endorsement may be filed with the County Auditor not earlier than 70 days prior to the election and no later than 4:00 p.m. on the 60th day prior to the election. Forms are available from the County Auditors. NDCC 16.1-11-11

Earliest day to file Certificates of Endorsement..... April 2, 1996  
Last day to file Certificates of Endorsement ..... April 12, 1996 (4:00 p.m.)

**AFFIDAVIT OF CANDIDACY & STATEMENT OF INTERESTS:** Whether legislative candidates file Certificates of Endorsement or Petitions of Nomination, both forms need to be accompanied by an Affidavit of Candidacy (NDCC 16.1-11-10) and a Statement of Interests (NDCC 16.1-09-02). Both of these forms are available from the County Auditors.

**CERTIFICATE OF WRITE-IN CANDIDACY:** A person who intends to be a write-in candidate for legislative office at the primary election shall file a Certificate of Write-In Candidacy with the County Auditor in the county of the candidates residence by 4:00 p.m. on the 4th day before the primary election. The sworn Certificate of Write-In Candidacy must contain the complete post-office address of the candidate.

Last day to file Certificates of Write-In Candidacy ..... June 7, 1996 (4:00 p.m.)

## GENERAL ELECTION

**DATE:** Held the first Tuesday after the first Monday in November of each even numbered year. **November 5, 1996.** NDCC 16.1-13-01

**PLACING YOUR NAME ON THE BALLOT:** The names of legislative candidates are placed on the general election ballot one of two ways. They are:

**A. Succeeding in the primary election:** Legislative candidates who receive the highest number of votes in the primary election are automatically placed on the general election ballot.

**B. Petition/Certificate Of Nomination:** A candidate for legislative office may elect to have their name placed on the general election ballot as an independent nominee through the petition process. The candidate must submit to the County Auditor in the county where they reside, not later than 4:00 p.m. of the 60th day prior to the general election, a Petition/Certificate of Nomination. The Petition/Certificate of Nomination for an independent legislative candidate must contain the signatures of qualified voters of the legislative district equal to 2% of the resident population of the district. No more than 300 signatures may be required. NDCC 16.1-12-02; 16.1-12-02(4)(b) and 16.1-12-04

Last day to circulate and file petitions .....September 6, 1996 (4:00 p.m.)

**AFFIDAVIT OF CANDIDACY & STATEMENT OF INTERESTS:** Independent legislative candidates filing a Petition/Certificate of Nomination must accompany their forms with an Affidavit of Candidacy (NDCC 16.1-12-02.1) and a Statement of Interests (NDCC 16.1-09-02). Both of these forms are available from the County Auditors.

**CERTIFICATE OF WRITE-IN CANDIDACY:** A person who intends to be a write-in candidate for legislative office at the general election shall file a Certificate of Write-In Candidacy with the County Auditor in the county of the candidates residence by 4:00 p.m. on the 4th day before the general election. The sworn Certificate of Write-In Candidacy must contain the complete post-office address of the candidate.

Last day to file Certificates of Write-In Candidacy .....November 1, 1996 (4:00 p.m.)

**OTHER DOCUMENTS TO FILE**

**CAMPAIGN CONTRIBUTION STATEMENTS - CANDIDATES: See page 15**

**CAMPAIGN CONTRIBUTION FILING DEADLINES: See page 16**

**HOW TO RUN  
FOR NO-PARTY COUNTY OFFICE  
IN NORTH DAKOTA**

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These instructions pertain to the following offices:

County Commissioner  
Garrison Diversion Conservancy District Director  
Southwest Water Authority (primary election only)  
Soil Conservation District Supervisor (general election only)

**NORTH DAKOTA LAW:** The North Dakota Century Code (NDCC) prescribes the procedures and requirements for placing one's name on the primary election ballot for the offices listed above. The candidates for each office with the highest vote totals and who total twice the number of available positions for the office will automatically have their names placed on the general election ballot (NDCC 16.1-11-37). Southwest Water Authority candidates participate only in the primary election. Soil Conservation District Supervisors participate only in the general election.

**PRIMARY ELECTION**

**DATE:** Held the second Tuesday in June - **June 11, 1996.** NDCC 16.1-11-01

**PLACING YOUR NAME ON THE BALLOT:** Candidates for no-party county office may file their petitions with the County Auditor. Petitions for no-party county office must contain signatures of not less than 2% or more than 5% of the votes cast for the same offices in the last general election. However, under no circumstances are more than 300 signatures required. Garrison Diversion candidates require signatures of not less than 50 nor more than 300 qualified electors of the county. Southwest Water Authority candidates require signatures of not less than 2% of the qualified voters of the county as determined by the number of votes cast in the county for that office at the most recent election at which the office was voted upon. Soil Conservation candidates require signatures of not less than 25 nor more than 300 qualified electors of the county. Petitions of Nomination may not be circulated or signed more than 90 days previous to the date the petition must be filed with the County Auditor in the county where the candidate resides. Petitions of Nomination may be filed not earlier than 70 days prior to the election and no later than 4:00 p.m. on the 60th day prior to the election. No reference may be made to party affiliation in a petition or affidavit for the above offices. Forms are available from the County Auditors. NDCC 4-22-17; 16.1-11-08; 16.1-11-11; 16.1-11-11(2)(c); 61-24-03 and 61-24.5-06

Earliest day to begin circulating petitions..... January 13, 1996  
Earliest day to file petitions ..... April 2, 1996  
Last day to circulate and file petitions ..... April 12, 1996 (4:00 p.m.)



**AFFIDAVIT OF CANDIDACY & STATEMENT OF INTERESTS:** Petitions of Nomination must be accompanied by an Affidavit of Candidacy (NDCC 16.1-11-10) and a Statement of Interests (NDCC 16.1-09-02). Both of these forms are available from the County Auditors.

**CERTIFICATE OF WRITE-IN CANDIDACY:** A person who intends to be a write-in candidate for no-party county office at the primary election shall file a Certificate of Write-In Candidacy with the County Auditor in the county of the candidates residence by 4:00 p.m. on the 4th day before the primary election. The sworn Certificate of Write-In Candidacy must contain the complete post-office address of the candidate.

Last day to file Certificates of Write-In Candidacy ..... June 7, 1996 (4:00 p.m.)

**GENERAL ELECTION**

**DATE:** Held the first Tuesday after the first Monday in November of each even numbered year - **November 5, 1996.** NDCC 16.1-13-01

**PLACING YOUR NAME ON THE BALLOT:** The candidates for each office with the highest vote totals in the primary election and who total twice the number of available positions for the office will automatically have their names placed on the general election ballot. NDCC 16.1-11-37

**CERTIFICATE OF WRITE-IN CANDIDACY:** A person who intends to be a write-in candidate for no-party county office at the general election shall file a Certificate of Write-In Candidacy with the County Auditor in the county of the candidates residence by 4:00 p.m. on the 4th day before the general election. The sworn Certificate of Write-In Candidacy must contain the complete post-office address of the candidate. A certificate under NDCC 16.1-12-02.2 (4) is not required when no names will appear on the ballot.

Last day to file Certificates of Write-In Candidacy .....November 1, 1996 (4:00 p.m.)

**HOW TO RUN  
FOR NO-PARTY CITY OFFICE  
IN NORTH DAKOTA**

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These instructions pertain to the following offices:

All City Offices (Commission and Council forms)

**NORTH DAKOTA LAW:** The North Dakota Century Code (NDCC) prescribes the procedures and requirements for placing one's name on the ballot for city office. No reference may be made to party affiliation in a petition or affidavit for the above offices. NDCC 40-21-06

**ELECTION**

**DATES (COMMISSION AND COUNCIL FORMS):** Held on the second Tuesday in June - **June 11, 1996.** (Cities with home rule charters may have different dates.) NDCC 40-21-02

**PLACING YOUR NAME ON THE BALLOT:** To place their names on the ballot, candidates for city offices may file nominating petitions with the City Auditor. Nominating petitions require not less than 10 percent of the number of qualified electors who voted for that office in the last city election. However, not more than 300 signatures may be required. Nominating petitions may be signed by qualified electors who reside within a ward or precinct if elected by ward. Nominating petitions may be signed by qualified electors who reside within the corporate city limits if elected at large. In cities operating under the commission system of government the required petition may be signed by the qualified electors at large residing within the city. Nominating petitions must be filed before 4:00 p.m. on the 60th day prior to the election. If a city election is not held in conjunction with a state or county election, a candidate may be nominated by filing the required petition with the City Auditor before 4:00 p.m. on the 33rd day prior to the election. Forms are available from the City Auditor. NDCC 40-21-07

Last day to file petitions..... April 12, 1996 (4:00 p.m.)

**CERTIFICATE OF WRITE-IN CANDIDACY:** A person who intends to be a write-in candidate for no-party city office at the election shall file a Certificate of Write-In Candidacy with the City Auditor in the city of the candidates residence by 4:00 p.m. on the 4th day before the election. The sworn Certificate of Write-In Candidacy must contain the complete post-office address of the candidate. A certificate under NDCC 16.1-12-02.2 (4) is not required when no candidate has filed by the filing deadline resulting in no names appearing on the ballot.

Last day to file Certificates of Write-In Candidacy ..... June 7, 1996 (4:00 p.m.)

**CAMPAIGN FINANCE REGULATIONS**  
(For reference see NDCC 16.1-08.1)

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**POLITICAL COMMITTEE REGISTRATION**

A political committee, other than a political party, and a person aiding or opposing a measure to be voted upon by the voters of the state must register its name, address, and its agent's name and address with the Secretary of State each year in which it receives any contributions. The registration must be completed within 5 days of the receipt of any contribution and must be submitted with a registration fee of \$5. NDCC 16.1-08.1-03.2 (Applicable to candidates listed on pages 4 and 7.)

**CAMPAIGN CONTRIBUTION STATEMENTS**

**CANDIDATES - 16.1-08.1-02:** A candidate soliciting or accepting contributions for any political purpose, must file a campaign contribution statement. A candidate's campaign contribution statement must include a detailed listing of all contributors who contributed in excess of \$100. Candidates for statewide elective office file their campaign contribution statements with the Secretary of State. Legislative candidates file their campaign contribution statements with the County Auditor where they reside. There are no filing requirements for county, township or city candidates. Candidates are not required to file campaign contribution statements if they did not receive any contributions in excess of \$100 during the calendar year. Forms for campaign reporting are available from the Secretary of State or the County Auditors. (Applicable to candidates listed on pages 4, 7 and 9.)

**POLITICAL PARTIES - 16.1-08.1-03:** Any political party that receives and contributes money in excess of \$100 must file a campaign contribution statement. A political party's campaign contribution statement must include a detailed listing of all contributions received in excess of \$100. Forms for political party campaign reporting are available from the Secretary of State. (Applicable to candidates listed on pages 4, 7 and 9.)

**POLITICAL ACTION COMMITTEES - 16.1-08.1-03.3(3):** All political committees must file detailed statements identifying contributors who made contributions to the committee in excess of \$200 in the aggregate for the reporting period and a detailed listing of all expenditures made by the committee in excess of \$100 dollars in the aggregate for political purposes. Forms for political action committee reporting are available from the Secretary of State.

## CAMPAIGN CONTRIBUTION FILING DEADLINES

**Candidates (16.1-08.1-02), Political Parties (16.1-08.1-03) and Political Action Committees (16.1-08.1-03.3(3)):** Pre-election reports are due 12 days prior to any election and cover from the beginning of the election year through 20 days before the election or, if applicable, from the cutoff date for the previous statement, through the twentieth day before the election. Year-end reports are due by January 31 of the following year.

Earliest day to file Pre-primary report ..... May 23, 1996  
Last day to file Pre-primary report..... May 30, 1996  
**covers from January 1 - May 22**

Earliest day to file Pre-general report .....October 17, 1996  
Last day to file Pre-general report.....October 24, 1996  
**covers from January 1 - October 16 or May 22 - October 16 if applicable**

Earliest day to file Year-end report..... January 1, 1997  
Last day to file Year-end report ..... January 31, 1997  
**covers entire election year**

**Note:** Candidates must file a supplemental report within 48 hours if a contribution of \$500 or more is received within 20 days before an election.

**Note:** Reports will not be accepted which are submitted for filing prior to the earliest day to file.

**ADVERTISING REGULATIONS**  
**(For reference see NDCC 16.1-10)**

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**CERTAIN POLITICAL ADS TO DISCLOSE NAME OF SPONSOR:** Every political advertisement by newspaper, pamphlet or folder, display card, sign, poster, or billboard, or by any other public means, on behalf of or in opposition to any candidate for public office, designed to assist, injure, or defeat the candidate by reflecting on the candidate's personal character or political action, must disclose at the bottom of the advertisement the name or names of the sponsor or sponsors of the advertisement, and the name or names of the person, persons, associations, or partnerships paying for the advertisement. If the name of an association or partnership is used, the disclaimer must also include the name of the chairman or other responsible person from the association or partnership. The name or names of the person, persons, association, or partnership paying for any radio or television broadcast containing any advertisement for or against any candidate for public office must be announced at the close of the broadcast. If the name of an association or partnership is used, the disclaimer must also include the name of the chairman or other responsible person from the association or partnership. In every political advertisement in which the name of the sponsor or person, association, or partnership paying for the advertisement is disclosed, the first and last name of any named person must be disclosed. This section does not apply to campaign buttons. NDCC 16.1-10-04.1

**PUBLICATION OF FALSE INFORMATION IN POLITICAL ADVERTISEMENT:** No person may knowingly sponsor any political advertisement or news release that contains any assertion, representation, or statement of fact, including information concerning a candidate's prior record, which the sponsor knows to be untrue, deceptive, or misleading, whether on behalf of or in opposition to any candidate for public office, initiated measure, referred measure, constitutional amendment, or any other issue, question, or proposal on an election ballot, and whether such publication is by radio, television, newspaper, pamphlet, folder, display cards, signs, posters or billboard advertisements, or by any other public means. Any person who violates the provisions of this section is guilty of a class A misdemeanor. NDCC 16.1-10-04

**PAYING OWNER, EDITOR OR NEWSPAPER PROHIBITED:** No person may pay or give anything of value to the owner, editor, publisher, or agent of any newspaper or other periodical, or radio or television station, to induce him to advocate editorially or to oppose any candidate for nomination or election, and no such owner, editor, publisher, or agent may accept such inducement. NDCC 16.1-10-05

**ADVERTISING ON ELECTION DAY PROHIBITED:** Any person asking, soliciting, or in any manner trying to induce or persuade, any voter on an election day to vote or refrain from voting for any candidate or the candidates or ticket of any political party or organization, or any measure submitted to the people, is guilty of an infraction. The display upon motor vehicles of adhesive signs which are not readily removable and which promote the candidacy of any individual, any political party, or a vote upon any measure, and political party advertisements promoting the candidacy of any individual, political party, or a vote upon a measure which are displayed on fixed permanent billboards, may not, however, be deemed a violation of this section. NDCC 16.1-10-06 You should also be advised of local ordinances which may exist relating to time limits for posting and removing political yard signs.

## **CAMPAIGN DON'TS**

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### **As a candidate....**

Don't use any governmental (state, county, city) services or property (including telephone, postage, and building) for political purposes. NDCC 16.1-10-02

Don't give, sell, or wear political badges, buttons, or insignia on election day. No such political badge, button, or insignia may be worn at or about the polls on election day. NDCC 16.1-10-03

Don't allow government employees to work on your campaign while they are at work. NDCC 16.1-10-02

Don't pay another person for (1) loss or damage suffered due to voting attendance; (2) expense of transporting to or from the polls; (3) personal services to be performed on the day of a caucus, primary election, or any election which shall, directly or indirectly, affect the result of a caucus or election. NDCC 16.1-10-06.1

Don't serve on an election board or have a relative serve on an election board. NDCC 16.1-05-02

Don't give a thing of value, or promise to give anything of value, including drinks, to another in return for the other's promise to vote or withhold his vote for or against any candidate. NDCC 12.1-14-03