



**INFORMATION FOR CANDIDATES**

**FOR MUNICIPAL OFFICE**

**IN THE CITY OF MALDEN**

**NOTE:** *This material was compiled from various election related sources, including the Massachusetts General Laws, Acts and Resolves of the Massachusetts Legislature, the Code of Massachusetts Regulations, U.S. Postal Service Regulations, and City Council Orders. It is intended for general information and guidance only, and is not meant to replace reference to original sources.*

**REVISED:** April 22, 2021

**CITY OF MALDEN  
ELECTION CALENDAR  
-2021-**

- May 4**                   Nomination papers available from the City Clerk's Office
  
- July 23**                   5:00 P.M. last day and hour to obtain nomination papers from the City Clerk's Office **(53:9A)**
  
- July 27**                   5:00 P.M. last day and hour to submit nomination papers to the Registrar of Voter's Office for certification **(53:7)**
  
- August 10**               5:00 P.M. last day and hour to file certified nomination papers with the City Clerk's Office **(53:10)**
  
- August 12**               5:00 P.M. last day and hour for filing withdrawals from nomination for the preliminary or objections to nomination **(55B:7; 53:13)**
  
- August 25**               8:00 P.M. close of registration for the preliminary **(51:26)**
  
- September 7**            5:00 P.M. first campaign finance statement due **(55:18)**
  
- September 14**         **PRELIMINARY**
  
- September 20**          5:00 P.M. last day and hour to withdraw from nomination at the preliminary or petition for a recount of votes or, if a preliminary is not held, to withdraw from nomination for the final election **(54:135; 206/02)**
  
- October 13**             8:00 P.M. close of registration for election **(51:26)**
  
- October 25**             5:00 P.M. second campaign finance statement due **(55:18)**
  
- November 2**            **ELECTION**
  
- November 12**          5:00 P.M. last day and hour to petition for recount of votes at election **(54:135)**
  
- January 20, '22**        Final campaign finance statement due **(55:18)**

**CITY OF MALDEN  
POLLING PLACES  
2021**

<b>WD.</b>	<b>PCT.</b>	<b>POLLING PLACE</b>	<b>LOCATION</b>
1	1	FERRYWAY SCHOOL	150 CROSS ST. (ENTER WALNUT ST.)
1	2	FERRYWAY SCHOOL	150 CROSS ST. (ENTER WALNUT ST.)
2	1	COMMUNITY ROOM	89 PEARL STREET
2	2	IRISH AMERICAN	177 WEST STREET
3	1	BEEBE SCHOOL, K-4 GYMNASIUM	401 PLEASANT STREET
3	2	BEEBE SCHOOL, MUSIC ROOM	401 PLEASANT STREET
4	1	EARLY LEARNING CENTER (HOLMES SCHOOL) GYMNASIUM	257 MOUNTAIN AVENUE
4	2	SENIOR CENTER AUDITORIUM	7 WASHINGTON STREET
5	1	SALEMWOOD SCHOOL	529 SALEM STREET
5	2	FORESTDALE SCHOOL	74 SYLVAN STREET
6	1	TO BE DETERMINED	
6	2	630 COMMUNITY ROOM	630 SALEM STREET
7	1	FERRYWAY SCHOOL	150 CROSS STREET (ENTER CROSS ST.)
7	2	SUFFOLK MANOR COMMUNITY ROOM	312 BRYANT STREET
8	1	LINDEN SCHOOL	29 WESCOTT STREET
8	2	LINDEN SCHOOL	29 WESCOTT STREET

## GENERAL INFORMATION ON PRELIMINARY AND FINAL ELECTIONS

Although candidates are allowed to pull nomination papers for more than one office, their name may ultimately appear on the ballot for only **one** office in any city election year.

### **Final Election:**

On November 2, 2021, the City will hold an election for the following offices. All terms begin in January 2022.

OFFICE	NUMBER ELECTED	TERM	SIGNATURES REQUIRED FOR NOMINATION
Mayor (reelection in 2023)	1	4 years	200
Councillor At Large	3	2 years	200
Ward Councillor	1 per ward	2 years	50
School Committee Member	1 per ward	2 years	50

### **Preliminary Election:**

A preliminary election, if required, is scheduled for September 14<sup>th</sup>.

A preliminary election will be held **ONLY** if the number of candidates for an office exceeds twice the number to be elected.

In other words, a preliminary election will be held for Mayor, Ward Councillor or School Committee if there are three or more candidates for the same office. For Councillor At Large, a preliminary election will be held if there are seven or more candidates.

A preliminary election will reduce the number of candidates in the Mayoral, Ward Council or School Committee race to two and in the Councillor At Large race to six or, twice the number to be elected.

# GETTING ON THE BALLOT

## General Requirements:

To run for an office, you must:

- ✓ live in and be a registered voter in the city;
- ✓ for ward offices, live in the ward where you are running;
- ✓ be nominated by obtaining the signatures of:
  - ✓ 50 registered voters in your ward (for offices elected by ward) or
  - ✓ 200 registered voters in the city (for offices elected citywide).

## Obtaining Nomination Papers:

**Where:** Nomination papers are available from the City Clerk's Office, located at 215 Pleasant Street, Room 220.

**When:** During regular office hours between May 4<sup>th</sup> at 8 A.M. and July 23<sup>rd</sup> at 5 P.M.  
Regular office hours are: Monday, Wednesday and Thursday, 8 a.m - 5 P.M.;  
Tuesday, 8 A.M. - 7 P.M.

**How:** By completing a form, provided by the Clerk's Office, containing your name, address, and the office you are seeking.  
If you cannot come to the office, your papers will be given to anyone with your written authorization. The authorization must contain your name, address and office sought.

**What:** You will receive:

- ✓ This guide - Information for Candidates for Municipal Office;
- ✓ Campaign Finance Guide - Candidates for Municipal Office;
- ✓ A CD containing the most recent street listing; and
- ✓ Nomination papers as follows:
  - ✓ 5 for ward offices;
  - ✓ 20 for citywide offices.

This will enable you to obtain 5 times the number of signatures required.  
If you choose to collect more signatures, you may make **EXACT** photocopies of an original paper.

### Circulating Nomination Papers:

- ✓ **BEFORE** soliciting signatures, fill in the sections entitled “Statement of Candidate” and “Signers Statement”. **Nomination papers filed without this information will be disqualified and signatures will not be certified.**
- ✓ **PROPERLY IDENTIFY THE OFFICE YOU ARE SEEKING.** If you are running for Ward Councillor or School Committee, you must include the ward designation (i.e. Ward One Councillor, Ward Two School Committee Member). **Nomination papers filed without this information will be disqualified and signatures will not be certified.**
- ✓ You also have the option of completing the section entitled “Candidate’s Statement of Public Office”. The statement, which will appear on the preliminary election ballot, is limited to eight words and may contain any of the following:
  - ✓ local elected offices;
  - ✓ offices voted at state primaries;
  - ✓ an appointed public position which includes policy making authority;
  - ✓ veteran (if you are a veteran, as defined in MGL Chapter 31, Section 1)
  - ✓ If you do not currently hold the office, it must be preceded by the word "former".
  - ✓ If you are seeking re-election to an office, the statement may contain the words "candidate for re-nomination".
- ✓ Collect more than the required number of signatures. Some signatures may be disqualified during certification. **Illegible signatures will not be certified.** If signature is illegible, the voter may be asked to print their name next to the signature.
- ✓ For a signature to be valid, the voter must sign his/her own name, unless prevented by physical disability. Family members may not sign for their spouses, siblings, children, parents, etc. A physically disabled voter may authorize someone else to sign his/her name, provided that it is done in his/her presence.
- ✓ Do not make any extraneous markings or assign any of your own identifying indicators on the nomination petition forms.
- ✓ Be sure that voters sign substantially as registered and include apartment numbers where applicable. A voter who has moved since January 1<sup>st</sup> must also include a former address.

### Submitting Nomination Papers:

- ✓ Nomination papers must be submitted for certification with the City Clerk's Office by **July 27<sup>th</sup> at 5:00 P.M.**
- ✓ You must accept nomination by signing at least one of the papers in the space provided.
- ✓ Submit papers as early as possible. Papers are accepted on a rolling basis and certified in the order they are submitted. If signatures are disqualified, you will be allowed to submit additional signatures before July 27<sup>th</sup> at 5:00 P.M.
- ✓ When submitting nomination papers, you will receive a signed receipt. If you are picking nomination papers up from the City Clerk's Office, this receipt will be required to obtain the papers.

**Certification of Signatures:**

- ✓ Nomination papers will be certified in the order they are received. All certification will be completed by August 10<sup>th</sup>.
- ✓ You will be notified when certification of your papers is completed. You do not need to pick the papers up. If you have the required number of signatures and the papers remain in the City Clerk's Office until August 10<sup>th</sup> at 5:00 P.M., you will be considered a candidate.
- ✓ The City Clerk's Office will certify a minimum of:
  - ✓ 70 signatures for ward candidates, and
  - ✓ 280 for citywide candidates.
 These numbers are 2/5 more than the number required for nomination.
- ✓ The most common reasons for a signature to be disqualified are:
  - ✓ the signer is not a registered voter;
  - ✓ the City Clerk's Office was unable to read the signature and/or address;
  - ✓ for ward offices, the signer lives in a different ward.

**WITHDRAWALS AND OBJECTIONS TO NOMINATION**

**Objections to Nomination:**

Between August 10<sup>th</sup> and August 12<sup>th</sup> at 5:00 P.M., someone may object to your nomination.

Objections must be based on the form and content of nomination papers, rather than a candidate's fitness to hold office.

Objections to nomination must be:

- ✓ in writing;
- ✓ signed by the objector;
- ✓ filed with the City Clerk on or before August 12<sup>th</sup> at 5:00 P.M.

If an objection is filed:

- ✓ The Board of Registrar of Voters and City Solicitor will hold a hearing, summons witnesses, and examine documents relating to the objection;
- ✓ Notify you of the date, time and place of the hearing;
- ✓ Render a decision on the objection by August 18<sup>th</sup>.

### **Withdrawal from Nomination:**

If a preliminary election is to be held in your race, you may withdraw from nomination until August 12<sup>th</sup> at 5:00 P.M.

If no preliminary is to be held in your race, you may withdraw from nomination for the final election until September 20<sup>th</sup> at 5:00 P.M.

Withdrawals must be:

- ✓ in writing;
- ✓ signed by the candidate;
- ✓ notarized;
- ✓ filed with the City Clerk on or before the deadline for withdrawal.

After the deadline, all nominations will be final and the names of all nominees will appear on the ballot.

## **FORM AND CONTENT OF BALLOTS**

### **Ballot Order:**

Offices will appear on the ballot in the following order:

- ✓ Mayor;
- ✓ Councillor At Large;
- ✓ Ward Councillor;

- ✓ School Committee Member.

Names of candidates for each office will appear on both preliminary and final election ballots in the following order:

- ✓ incumbent office holders, in alphabetical order;  
By state law, persons chosen by vote of the City Council, or a joint convention of the City Council and School Committee, are considered incumbents.
- ✓ all others, in alphabetical order.

### **Ballot Content:**

#### **Preliminary Election Ballots:**

If a preliminary election is required, the ballot will contain:

- ✓ the candidate's name;
- ✓ the candidate's address;
- ✓ the eight word statement contained on the candidate's nomination papers.

#### **Final Election Ballots:**

In the final election, the ballot will contain:

- ✓ the candidate's name;
- ✓ the candidate's address;
- ✓ for Councillor At Large, the ward in which the candidate lives; and
- ✓ for incumbents, the words "Candidate for Re-Election".

## **CAMPAIGN FINANCE**

All candidates are required to file Campaign Finance Reports for specific periods during the election cycle. Mayoral candidates file with the Massachusetts Office of Campaign and Political Finance (OCPF). All other city candidates file finance reports with the City Clerk's Office.

OCPF provides free web-based software named Reporter 7 (R7) to assist local filers in keeping accurate financial records, creating, printing, and filing reports. Municipal candidates are strongly encouraged to make use of this resource.

To register for R7, candidates must send their organizational form (M101) to OCPF with "R7 only" written at the top of the page. The form may be sent by e-mail [ocpf@cpf.state.ma.us](mailto:ocpf@cpf.state.ma.us). After

registering, each candidate is issued a password and identification number, sent to them by e-mail. If the M101 form is sent to OCPF by traditional mail or by fax at 617-727-6549 an e-mail address must be included.

Filing dates are included in the Election Calendar on page two of this manual. In addition, the City Clerk's Office will provide you with forms and the specific date range of each finance report. These notifications will come at least a week prior to the respective deadline.

You will be required to continue filing reports after January 21, 2022 if:

- ✓ you are elected;
- ✓ you show assets or liabilities in the report filed on January 20, 2022, or;
- ✓ you have not dissolved a candidate's committee organized to promote your candidacy.

Forms to create and dissolve political committees are available in the City Clerk's Office.

A copy of "Campaign Finance Guide – Candidates for Municipal Office" is included in your election packet. The guide provides important information on:

- ✓ limitations on contributions;
- ✓ permissible expenditures;
- ✓ prohibited practices;
- ✓ disclosure requirements.

**You should review this material carefully before raising or spending funds.**

For additional information, candidates may email [ocpf@cpf.state.ma.us](mailto:ocpf@cpf.state.ma.us) for an invitation to join their weekly seminars to assist new candidates and committees with understanding the requirements of campaign finance law. These 60 minute seminars are held every Wednesday at 2:00 P.M. and are currently provided using online video conferencing due to the Covid-19 health crisis.

Complete contact information for OCPF:

John W. McCormack Building  
One Ashburton Place, Room 411  
Boston, Massachusetts 02108

Web: [ocpf.us/Home/Index](http://ocpf.us/Home/Index)

Phone: 617-979-8300

Email: [ocpf@cpf.state.ma.us](mailto:ocpf@cpf.state.ma.us)

Fax: 617-727-6546

## SELECTED LAWS - CAMPAIGN PRACTICES

Many state laws regulate campaign and election practices. Some highlights are provided below. For the full text of any provision, please refer to the section of state law cited at the end of each synopsis.

### **BEFORE ELECTION DAY:**

**Endorsements Must Be Authorized:** No person's name may be included in any political advertisement, circular or poster without his/her express consent. (MGL C.56 S.41A)

**No Interference With Distribution of Political Circulars:** No person may interfere with the distribution of circular or flyers. Unlawful interference includes the removal of printed matter from any residential premises to which it was delivered. (MGL C.56 S.43)

**No Use of Public Resources to Promote Candidates and/or Ballot Questions:** Public offices, supplies, time or resources may not be used to aid or defeat a candidate or ballot question (MGL C.55 S. 13-17). All municipal intellectual property, including (but not limited to) the city seal, municipal logos and/or designs uniquely associated with or owned by the city, are public resources within the meaning of the law.

**No Use of Mail Boxes for Distribution of Political Literature:** Federal Postal Regulations prohibit the use of mailboxes as receptacles for any material which does not bear postage. The regulation applies to items placed upon, attached to, hung from or inserted in a mail box. The regulation further provides that violations will be punished by removal of the material from the receptacle and/or imposition of appropriate postal charges. (Sect. 508.3.1.3 of the Domestic Mail Manual (DMM))

**No Political Signs May Be Displayed In Residential Neighborhoods More Than 60 Days Throughout the Year and May Be No Larger Than 6 Square Feet:** City ordinance allows for the display of personal expression signs of any sign type, provided no sign is commercial in nature, no sign shall be illuminated, no sign shall exceed three (3) sq. ft. in area per side, and no sign shall have more than two sides, except one personal expression sign may be a maximum of six (6) square feet in area per side, provided such sign is displayed no more than 60 days per year. (MCC 4.16.050)

## **ON ELECTION DAY:**

**Election Officer and Police Officers to Maintain Order:** Election officials are primarily responsible for maintaining order at the polls. Failure to obey the lawful commands of either an election officer or a police officer may result in detention, arrest and/or prosecution. (MGL C.54 S.71, 72, 74, 75 and C.56, S.57)

**Political Activity Prohibited Within 150 Feet of a Polling Place:** No one may solicit votes for or against any candidate, political party, or ballot question within 150 feet of the entrance to a polling place or within the polling place itself. (950 CMR 54.04 (22)(d))

During polling hours, candidates may enter the 150 foot boundary only for the purpose of voting. No one should remain within the 150 foot perimeter longer than is necessary to conduct their business. Any person remaining within the 150 foot boundary for an undisclosed purpose will be presumed to be representing a candidate and will be asked to leave.

No posters or circulars may be displayed or distributed, except Instruction to Voters cards and official Specimen Ballots, within 150 feet of the entrance to a polling place or inside the polling place itself. (MGL C.54 S.65)

Please note that the prohibited materials include virtually anything bearing a candidate's name (buttons, pens, T-shirts, hats, keychains, etc.). Candidates and their representatives will be asked to cover or conceal these materials when within 150 feet of the polling place or inside the poll itself.

To assist candidates and their representatives in identifying the 150 foot mark, lines have been painted on the pavement at all polling places. A listing of approximate locations of the lines is available from the City Clerk's Office.

**Assisting Voters:** At a voter's request, he/she may be assisted in voting by any person he/she designates. (MGL C.54 S.79)

## **VOTER REGISTRATION**

Voter registration is an on-going process and a person may register to vote at any time. To vote in any election, however, a voter must be registered at least 20 days prior to Election Day.

You must be registered by:

- ✓ August 25<sup>th</sup> to vote in the preliminary election;
- ✓ October 13<sup>th</sup> to vote in the final election.

Regular office hours are: Monday, Wednesday and Thursday, 8:00 A.M. – 5:00 P.M. and Tuesday 8:00 A.M. – 7:00 P.M.

Due to Covid-19 restrictions, City Hall is currently open to the public by appointment only. A representative of the City Clerk's Office will remain available until 8:00 P.M. for voter registration on August 25<sup>th</sup> and October 13<sup>th</sup> per scheduled appointments. Alternatively, voter registration may be done 24 hours a day, 7 days a week by visiting [www.sec.state.ma.us/ovr/](http://www.sec.state.ma.us/ovr/)

To register to vote in Malden elections, you must be:

- ✓ a United States citizen, however, anyone who becomes a citizen between the close of registration and Election Day may register immediately and vote in the election, notwithstanding the deadline;
- ✓ a resident of Malden;
- ✓ 18 years or older on Election Day.

Someone who turns 18 between the close of registration and the election must pre-register before the close of registration.

Registration can be completed in any of the following ways:

- ✓ in person, at the Registrar of Voters' Office in any city or town;  
Please call prior to arriving in person to confirm the City's Covid-19 policy and/or restrictions.

- ✓ by mail, using a Mail-In Voter Registration form;

If a person is registering by mail and has not been registered in Massachusetts before, he or she must provide positive photo identification.

This requirement can be fulfilled either by:

- ~submitting a photocopy of identification with the mail-in registration form or;
- ~showing identification at the polling place prior to voting the first time;
- ✓ at the Registry of Motor Vehicles;
- ✓ at a variety of public agencies, including but not limited to the Department of Transitional Assistance;
- ✓ online at <https://www.sec.state.ma.us/ovr/>

The voter should expect to receive confirmation within 2 weeks of registration. The confirmation of registration will also provide the voter with information on where he or she should vote.

## ABSENTEE VOTING

Any registered voter may vote by absentee if he/she is:

- ✓ absent from the city during polling hours;

A voter who will be absent may:

- ✓ vote in the City Clerk's Office prior to leaving town; OR
- ✓ have the ballot mailed to an address of his/her choice;
- ✓ have a physical disability that keeps him/her from voting at polling place or;  
For elections held through June 30, 2021, state law clarifies that any person taking precautions relating to COVID-19 qualifies for an absentee ballot by reason of physical disability.
- ✓ a member of a religious organization whose beliefs prevent voting on the day the election is held.

Absentee ballots are available approximately four weeks before an election.

The voter or a relative must apply for an absentee ballot by:

- ✓ completing an application available in the City Clerk's Office or;
- ✓ sending a signed request to the City Clerk's Office. The request must:
  - ✓ be signed;
  - ✓ include the voter's name and voting address;
  - ✓ include a mailing address, if different; and
  - ✓ indicate the elections for which ballots are requested.

A voter may request ballots for a specific election or elections or for all elections in the calendar year.

Absentee Ballot applications must be requested in writing at least 4 business days before Election Day. Applications can be submitted by mail, email, or fax. If you are emailing your application, you may either scan or take a photo of your signed application and email it to your local election office, or you may sign your application using a mouse, finger, or stylus and email the completed and signed attachment. Typed signatures are not acceptable.

If you have been admitted to a healthcare facility or you are instructed to quarantine in your home within 1 week of the election, you may use the absentee ballot application to designate someone of your choice to deliver a ballot to you.

Completed ballots may be returned to the City Clerk's Office via mail, drop box, or hand delivered by the voter or a family member before 8:00 P.M. on Election Day. **Absentee ballots must be**

**returned by 8:00 P.M. on the date of the election and MAY NOT be returned to the polling location.**

Instructions for completing and returning the ballot will be sent with the ballot. If the voter makes an error in completing the required affidavits, the ballot will be rejected. The City Clerk's Office will notify the voter of the ballot's rejection and, if sufficient time remains before the election, will send the voter a substitute ballot.

## **ELECTION RESOURCES**

Many election and election-related materials are available from the City Clerk's Office. Additional information may also be found at:

City of Malden Ordinances and City Charter  
Web: [malden.municipalcodeonline.com/](http://malden.municipalcodeonline.com/)

Secretary of the Commonwealth - Elections Division  
One Ashburton Place, Room 1705  
Boston, Massachusetts 02108  
Web: [sec.state.ma.us/ele/](http://sec.state.ma.us/ele/)

617-727-2828

[elections@sec.state.ma.us](mailto:elections@sec.state.ma.us)

State Ethics Commission  
One Ashburton Place, Room 619  
Boston, Massachusetts 02108  
Web: [mass.gov/orgs/state-ethics-commission](http://mass.gov/orgs/state-ethics-commission)

617-371-9500

The Office of Campaign and Political Finance  
One Ashburton Place, Room 411  
Boston, Massachusetts 02108  
Web: [ocpf.us/Home/Index](http://ocpf.us/Home/Index)

617-979-8300

[ocpf@cpf.state.ma.us](mailto:ocpf@cpf.state.ma.us)

Massachusetts General Laws  
Part I Administration of the Government, Title VIII Elections, Chapters 50 – 57  
Web: [malegislature.gov/Laws/GeneralLaws/PartI](http://malegislature.gov/Laws/GeneralLaws/PartI)

Code of Massachusetts Regulations, Title 950, Chapters 46 - 60  
Web: [mass.gov/law-library/950-cmr](http://mass.gov/law-library/950-cmr)



Candidate's Statement of Office Sought

Date: \_\_\_\_\_

Name: \_\_\_\_\_

Office: \_\_\_\_\_

Address: \_\_\_\_\_

Email: \_\_\_\_\_

Phone: \_\_\_\_\_

I hereby request nomination papers for the office listed above to be nominated at the Municipal Preliminary on September 14, 2021.

I authorize \_\_\_\_\_ to obtain nomination papers on my behalf.

I also acknowledge receipt of the following materials:

Nomination papers

(Ward office - 5 papers; Citywide office - 20 papers)

Information for Candidates for Municipal Office

Campaign Finance Guide - Candidates for Municipal Office

CD containing PDF of 2020 poll book and street index

Candidate's Signature: \_\_\_\_\_

Representative's Signature: (if applicable) \_\_\_\_\_