

# **CANDIDATE HANDBOOK AND ELECTION CALENDAR**

**November 8, 2011**

**MADERA COUNTY CLERK-RECORDER  
ELECTIONS DIVISION  
200 W. 4<sup>th</sup> Street  
Madera CA 93637  
(559) 675-7720  
(559) 675-7870 Fax**

# TABLE OF CONTENTS

Preface	Page 1
Election Calendar	Page 2
Detailed Calendar	Page 4
Office Information and Incumbent Officers	Page 8
Candidate Qualifications and Requirements - School Districts	Page 9
Candidate Filing Documents	Page 11
Incompatibility of Offices	Page 16
Statement of Qualifications	Page 17
Sample Statement of Qualifications	Page 19
Statement of Qualification Cost Estimates	Page 20
Provisions of the Code of Fair Campaign Practices	Page 21
Campaign Disclosure Requirements and Form Descriptions	Page 22
Campaign Disclosure Filing Schedule	Page 26
Campaign Literature	Page 27
Registration and Election Data	Page 29
Political Signs	Page 31
Electioneering	Page 32
Poll Watching and Exit Polling	Page 33
Election Night Results	Page 34
Official Canvass	Page 35
Resources	Page 36
Agency Contacts for Violations	Page 37

**The following Candidate Handbook and Election Calendar is intended to provide general information and does not have the force or effect of law, regulation or rule. It is distributed with the understanding that the County Clerk/Registrar of Voters is not rendering legal advice or that this calendar is not a substitute for legal counsel. In the case of conflict, the law, rule or regulation will apply.**

*Rebecca Martinez*

REBECCA MARTINEZ,  
County Clerk-Recorder and Registrar of Voters



# ELECTION CALENDAR

e-130	July 1, 2011	Boundary Changes (EC 10522, 12262)
e-125	July 6, 2011	Notice of Boundaries (EC 10522)
e-125	July 6, 2011	Notice of Elective Offices to be Filled - Special Districts (EC 10509)
e-120	July 11, 2011	Order of Election from Superintendent of Schools (ED 5324)
e-113 e-88	July 18, 2011 August 12, 2011	Nomination and Declaration of Candidacy Period (EC 10220, 10221, 10224, 10510, 13307, 13311)
e-99	July 31, 2009 by 5:00 pm.	Semi-Annual Campaign Disclosure Statement Due (GC 84200, 84218)
e-88	August 12, 2011	Last Day to Submit Resolutions of Consolidation (EC 10403)
e-87 e-83	August 13, 2011* August 17, 2011	Extended Nomination and Declaration of Candidacy Period (EC 10225, 10407, 10516(b), 10603)
e-87 e-77	August 13, 2011* August 23, 2011	10-Day Public Examination Period for Candidate Statements (EC 13313)
e-87 e-78	August 13, 2011* August 22, 2011	Period to Submit Arguments For or Against Measures (EC 9161, 9162, 9219, 9315, 9501)
e-83	August 17, 2011	Insufficient Nominees (EC 10229, 10515) Last day to Withdraw a Measure (EC 9605)
e-82	August 18, 2011	Randomized Alphabet Drawing at 11:00 am (EC 13112)
e-77 e-67	August 23, 2011 September 2, 2011	Period to Submit Rebuttals to Arguments For or Against Measures (EC 9167, 9220, 9317, 9504)
e-66 e-56	September 3, 2011* September 13, 2011	10-Day Public Examination Period for Arguments/Rebuttals (EC 9190, 9295, 9380, 9509)
e-60	September 9, 2011	Issue 60-Day Ballots - Military (EC 3103)
e-57 e-14	September 12, 2011 October 25, 2011	Write-in Candidacy Period (EC 8601)
e-40	September 29, 2011	Pre-election Campaign Disclosure Statement Due (GC 84200)
e-40 e-10	September 29, 2011 October 29, 2011*	Counties Mail Sample Ballots (EC 13300)
e-29 e-7	October 10, 2011 November 1, 2011	Vote by Mail Ballot Application Period (EC 3001)

e-15	October 24, 2011	Close of Registration (EC 2107)
e-12	October 27, 2011	Pre-election Campaign Disclosure Statement Due (GC 84200)
e-11	October 28, 2011	First day to begin Processing Absentee Ballots (EC 15101)
e-10	October 29, 2011*	Last Day to Mail County Sample Ballots (EC 13300)
e-6 e-1	November 2, 2011 November 7, 2011	Vote by Mail Ballot - Late Conditions (EC 3021)
e-0	November 8, 2011	Election Day (EC 1000)
e+1	November 9, 2011	Post Election Reconciliation
e+2	November 10, 2011	Begin Official Canvass (EC 15301)
e+28	December 6, 2011	Last Day to Complete Official Canvass and Certify Results (EC 15372)
Fixed by Law	December 2, 2011	Assuming Office (EC 10554)
Fixed by Law	January 31, 2012	Semi Annual Campaign Disclosure Statements Due (GC84200)

\* - indicates deadline falls on a weekend or holiday. Move to next business day.

# DETAILED CALENDAR

<p><b>July 1, 2011</b> e-130</p>	<p><b>Boundary Changes (EC 10522, 12262)</b></p> <p>Last day for jurisdictions holding their elections in November to make boundary changes.</p>
<p><b>July 6, 2011</b> e-125</p>	<p><b>Districts Deliver Notice of Boundaries (EC 10522)</b></p> <p>Last day for Jurisdiction to deliver a map and address listing to the County Clerk reflecting the boundaries of the jurisdiction/district.</p>
<p><b>July 6, 2011</b> e-125</p>	<p><b>Notice of Elective Offices to be Filled - Special Districts (EC 10509)</b></p> <p>On the 125<sup>th</sup> day prior to the day fixed for the general district election, the secretary shall deliver a notice to the county elections official. The notice shall bear the secretary's signature and the district's seal and shall also contain the elective offices to be filled and if candidate statements are paid by the district or candidates.</p>
<p><b>July 11, 2011</b> e-120</p>	<p><b>Order of Election from Superintendent (ED 5324)</b></p> <p>At least 120 days prior to the date of the election, the county superintendent of schools shall deliver to the County Clerk, copies of the Order of Election and Formal Notice of Election.</p>
<p><b>July 18, 2011 to August 12, 2011</b> e-113 to e-88</p>	<p><b>Candidate Nomination Period (EC 10510, 13307, 13311)</b></p> <p>Between these dates, any qualified elector may become a candidate for local elective office. All required documents, including a Statement of Qualifications, must be filed by 5:00 p.m. on August 12, 2011 in order to become a qualified candidate for the office sought.</p>
<p><b>August 1, 2011</b> e-99</p>	<p><b>Semi-Annual Campaign Disclosure Statement (GC 84200, 84218)</b></p> <p>Last day to file semi-annual campaign statements for those candidates/committee raising or spending more than \$1,000.</p>
<p><b>August 12, 2011</b> e-88</p>	<p><b>Last day to Submit Resolutions of Consolidation (EC 10403)</b></p> <p>Final deadline for the governing body of a district, city, school or other political subdivision to submit a request for consolidation.</p>

<p><b>August 13, 2011* to August 22, 2011</b></p> <p><b>e-87 to e-83</b></p>	<p><b>Extended Candidate Nomination Period (EC 10225, 10407, 10516)</b></p> <p>If an Incumbent fails to file for office, than any person, other than the Incumbent, may file a Declaration of Candidacy by August 22, 2011 by 5:00 p.m. This provision does not apply to an office where there is no Incumbent.</p>
<p><b>August 13, 2011* to August 23, 2011</b></p> <p><b>e-87 to e-77</b></p>	<p><b>10-day Public Inspection Period for Candidate Statements (13313)</b></p> <p>During this period, all candidate's statements submitted for the ballot are available for public inspection. Any voter may seek a writ of mandate or injunction requiring any or all of the material in the candidates statements to be amended or deleted.</p>
<p><b>August 13, 2011* to August 22, 2011</b></p> <p><b>e-87 to e-78</b></p>	<p><b>Period to Submit Arguments For or Against Measures (EC 9161, 9162, 9315, 9501)</b></p> <p>During this period, arguments for or against measures will be accepted. Arguments are limited to 300 words and must follow code.</p>
<p><b>August 17, 2011</b></p> <p><b>e-83</b></p>	<p><b>Insufficient Nominees (EC 10229, 10515)</b></p> <p>If by 5:00 p.m. on this day, no one has been nominated or an insufficient number of persons has been nominated to fill an office or offices, and a petition signed by 10% of registered voters in the jurisdiction or 50 voters (whichever is the smaller number) has not been submitted, the Elections Official shall certify this fact to the appropriate Governing Body. The Governing Body of each respective district shall make the appointments accordingly.</p> <p><b>Withdrawal of Measure (EC 9605)</b></p> <p>The last day for any jurisdiction to withdraw a measure from the November ballot.</p>
<p><b>August 18, 2011</b></p> <p><b>e-82</b></p>	<p><b>Randomized Alphabet Drawing (EC 13112)</b></p> <p>At 11:00 a.m., the Secretary of State shall conduct the random alphabet drawing to determine the order in which the candidates' names will appear on the ballot.</p>
<p><b>August 23, 2011 to September 2, 2011</b></p> <p><b>e-77 to e-67</b></p>	<p><b>Period to Submit Rebuttals to Arguments For or Against Measures (EC 9167, 9220, 9317, 9504)</b></p> <p>During this period, Rebuttals to Arguments may be submitted. Rebuttals may not exceed 250 words and must follow code.</p>

<p><b>September 3, 2011* to September 13, 2011</b></p> <p><b>e-66 to e-56</b></p>	<p><b>10-Day Public Examination Period for Arguments and Rebuttals (EC 9190, 9295, 9380, 9509)</b></p> <p>During this 10-day period, all arguments and rebuttals submitted will be available for public inspection. Anyone who wishes to challenge information contained must follow code to seek injunction.</p>
<p><b>September 9, 2011</b></p> <p><b>e-60</b></p>	<p><b>Issue 60-Day Ballots (EC 3103)</b></p> <p>First day to issue and mail 60-Day Military Ballots.</p>
<p><b>September 12, 2011 to October 25, 2011</b></p> <p><b>e-57 to e-14</b></p>	<p><b>Statement of Write-In Candidacy (EC 8601)</b></p> <p>During this period, candidates must file their Statement of Write-In Candidacy and Nomination papers with the County Clerk.</p>
<p><b>September 29, 2011</b></p> <p><b>e-40</b></p>	<p><b>Pre-Election Campaign Disclosure Statement due (GC 84200)</b></p> <p>Last day file campaign statements for candidates/committee covering the period ending 9/24/11.</p>
<p><b>September 29, 2011 to October 29, 2011*</b></p> <p><b>e-40 to e-10</b></p>	<p><b>Counties Mail Sample Ballots (EC 13300)</b></p> <p>Between these dates, the County Clerk may mail County Sample Ballots.</p>
<p><b>October 10, 2011 to November 1, 2011</b></p> <p><b>e-29 to e-7</b></p>	<p><b>Vote by Mail Ballot Application Period (EC 3001, 3003)</b></p> <p>Between these dates, voters may apply for a vote by mail ballot. Applications must be submitted in writing either by mail or in person.</p>
<p><b>October 24, 2011</b></p> <p><b>e-15</b></p>	<p><b>Close of Registration (EC 2107)</b></p> <p>This is the last day anyone may register to vote for the November 8 election.</p>
<p><b>October 27, 2011</b></p> <p><b>e-12</b></p>	<p><b>Pre-Election Campaign Disclosure Statement due (GC 84200)</b></p> <p>The last day to file campaign statements for candidates and committees covering the period 9/25/11 to 10/22/11.</p>
<p><b>October 28, 2011</b></p> <p><b>e-11</b></p>	<p><b>Processing Vote by Mail Ballots (EC 15101)</b></p> <p>This is the first day counties may begin to process vote by mail ballots.</p>



<b>October 29, 2011*</b> <b>e-10</b>	<b>Last day to Mail County Sample Ballots (EC 13300)</b>  This is the last day the County Clerk may mail sample ballots.
<b>November 2, 2011 to</b> <b>November 7, 2011</b>  <b>e-6 to e-0</b>	<b>Vote by Mail Ballot - Late Conditions (EC 3021)</b>  Voters unable to go to the polls because of illness or disability or because they will be absent from their precinct, may come to the Elections Division and receive a vote by mail ballot over the counter.
<b>November 8, 2011</b> <b>e-0</b>	<b>Election Day</b>  Polls will open from 7:00 a.m. and will close at 8:00 p.m.
<b>November 9, 2011</b> <b>e+1</b>	<b>Post Election Reconciliation &amp; Clean Up</b>  On this day, the Elections Division staff will perform the pre-canvass reconciliation procedures and prepare all election materials for the official canvass.
<b>November 10, 2011</b> <b>e+2</b>	<b>Official Canvass (EC 15301)</b>  Commencing at 9:00 a.m., and continuing daily for at least 6 hours per day until completed, the Elections Division staff will conduct the Official Canvass.
<b>December 6, 2011</b> <b>e+28</b>	<b>Certify Results Declaration of Elected Officials (EC 10551-10553)</b>  The county elections official shall prepare a statement of the results and submit it to the governing bodies holding elections.
<b>December 2, 2011</b> <b>Date Fixed by Law</b>	<b>Assuming Office (EC 10554)</b>  Special Districts: Candidates elected or declared elected or appointed (i.e. as provided in §10515) take office on this date at noon after having taken the oath and posted any bond required of the principal act.
<b>January 31, 2012</b> <b>Date Fixed by Law</b>	<b>Semi Annual Campaign Disclosure Statement Due (GC 84200)</b>  Last day to file semi-annual campaign statements for those candidates/committee raising or spending more than \$1,000.

# OFFICE INFORMATION AND INCUMBENT OFFICERS

## SCHOOL DISTRICT

Term: 4 Years

Term Begins: First Friday in December following election (December 2, 2011) (EC 10554)

Qualifications: A Governing Board Member shall:

- be 18 years of age or older; and
- be a citizen of the State of California; and
- be a registered voters; and
- be a resident of the school district or trustee area, if applicable; and
- not be disqualified by the Constitution or laws of the state from holding a civil office.

Education Code §1006, 35107, 72103

JURISDICTION	INCUMBENT	METHOD OF ELECTION
West Hills Community College District Trustee Area 3	Edna Ivans	At Large
West Hills Community College District Trustee Area 4	Bill Henry	At Large
West Hills Community College District Trustee Area 5	Mark McKean	At Large
West Hills Community College District Trustee Area 6	Steve Cantu	At Large

# CANDIDATE QUALIFICATIONS AND REQUIREMENTS

## GOVERNING BOARD MEMBER/TRUSTEE

### School and Community College Districts/County Boards of Education

(Education Code §1000 et seq., 5000 et seq., 35100 et seq., 72101 et seq.)

#### TERM OF OFFICE:

Elected Governing Board Members for School and Community College Districts serve a 4-year term beginning on the first Friday in December, following the election (December 2, 2011).

Elected Members of the County Board of Education serve a 4-year term commencing on the last Friday in November following their election.

Education Code §1007, 5017, 5091, 5093(b)

#### QUALIFICATIONS:

A Governing Board Member shall:

- be 18 years of age or older; and
- be a citizen of the State of California; and
- be a registered voters; and
- be a resident of the school district or trustee area, if applicable; and
- not be disqualified by the Constitution or laws of the state from holding a civil office.

Education Code §1006, 35107, 72103

#### FILING REQUIREMENTS:

Nomination Documents and Procedures

**DECLARATION OF CANDIDACY:** Each candidate is required to file a Declaration of Candidacy between **July 18, 2011 and August 12, 2011**. The Declaration shall be obtained from the office of the county elections official. The Declaration of Candidacy must be executed in the office of the elections official unless the candidate, in a written statement signed and dated by the candidate, designates a third party to obtain the Declaration from the county elections official and deliver it to the candidate. Such written statement shall state that the candidate is aware the Declaration must be properly executed and delivered to the county elections official from whom it was obtained not later than the close of business on August 12, 2011.

If an incumbent, eligible to be elected, fails to file a Declaration of Candidacy by the close of business on August 12, 2011, any person, other than the person who was the incumbent on August 12, 2011, may file a Declaration of Candidacy not later than the close of business on August 17, 2011.

Elections Code §10603, 10604

**STATEMENT OF QUALIFICATIONS - OPTIONAL:** Any candidate for local nonpartisan office may submit a Statement of Qualifications to be printed in the Voter Information Pamphlet portion of the Sample Ballot. Statements must be filed at the same time nomination papers are filed and may be withdrawn, but not changed, until 5 p.m. on the next regular business day after nominations close. Statements are confidential until nominations (or extended nominations) for that particular office close and then become public record.

Elections Code §13307

**MISREPRESENTATION IN STATEMENT:** Any candidate in an election (including an incumbent in a recall) who knowingly makes a false statement of a material fact in a candidate's statement prepared pursuant to Elections Code Section 11327 or 13307, with the intent to mislead the voters, is punishable by a fine not to exceed one thousand dollars (\$1,000.00).

Elections Code §18351

**STATEMENT OF ECONOMIC INTERESTS (Form 700):** Government Code §87300 requires every agency to adopt a Conflict of Interest Code. A Conflict of Interest Code is a document that designates the positions within an agency which make or participate in making governmental decisions that may have a foreseeable material effect on any financial interest.

Each candidate must file a Statement of Economic Interests Form 700 not later than the final filing date for the Declaration of Candidacy or other Nomination Documents. Elected and appointed officials must file a Statement of Economic Interests within (30) days after assuming office; annually by April 1 of each year; and within (30) days of leaving office. Under certain conditions, the Statement of Economic Interests need not be filed if such a statement was filed within (60) days prior to the filing of a Declaration of Candidacy or the date of assuming office.

Government Code §87300 et seq.

**VOLUNTARY CODE OF FAIR CAMPAIGN PRACTICES - OPTIONAL:** At the time an individual files his or her Declaration of Candidacy, Nomination Petition, or any other paper evidencing an intention to be a candidate for public office, the county elections official shall give the individual a copy of the Code of Fair Campaign Practices and a copy of the provisions of Chapter 5, Division 20 of the Elections Code.

Elections Code §20440

**CAMPAIGN COMMITTEE FILING OBLIGATIONS:**

See Campaign Disclosure Requirements on pages 22-25 of this guide or the appropriate FPPC Manual.

# CANDIDATE FILING DOCUMENTS

<b>Document</b>	<p><b>Nomination Petition</b></p> <p>The Nomination Petition is the official nomination document wherein, the candidate obtains signatures of registered voters in the jurisdiction nominating him/her for the office sought. Candidates for municipal office are required to obtain 20 to 30 nomination signatures between July 18, 2011 and August 12, 2011. No voter may sign more than one nomination paper for the same office. If the nomination paper is found to be insufficient, the election official may issue one supplemental petition for the collection of additional signatures. All signatures are due to be filed by the prescribed deadline.</p> <p>Candidates may withdraw their nomination until 5pm on August 12, 2011.</p>
<b>Who Files</b>	All Candidates
<b>Filing Period</b>	<ul style="list-style-type: none"> <li>◆ July 18, 2011 to August 12, 2011.</li> <li>◆ Extended to August 17, 2011 if Incumbent fails to file by August 12, 2011. Extension open to anyone other than the Incumbent.</li> </ul>

<b>Document</b>	<p><b>Declaration of Candidacy</b></p> <p>The Declaration of Candidacy is the official nomination document, wherein, the candidate indicates how his/her name and ballot designation is to appear on the ballot. Additionally, the candidate declares that he/she meets the statutory and/or constitutional qualifications for the office sought, and that if nominated, the candidate will accept the nomination and not withdraw. The Oath of Office on the Declaration of Candidacy form must be taken and signed by the candidate before a person authorized to administer oaths.</p> <p>The candidate is required to execute the Declaration of Candidacy in the office of the elections official.</p>
<b>Who Files</b>	All Candidates
<b>Filing Period</b>	<ul style="list-style-type: none"> <li>◆ July 18, 2011 to August 12, 2011.</li> <li>◆ Extended to August 17, 2011 if Incumbent fails to file by August 12, 2011. Extension open to anyone other than the Incumbent.</li> </ul>

<p><b>Name and Ballot Designation</b></p>	<p>The candidate states on the Declaration of Candidacy how his/her name should appear on the ballot.</p> <p>The ballot designation is the word or group of words, that will appear under the candidate's name, designating the principal profession, vocation or occupation of the candidate. Ballot designations are governed by Election Code Section 13107. The ballot designation must be chosen from one of four categories reflected below:</p> <p><b>Elective Office:</b> words designating the elective city, county, district, state or federal office which the candidates holds at the time of filing the nomination documents.</p> <p><b>Incumbent:</b> the word "Incumbent" may be used if the candidate is a candidate for the same office that he or she holds at the time of filing the nomination papers.</p> <p><b>3-Word Profession/Occupation/Vocation:</b> No more than 3-words designating either the current principal profession, occupation or vocation of the candidate. If there is no current position, the candidate may use their profession, occupation or vacation for the year immediately preceding the filing period. All geographical names shall be considered one word. If more than one profession, occupation or vocation is listed, it shall be separated by a slash (/).</p> <p><b>Appointed Incumbent:</b> the phrase "Appointed Incumbent" may be used if:</p> <ol style="list-style-type: none"> <li>a. The candidate holds an office other than a judicial office by virtue of appointment, and the candidate is a candidate for election to the same office; or</li> <li>b. If the candidate is a candidate for election to the same office or to some other office, the word "appointed" and the title of the office.</li> </ol> <p>In either instance, the candidate may <b>not</b> use the modified word "incumbent" or any words designating the office unmodified by the word "appointed". However, the phrase "appointed incumbent" shall not be required of a candidate who seeks reelection to an office which he or she holds and to which he or she was appointed, as a nominated candidate, in lieu of an election.</p>
---	--

<b>Designations Not Accepted</b>	<p>No title or degree shall appear on the same line on a ballot as the candidate's name, either before or after, in the case of any election to any office. (EC 13106)</p> <p>Pursuant to EC 13107(b), neither the Secretary of State nor any other election official shall accept a designation of which any of the following would be true:</p> <ol style="list-style-type: none"> <li>1. Would mislead the voter.</li> <li>2. Would suggest an evaluation of a candidate, such as outstanding, leading, expert.</li> <li>3. Abbreviates the word "retired" or places it following any word or words that it modifies.</li> <li>4. Uses a word or prefix, such as "former" or "ex" which implies a prior status. Only exception is the word "retired".</li> <li>5. Uses the name of any political party.</li> <li>6. Uses a word or words referring to a racial, religious, or ethnic group.</li> <li>7. Refers to any activity that is prohibited by law.</li> </ol> <p>Ballot designations rejected under the above code sections, are discussed with the candidate and alternate designations are requested. In the event that the candidate fails to provide an alternate designation, no designation shall appear after the candidate's name.</p> <p>No designation given by a candidate shall be changed after the final date for filing nomination papers, except as specifically requested by the election official.</p>
----------------------------------	--

<b>Document</b>	<p><b>Candidate's Statement of Qualifications</b></p> <p>A statement written and paid for by the candidate describing his or her education and qualifications to be printed in the sample ballot. The statement must be paid for at the time of filing and must be filed concurrently with the Declaration of Candidacy. The statement may be withdrawn by 5:00 p.m. on the day following the filing deadline (August 15, 2011 or August 18, 2011 (if extension applies). See detailed information on pages 17-20.</p>
<b>Who Files</b>	Optional for All Candidates
<b>Filing Period</b>	<ul style="list-style-type: none"> <li>◆ July 18, 2011 to August 12, 2011.</li> <li>◆ Extended to August 17, 2011 if Incumbent fails to file by August 12, 2011. Extension open to anyone other than the Incumbent.</li> </ul>

<b>Document</b>	<b>Candidate Intention, Bank Account &amp; Campaign Disclosure Forms</b>  Periodic statements disclosing contributions and expenditures made to and by a candidate/committee. Statements must be filed at least once and possibly several times during an election cycle if more than \$1,000 is being raised or spent (including personal funds).
<b>Who Files</b>	All candidates must file either a short form or a long form depending on how much money will be raised or spent.
<b>Filing Period</b>	◆ See filing schedule on page 26.

<b>Document</b>	<b>Code of Fair Campaign Practices</b>  Optional form that is completed by candidates for all elective offices which states that you shall conduct your campaign in a fair manner.
<b>Who Files</b>	Optional for All Candidates
<b>Filing Period</b>	◆ July 18, 2011 to August 12, 2011. ◆ Extended to August 17, 2011 if Incumbent fails to file by August 12, 2011. Extension open to anyone other than the Incumbent.

<b>Document</b>	<b>Statement of Economic Interests (Form 700)</b>  Candidates for public office must disclose their interests in real property and income within the past 12 months in a Form 700. This form is filed as a candidate, within 30 days of assuming office and then annually each year thereafter, for as long as the candidates holds office. Candidates appointed to an office, must file this form within 10 days of their appointment.  The statement is not required if the candidate has filed such a statement within the past 60 days for the same jurisdiction.
<b>Who Files</b>	Candidates
<b>Filing Period</b>	◆ File by August 12, 2011 or August 17, 2011, if extension applies.



<b>Document</b>	<p><b>Statement of Write-In Candidacy</b></p> <p>Persons who did not file a Declaration of Candidacy and fulfill their nomination requirements to place their name on the ballot may run for an office on the ballot as a write-in candidate. To qualify as a write-in candidate, a person must file with the Elections Division the following documents:</p> <ul style="list-style-type: none"> <li>◆ Statement of Write-in Candidacy which shall contain the name, residence address and declaration of candidate stating that he or she is a write-in candidate, the title of the office for which he or she seeking and the date of the election.</li> </ul> <p>Write-in candidates are subject to the same requirements as other candidates with regard to campaign disclosure and statements of economic interests.</p> <p>Votes are only tabulated for qualified write-in candidates.</p>
<b>Who Files</b>	Any candidate who did not file during the normal filing period.
<b>Filing Period</b>	◆ September 12, 2011 to October 25, 2011.

# INCOMPATIBILITY OF OFFICES

The Political Reform Act does not prohibit any officeholder from holding multiple public offices or seeking more than one elective office. For example, a deputy district attorney can hold the office of city council member, or a water board director may also be elected to a park and recreation district. There are, however, instances of holding more than one office that are considered incompatible.

There is no single statute that defines “incompatibility of offices”. The common law doctrine of incompatibility of offices, however, prevents an elected official from holding two offices simultaneously **if the offices have overlapping and conflicting public duties.**

The courts have defined the concept as follows: “One individual may not simultaneously hold two public offices where the functions of the offices concerned are inherently inconsistent, as where there are conflicting interests, or where the nature of the duties of the two offices is such as to render it improper due to considerations of public policy for one person to retain both”.

The State of California Attorney General's Office has issued many opinions of particular compatibility questions. Here are six examples of **incompatible** offices:

1. The offices of city councilman and school district board member where the city and the school district have territory in common;
2. Fire Chief of a County Fire Protection District and member of the Board of Supervisors of the same county;
3. High School District Trustee and Trustee of an Elementary School District which is wholly within the geographic boundaries of the high school district;
4. Water District Director and a City Council member;
5. Water District Director and a School District Trustee having territory in common; and
6. Deputy Sheriff and County Supervisor.

If you have a question about whether two public offices which you hold or seek to hold would be considered incompatible, contact the Attorney General's office at (916) 324-5437 or visit their website at [www.caag.state.ca.us](http://www.caag.state.ca.us). For further information about conflict of interest or incompatibility of offices, contact the Fair Political Practices Commission at 1-800-275-3772 or at [www.fppc.ca.gov](http://www.fppc.ca.gov).

# STATEMENT OF QUALIFICATIONS

For Local Nonpartisan Offices

Printed in the Voter Information Pamphlet portion of the Sample Ballot

## CANDIDATE STATEMENT

- Statements of Qualifications are optional and, unless otherwise determined by the governing body, are printed at the expense of the candidate. Candidates are required to prepay the estimated cost. Estimated costs for the statements are based on the printer's price list and the number of registered voters in the jurisdiction.
- As required by law, all statements printed in Madera County shall be printed in both English and Spanish.
- Statements shall be submitted on, or attached to, the form provided (see sample on page 21)
- Statements are preferred to be typewritten and single spaced in block paragraph style.
- Be accurate. **Documents will be printed as submitted. SPELLING, PUNCTUATION, AND GRAMMATICAL ERRORS WILL NOT BE CORRECTED BY THE ELECTIONS DIVISION.**
- **DO NOT USE ALL CAPS.** Statements will be rejected if they are typed in all capital letters or if a hand printed statement is difficult to read.
- Words in ALL CAPITALS, *italics*, underlines, **boldface** type, **\*\*\*stars\*\*\***, etc are prohibited.
- Bullets are allowed, however, are reformatted to fit size restrictions, if necessary.
- Statement shall be written in the first person (e.g., "I am running..." not "She is running..." or "Jane Doe is running...") and shall be limited to a recitation of the candidate's personal background and qualifications. Each statement contains a Declaration under penalty of perjury, declaring that the information contained is true and correct.
- Statement shall not include the party affiliation of the candidate, nor membership or activity in partisan political organizations.
- No statement shall contain any demonstrably false, slanderous or libelous statements.
- The "Occupation" field in the candidate's statement is not governed by the laws and regulations pertaining to ballot designations. Occupation may be different than your ballot designation.
- Statements will be printed in random alphabet order to match the order of the candidates on the ballot. Statements do not rotate.
- Candidate will receive courtesy copy of final typewritten statement. No changes or corrections will be permitted.

## **FILING INFORMATION**

- Statements shall be filed with the county elections official when nomination papers and or declaration of candidacy are returned for filing, or in the case of an election for which nomination papers are not required (i.e, run-off election) no later than the 88<sup>th</sup> day prior to the election.
- Statements shall remain confidential until the expiration of the filing deadline.
- Statements may be withdrawn, but not changed until 5 p.m. on the next regular business day following the close of nominations for such office.
- Statements are subject to examination and challenge by any voter of the jurisdiction (Elections Code §13313) for a period of 10 calendar days following the close of filing for each such office.

## **WORD COUNT**

- The body of the statement shall not exceed 200 words. Words counted pursuant to California Elections Code §9.
- Punctuation is not counted.
- All geographical names shall be counted as one word, which includes all areas that have political boundaries with an elected or appointed board are considered geographic areas by this office. (Example: City and County of Madera = 1 word).
- Each abbreviation for a word, phrase, or expression, shall be counted as one word.
- Hyphenated words that appear in any generally available dictionary shall be considered one word.
- Dates consisting of only a combination of digits shall be counted as one word. January 1, 2000 shall be counted as two words, whereas 1/1/00 shall be counted as one word.
- Any number consisting of a digit or digits shall be considered as one word. Any number that is spelled, shall be considered as a separate word. "100" shall be counted as one word, whereas "one hundred" shall be counted as two words.
- Telephone numbers shall be counted as one word.
- Internet web site addresses shall be counted as one word.
-

# SAMPLE - STATEMENT OF QUALIFICATIONS

The estimated cost of printing a 200 word Statement of Qualifications is \$ 250.00 .

I hereby request that the following statement be printed in the Voter Information Pamphlet portion of the Sample Ballot. I understand the costs of said statement is an estimate and agree to pay for any additional costs associated with its printing and distribution. I further understand that this statement shall be printed as submitted. I declare under penalty of perjury that the information contained herein is true and correct.

DATE: May 1, 2008 SIGNATURE: John A. Candidate

NAME: JOHN A. CANDIDATE AGE: 45

OCCUPATION: Businessman

(OCCUPATION NOT SUBJECT TO BALLOT DESIGNATION 3 WORD LIMITATION - IF LEFT BLANK NOTHING WILL BE PRINTED)

(Statement/Word Count begins here)

I am running for the governing board of the Washington Unified District because I feel I can bring a balance to the board. I attended local schools, graduating from Washington High School in 1984. I am married and currently have two children attending school in the district.

I own and operate my own business, so I am well aware of the need to operate within a budget. With proper distribution of resources and educational materials I am convinced we can offer quality education to all students within the district.

I have been active in the P.T.A., served on the Save Our Youth committee, and am an active member of the All-Faith Church. I have served as Boy Scout Leader for the past 3 years. I also serve as a volunteer at the Community Recycling Center as time allows.

I am looking forward to serving you on the Washington Unified School District Governing Board.

Thank you for your vote.

WORD COUNT: 154 VERIFIED BY DEPUTY: A. Smith

## Complete Below ONLY if WITHDRAWING STATEMENT

### STATEMENT OF WITHDRAWAL

Statements may be withdrawn until 5:00 p.m. on the next working day following the close of the Nomination Period.

I hereby withdraw my Statement of Qualifications pursuant to Elections Code Section 13307(a)(3).

DATED: \_\_\_\_\_ SIGNED: \_\_\_\_\_

# STATEMENT OF QUALIFICATIONS COST ESTIMATES

The following fees have been estimated for the cost of printing a Candidate's Statement of Qualifications in the Madera County Sample Ballot:

DISTRICT	AREA/COUNTY	ESTIMATE
West Hills Community College	Madera 559-675-7720 Fresno 559-488-3246 Kings 559-582-3211 Monterey 831-796-1499 San Benito 831-636-4016	\$350.00 Contact for Estimate Contact for Estimate Contact for Estimate Contact for Estimate

For districts that are shared between multiple counties, candidates may publish Statements of Qualification in the county of their choice. For information on filing a Statement of Qualifications in another county, please contact the appropriate Registrar of Voters office.

**PAYMENT:** Statements must be paid for at the time the Statement of Qualifications is presented for filing. The fee shall be paid at the time the candidate files his/her Nomination Papers and/or Declaration of Candidacy.

**WITHDRAWAL OF STATEMENT:** If you wish to Withdraw your statement, you must do so by 5:00 p.m. on August 15, 2011 (or by August 18, 2011, if filing period was extended), and the fee will be refunded in full. Please allow 2 to 4 weeks for refund.

If your contest does not appear on the ballot, the elections official shall remove the statement automatically and exact a refund of the fee paid. Please allow 2 to 4 weeks for refund.

# PROVISIONS OF THE CODE OF FAIR CAMPAIGN PRACTICES

## Chapter 5 of Division 20 California Elections Code

### Chapter 5. Fair Campaign Practices

#### Article 1. General Intent

**20400.** The Legislature declare that the purpose of this chapter is to encourage every candidate for public office in this state to subscribe to the Code of Fair Campaign Practices.

It is the ultimate intent of the Legislature that every candidate for public office in this state who subscribes to the Code of Fair Campaign Practices will follow the basic principles of decency, honesty, and fair play in order that, after vigorously contested, but fairly conducted campaigns, the citizens of this state may exercise their constitutional right to vote, free from dishonest and unethical practices which tend to prevent the full and free expression of the will of the voters.

The purpose in creating the Code of Fair Campaign Practices is to give voters guidelines in determining fair play and to encourage candidate to discuss issues instead of untruths or distortions.

#### Article 2. Definitions

**20420.** As used in this chapter, "Code" means the Code of Fair Campaign Practices.

#### Article 3. Code of Fair Campaign Practices

**20440.** At the time an individual is issued his or her declaration of candidacy, nomination papers, or any other paper evidencing an intention to be a candidate for public office, the elections official shall give the individual a blank form of the code and a copy of this chapter. The elections official shall inform each candidate for public office that subscription to the code is VOLUNTARY.

In the case of a committee making an independent expenditure, as defined in Section 82031 of the Government Code, the Secretary of State shall provide a blank form and a copy of this chapter to the individual filing, in accordance with Title 9 (commencing with Section 81000) of the Government Code, an initial campaign statement on behalf of the committee.

**20441.** The Secretary of State shall print, or cause to be printed, blank forms of the code. The Secretary of State shall supply the forms to elections officials in quantities and at times requested by the elections officials.

**20442.** The elections official shall accept, at all times prior to the election, all completed forms that are properly subscribed to by a candidate for public office and shall retain them for public inspection until 30 days after the election.

**20443.** Every code subscribed to by a candidate for public office pursuant to this chapter is a public record open for public inspection.

**20444.** In no event shall a candidate for public office be required to subscribe to or endorse the code.

# CAMPAIGN DISCLOSURE REQUIREMENTS

The Political Reform Act of 1974 requires all candidates for state and local elective office, all state and local elected officeholders, proponents of state and local ballot measures who control a ballot measure committee, and committees supporting or opposing state and local candidates, and all measure committees, to file campaign disclosure statements disclosing contributions received and expenditures made.

It is the responsibility of the candidate and or committee to be aware of and to file required campaign disclosure statements in a correct and timely manner. **Government Code Section 91013 provides for a late filing fine of \$10 per day for the late filing of any campaign disclosure statements after the deadline until the statement or report is filed.**

## CAMPAIGN DISCLOSURE FORM DESCRIPTIONS

---

FORM 501

CANDIDATE INTENTION STATEMENT

### WHO FILES

A candidate for state or local office must file this form prior to solicitation or receipt of any contribution, or expenditure of any personal funds used for the election.

File a separate Form 501 for each election, including re-election to the same office. State candidates please read Form 501 guidelines regarding voluntary expenditure limits.

**Exception: this form is not required if you will not solicit or receive contributions from other persons and the only expenditures will be from your personal funds used for the filing fee and/or statement of qualifications in the sample ballot.**

### WHEN TO FILE

The Form 501 must be filed **before** you solicit or receive **any** contributions or before you make **any** expenditures from personal funds on behalf of your candidacy. This form is considered filed the date it is postmarked or hand delivered.

### WHERE TO FILE

State Candidates send original to:

Secretary of State Political Reform Division  
1500 11<sup>th</sup> Street, Room 495, Sacramento CA 95814

Local Candidates send original to:

County Clerk-Recorder  
200 W. 4<sup>th</sup> Street, Madera CA 93637



---

FORM 410  
STATEMENT OF ORGANIZATION

**WHO FILES**

**RECIPIENT COMMITTEE** - A recipient committee is any individual (including an officeholder or candidate), group of individuals, organization, or any other entity that receives contributions totaling \$1,000 or more during a calendar year.

**CONTRIBUTION** - The term "contribution" includes monetary payments, loans and non-monetary goods or services.

**PERSONAL FUNDS - Candidates** - The personal funds of a candidate or officeholder used in connection with seeking or holding elective office are contributions and are counted towards qualifying as a recipient committee. However, personal funds used to pay a candidate filing fee or a fee for the Statement of Qualifications to appear in the ballot pamphlet are not counted toward the \$1,000 threshold.

Pursuant to Government Code Section 84300(a), no contribution of one hundred dollars (\$100) or more shall be made or received in cash. Pursuant to Government Code Section 84300(b), no expenditure of one hundred dollars (\$100) or more shall be made in cash.

**WHEN TO FILE**

The Form 410 must be filed within 10 days of receiving \$1,000 in contributions. The date this form is postmarked is the date it is considered filed.

A recipient committee qualifying during the 16 days prior to an election in which it must file pre-election statements must file a Form 410 or the information required on a Form 410 by fax, guaranteed overnight delivery, or personal delivery within 24 hours of qualification with the County Clerk-Recorder. The Form 410 must also be filed with the Secretary of State within 10 days.

A recipient committee qualifying during the 16 days prior to an election in which the committee makes independent expenditures of \$1,000 or more to support or oppose a candidate in that election must file the Form 410 (or the information contained on the Form 410) within 24 hours of qualification with the filing officer who will receive the committee's original disclosure statements and with the filing officer(s) for the candidate(s) supported or opposed by the independent expenditure. These filings must be made by fax, guarantee overnight delivery, personal delivery, or online (if online filing is available).

**WHERE TO FILE**

<b>All Committees:</b>	Secretary of State Political Reform Division
Send original & 1 copy to:	1500 11 <sup>th</sup> Street, Room 495
	Sacramento CA 95814

<b>County &amp; City Committees:</b>	County Clerk-Recorder
Send copy to:	200 W. 4 <sup>th</sup> Street
	Madera CA 93637

You will receive written notification from the Secretary of State's Office assigning an identification number to your committee.

---

FORM 460  
RECIPIENT COMMITTEE CAMPAIGN STATEMENT

**WHO FILES**

This form is for use by ALL candidates who have filed a Form 410.

**WHEN TO FILE**

You will need to complete and file a Form 460 at all of the following reporting periods during your candidacy:

- Pre-election Statement
- Semi-annual Statement

The Form 460 must continue to be filed until such time as you disburse all funds and file a Form 410 Termination Statement.

**WHERE TO FILE**

State Candidates send original to: Secretary of State Political Reform Division  
1500 11<sup>th</sup> Street, Room 495, Sacramento CA 95814

Local Candidates send original to: County Clerk-Recorder  
200 W. 4<sup>th</sup> Street, Madera CA 93637

---

FORM 470  
OFFICEHOLDER AND CANDIDATE CAMPAIGN STATEMENT SHORT FORM

**WHO FILES**

The Form 470 is for use by officeholders and candidates who do not have a controlled committee and do not anticipate receiving contributions or making expenditures totaling \$1,000 in a calendar year.

Filing fees and the fee for a statement of qualifications are not counted towards the \$1,000 threshold.

**WHEN TO FILE**

If a Form 470 is filed with the Declaration of Candidacy, on or before the filing deadline for the first campaign statement required for the current calendar year, no additional campaign statements will be required. However, if during your campaign, your status changes and you do exceed the \$1,000 threshold, you will need to file a Form 470 Supplement, a Form 410 Statement of Organization and subsequent Form 460 disclosure statements.

The Form 470 Supplement must be completed and sent within 48 hours of receiving contributions or making expenditures totaling \$1,000 or more. The notice must be sent by telegram, guaranteed overnight service or fax. Regular mail may not be used. File the Form 470 Supplement with the County Clerk-Recorder and each candidate seeking the same office.

**WHERE TO FILE**

State Candidates send original to: Secretary of State Political Reform Division  
1500 11<sup>th</sup> Street, Room 495, Sacramento CA 95814

Local Candidates send original to: County Clerk-Recorder  
200 W. 4<sup>th</sup> Street, Madera CA 93637

# CAMPAIGN DISCLOSURE REQUIREMENTS OFTEN OVERLOOKED

**BE INFORMED:** The Franchise Tax Board is authorized under Section 90001 of the Government Code to audit Campaign Disclosure Statements. The audit can include tests of the accounting records and other such auditing procedures.

The purpose of campaign disclosure is to provide the public with the identity of contributors and the amounts they give, as well as the amount officeholders, candidates and committees spend. The laws passed to enforce that purpose can be challenging for the unwary, therefore some often overlooked requirements, some identified in audit reports, are provided here:

- Unopposed candidates are subject to provisions of the Political Reform Act (GC82007)
- Prior to soliciting or receiving any contribution (including a loan), all elected officeholders and all candidates must file a Form 501.
- Contributions include **PERSONAL FUNDS** and are subject to the same disclosure requirements.
- Statement of Organization (Form 410) must be filed within 10 days by any person who receives contributions totaling \$1,000 or more during a calendar year.
- Officeholders and candidates who receive contributions or make expenditures must establish a campaign checking account in California and report it on a Form 410.
- Loans to a candidate are considered contributions unless the loan is from a financial institution.
- Filing fees and candidate statement fees may be paid in cash if the candidate is using personal funds and will not be reimbursed through the committee (GC85200). Otherwise, campaign disclosure laws requires that expenditures of \$100 or more be made by written instrument containing the names of both the payee and payer. (GC84300)
- Never accept or spend \$100 or more in cash.
- For contributions of \$100 or more, including loans, and in-kind contributions, you must disclose the contributor's name, address, occupation and employer. Contributions of \$100 or more may not be made in the form of a money order or cashier's check. Contributions may continue to be made with a credit card. (GC84300)
- Maintain details on contributions and expenditures of \$25 or more, even if you are spending less than \$1,000.
- Make copies of all contributor checks.
- Candidates must disclose employer information for all contributors and keep records of occupation and employer information.
- **NO PERSONAL USE OF CAMPAIGN FUNDS.** Use campaign funds only for political, legislative or governmental purposes.
- The source of each loan must be disclosed.
- All expenditures of \$100 or more must be itemized on the campaign statements, and then summarized on the Campaign Disclosure Statement summary page.
- As long as the committee is in existence, a Semi-Annual Campaign Statement must be filed. If the candidate has filed a long form (460) previously in the calendar year, a 460 must also be filed as the Semi-annual Statement even if there is no activity.
- Payee addresses must be disclosed on the campaign statements for expenditures made.
- If the committee changes its treasurer, an amendment to the Form 410 must be filed.
- If \$1,000 or more (\$500 or more for local county candidates) is received from one contributor during the last 16 days before the election, disclose receipt within 24 hours, even if the contribution is from your personal funds.

# CAMPAIGN DISCLOSURE FILING SCHEDULE

FILING DEADLINE	STATEMENT TYPE	PERIOD COVERED	DELIVERY METHOD
August 1, 2011	Semi-Annual	01/01/11 to 6/30/11	*Personal *1st Class Mail
September 29, 2011	Pre-Election	7/1/11 to 9/24/11	*Personal *1st Class Mail
October 27, 2011	2 <sup>nd</sup> Pre-Election	9/25/11 to 10/22/11	*Personal *1st Class Mail
Within 24 hours	Late Contributions and Independent Expenditures of \$1,000 or More	10/23/11 to 11/7/11	*Personal *Overnight Service *Fax
January 31, 2012	Semi-Annual	10/23/11 to 12/31/11	*Personal *1st Class Mail

The period covered by any statement begins on the day after the closing date of the last statement filed, or January 1, if no previous statement has been filed.

This schedule does not apply to candidates that will not raise or spend more than \$1,000. Candidates spending less than \$1,000 must file a Form 470 by August 12, 2011.

Candidates with organized committees are required to file a Form 460 at each of the above filing periods. You will not be sent any further notification of the filing periods or due dates. In order to avoid penalties and fines, you must file each statement by the deadlines shown.

Except for deadlines that fall on a Saturday, Sunday, or an official state holiday, there is no provision in the law for extending a filing deadline. Late statements are subject to a \$10 per day late fine.

All statements are public documents.

# CAMPAIGN LITERATURE

## MASS MAILING

Definition of a Mass Mailing: Mass mailing means over two hundred (200) substantially similar pieces of mail, but does not include a form letter or other mail which is sent in response to an unsolicited request, letter or other inquiry. (Government Code §82041.5)

NOTE: If you are planning any type of mass mailing, please contact the post office in advance for specific postal regulations.

## MASS MAILING REQUIREMENTS

a) Except as provided in subdivision (b), no candidate or committee shall send a mass mailing unless the name, street address, and city of the candidate or committee are shown on the outside of each piece of mail in the mass mailing and on at least one of the inserts included within each piece of mail of the mailing in no less than 6-point type which shall be in a color or print which contrasts with the background so as to be easily legible. A post office box may be stated in lieu of a street address if the organization's address is a matter of public record with the Secretary of State.

b) If the sender of the mass mailing is a single candidate or committee, the name, street address and city of the candidate or committee need only be shown on the outside of each piece of mail.

c) If the sender of a mass mailing is a controlled committee, the name of the person controlling the committee shall be included in addition to the information required by subdivision (a). (Government Code §84305)

## MASS MAILING PROHIBITIONS

No newsletter or other mass mailing shall be sent at public expense. (Government Code §89001)

## POLITICAL ADVERTISING REQUIREMENTS - NEWSPAPERS

Any paid political advertisement that refers to an election or to any candidate for state or local elective office and that is contained in or distributed with a newspaper, shall bear on each surface or page thereof, in type or lettering at least half as large as the type or lettering of the advertisement or in 10-point roman type, whichever is larger, the words "Paid Political Advertisement." The words shall be set apart from any other printed matter.

As used in this section "paid political advertisement" shall mean and shall be limited to, published statements paid for by advertisers for purposes of supporting or defeating any person who has filed for an elective state or local office.

(Elections Code §20008)

## **SIMULATED BALLOT REQUIREMENTS**

a) Every simulated ballot or simulated sample ballot shall bear on each surface or page thereof, in type or lettering at least half as large as the type or lettering of this statement or words or in 10-point roman type, whichever is larger, in a printed or drawn box and set apart from any other printed matter, the following statement:

“NOTICE TO VOTERS”  
“(Required by Law)”

“This is not an official ballot or any official sample ballot prepared by the county elections official, or the Secretary of State.”

This is an unofficial, marked ballot prepared by (insert name and address of the person or organization responsible for the preparation thereof).”

Nothing in this section shall be construed to require this notice in any editorial or other statement appearing in a regularly published newspaper or magazine other than a paid political advertisement.

b) No simulated ballot or simulated sample ballot referred to in subdivision (a) shall bear any official seal or the insignia of any public entity, nor shall that seal or insignia appear upon the envelope in which it is mailed or otherwise delivered.

c) The superior court, in any case brought before it by any registered voter, may issue a temporary or permanent restraining order or injunction against the publication, printing, circulation, posting, or distribution of any matter in violation of this section, and all cases of this nature shall be in a preferred positions for purposes of trial and appeal, so as to assure the speedy disposition thereof.

(Elections Code §20009)

## **TRUTH IN ENDORSEMENTS LAW**

a) Provides information regarding restrictions on endorsements, representation requirements, etc. A copy is available in the California Elections Code which can be viewed at [www.leginfo.ca.gov/calaw](http://www.leginfo.ca.gov/calaw).

(Elections Code §20000-20010)

# REGISTRATION AND ELECTION DATA

Voter registration information is available for governmental, political, journalistic or educational purposes only. An application to purchase voter registration information is required. Requests must be submitted in writing, and applications are available in the Elections Division or on our website at <http://www.madera-county.com/countyclerk/index.html>.

## MATERIALS AVAILABLE

Alphabetical Lists List of registered voters in Alphabetical order	\$ .50¢ per 1,000 records
Street Lists List of registered voters by residence address	\$ .50¢ per 1,000 records
Mailing Labels	\$40.00 + \$10 per 1,000 records
Statement of the Vote (hard copy)	\$20.00
Voted Voter History (hard copy)	\$20.00 + \$ .50¢ per page
CD - Voter file with History	\$40.00 + \$1.00 per 1,000 records
CD - Voter file no History	\$40.00 + \$ .30¢ per 1,000 records
CD - Vote by Mail voters	\$10.00
CD - Precinct District File (PDF)	\$10.00
CD - Statement of the Vote	\$15.00
Map - Countywide/City/Supervisorial	\$ 5.00
Map - Individual Precincts	\$ .50¢ per precinct
Polling Place List	\$ 5.00
Candidate List	\$ 5.00
Copies of Campaign Disclosure Statements	\$ .10¢ per page
Copies of Statements of Economic Interests	\$ .10¢ per page

## **CONFIDENTIAL VOTER FILE**

Pursuant to Elections Code Section 2187(g), 2188, and 2194, voter registration information is available to persons or groups for election, scholarly, journalistic, political purposes, or governmental purposes, as determined by the Secretary of State. Each written request to view, purchase or use voter registration information must be signed by the candidate.

## **PERMISSIBLE USAGE**

The California Code of Regulations, Division 7, Article 1, Section 19003, specifies permissible uses for any data obtained from voter registration files.

Permissible usage includes, but is not limited to:

- ◆ Using registration information for purposes of communicating with others in connection with any election;
- ◆ Sending communications, including but not limited to, mailings which campaign for or against any candidate or ballot measure in any election;
- ◆ Sending communications, including but not limited to, mailings by or in behalf of any political party; of candidates, elections, political party developments and related matters;
- ◆ Sending communications, including but not limited to, mailings, incidental to the circulation or support of, or opposition to any recall, initiative, or referendum petition;
- ◆ Sending of newsletters or bulletins by any elected public official, political party or candidate for public office;
- ◆ Conducting any survey of voters in connection with any election campaign;
- ◆ Conducting any survey of opinions of voters by any government agency, political party, elected official or political candidate for election or governmental purposes;
- ◆ Conducting an audit of voter registration lists for the purposes of detecting voter registration fraud;
- ◆ Soliciting contributions or services as part of any election campaign on behalf of any candidate for public office or any political party or in support of or opposition to any ballot measure;
- ◆ Any official use by any local, state, or federal government agency.



## **PROHIBITED USAGE**

Prohibited usage includes:

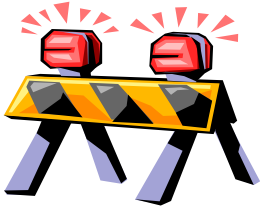
- ◆ Any communication or other use solely or partially for any commercial purpose;
- ◆ Solicitation of contributions or services for any purpose other than on behalf of a candidate or political party or in support of or opposition of a ballot measure.
- ◆ Conducting any survey of opinions of voters other than those permitted by Section 19003.

California Elections Code Section 18109 states:

“(a) it is a misdemeanor for any person in possession of information obtained pursuant to Article 5 (commencing with Section 2180) of Chapter 2 of Division 2, or Section 6254.4 of the Government Code, knowingly to use or permit the use of all or any part of that information for any purpose other than as permitted by law.

(b) it is a misdemeanor for any person knowingly to acquire possession or use of voter registration information referred to in subdivision (a) without first complying with Section 2188.”





# POLITICAL SIGNS

## **Outdoor Political Advertising - State Law**

Section 5405.3 of the State Outdoor Advertising Act (Business & Professions Code) authorizes the placing of “temporary political signs” separate and apart from the normal outdoor advertising controls. No political sign may be placed within the right-of-way of any highway or within 660 feet of the edge of and visible from the right-of-way of a landscaped freeway.

Temporary political signs are those that meet the following criteria:

- ◆ Encourages a particular vote in a scheduled election;
- ◆ Is placed not sooner than 90 days prior to the scheduled election and is removed within 10 days after the election;
- ◆ Is no larger than 32 square feet;
- ◆ Has had a “Statement of Responsibility” filed with the State Department of Transportation.

The law directs the Department of Transportation to remove signs that do not comply with the regulations before an election and to bill the responsible party for removal costs after the election.

Penal Code Sections 556, 556.1, and 556.3 provide that it is a misdemeanor for any person to place sign to advertise on public or private property (without consent); and that it shall be considered public nuisance.

## **Outdoor Political Advertising - Madera County Code**

Section 18.90.040 of Chapter 18.90 of Title 18 of the Madera County Code states that “No sign shall be placed upon any public property, including sidewalks, crosswalks, roads, curbs, lamp posts, hydrants, trees, utility poles, buildings, fences, and rights-of-way of any type, except such legal notices which are authorized by law to be so located. No sign shall project over any public property right-of-way.” This ordinance, number 525C, was enacted in April, 1994.



## **ELECTIONEERING ON ELECTION DAY**

### **100' Rule**

Pursuant to Elections Code Section 18370, no person on Election Day shall, within 100 feet of a polling place:

- ◆ Circulate an initiative, referendum, recall or nomination petition or any other petition;
- ◆ Solicit a vote or speak to a voter on the subject of marking his/her ballot;
- ◆ Place a sign relating to voters' qualifications or speak to a voter on the subject of his/her qualifications except as provided in section 14240;
- ◆ Do any electioneering. This includes wearing buttons, T-shirts, stickers, etc., that promote a candidate or issue on the ballot.
- ◆ Photograph, videotape, or otherwise record a voter entering or exiting a polling place.

As used in this section "100 feet from a polling place" shall mean a distance of 100 feet from the room or rooms in which voters are signing the roster and casting ballots.

Elections Code Section 18541 provides that any person who violates the above provisions is punishable by imprisonment in county jail for not more than 12 months or state prison. Any person who conspires to violate this section is guilty of a felony.



## POLL WATCHING

Poll watchers are allowed at the polling place as long as they obey the law and election procedures. Persons observing the polls may:

- ◆ Inspect the Roster of Voters. Any such inspection, however, must be done without impeding, interfering, or interrupting the normal processing of voters.
- ◆ Inspect the Street Index which is updated hourly by poll workers reflecting which voters have voted. This list may not be removed by anyone other than the poll workers.
- ◆ Observe all activities at the polling place, including activities after the polls close, providing they do not interfere with the normal closing procedures.



## EXIT POLLING

The Secretary of State and Attorney General have reviewed the Electioneering provisions and have determined that these provisions do not apply to the Press and Media conducting "Exit Polls". However, no one may interfere with the conduct of the election. News media are instructed to remain at least 25' from the entrance to the polls. The media may take pictures or run a television camera inside the polling place provided they respect the voters' privacy and do not interfere with voting. They may not speak to voters regarding how they are voting within 25' of the entrance to the polls.

## ELECTION NIGHT RESULTS

All ballots are tabulated in the office of the County Clerk-Recorder, located at: 200 West 4<sup>th</sup> Street, Madera.

Unofficial results are posted on our website as they become available. Please visit: [www.madera-county.com](http://www.madera-county.com)

Vote by Mail Ballot results are released after the polls close at 8:00 p.m.



Results are also available by phone. The numbers to call are:

559-675-7720

559-675-7721

559-675-7724

or toll free 1-800-435-0509

Results on election night are not provided in a precinct by precinct format.

All results on election night are **UNOFFICIAL**. The official results will not be certified until the completion of the official canvass.



## **OFFICIAL CANVASS**

The Official Canvass will commence on Thursday, November 5, 2009 and shall continue daily, excluding weekends and holidays, for no less than 6 hours per day, until completed. The County Clerk-Recorder staff has 28 days to complete the Official Canvass.

Upon completion of the Official Canvass, the County Clerk-Recorder shall produce a Certification of Results and Statement of the Vote.

(Elections Code §15300-15376)



## RESOURCES:

Elections Division  
200 West 4<sup>th</sup> Street  
Madera CA 93637  
559-675-7720  
55-675-7870 fax  
[www.madera-county.com](http://www.madera-county.com)

Fair Political Practices Commission  
428 J Street, Room 450  
or  
PO Box 807  
Sacramento CA 95814  
866-275-3772  
916-322-3711 fax  
[www.fppc.ca.gov](http://www.fppc.ca.gov)

Secretary of State - Elections Division  
1500 11<sup>th</sup> Street, 5<sup>th</sup> Floor  
Sacramento CA 95814  
916-657-2166  
916-653-3214 fax  
[www.ss.ca.gov](http://www.ss.ca.gov)

Secretary of State - Political Reform Division  
1500 11<sup>th</sup> Street, Room 495  
Sacramento CA 95814  
916-653-6224  
[www.politicalreform@sos.ca.gov](http://www.politicalreform@sos.ca.gov)

# AGENCY CONTACTS FOR VIOLATIONS

The Madera County Clerk-Recorder & Registrar of Voters Office appreciates receiving notice of cases of alleged voter registration, petition or voter fraud; however, this office is NOT an enforcement agency and is therefore unable to investigate any violations.

In response to many of the inquiries our office receives regarding the possible election violations or fraud, the following is a list of resources regarding whom you should contact for the various types of violations:

- **False or misleading campaign materials**  
No agency enforcement.  
Issues resolved via court action.
  
- **Violations of the Political Reform Act  
(Title 9 of California Government Code §81000-91015) Mass Mailing; Slate Mailers;  
Campaign Disclosure, Use of Campaign Funds; Statements of Economic Interest**  
Contact local District Attorney at (559) 675-7726, or the Fair Political Practices Commission at 1-800-561-1861.
  
- **Election Fraud**  
Contact local District Attorney at (559) 675-7726, or the Secretary of State at (916) 657-2166.
  
- **Unlawful use of public funds, violations of the Elections Code, Penal Code or any law  
other than the Political Reform Act**  
Contact local District Attorney at (559) 675-7726, or the Attorney General at 1-800-952-5225.
  
- **Federal Campaign, e.g., US Senate, US Congress and President of the United States**  
Contact the Federal Elections Commission at 1-800-424-9530.
  
- **Open Meeting Laws (Brown Act)**  
Contact local District Attorney at (559) 675-7726, or the Attorney General at 1-800-952-5225.
  
- **Local Ordinances**  
County - Contact Code Enforcement (559) 661-6333 or District Attorney at (559) 675-7726.  
City - Contact City Attorney (559) 661-5400
  
- **Vandalism of Campaign Signs/Concerns regarding Signage**  
Contact local District Attorney at (559) 675-7726 or Code Enforcement at (559) 661-6333.