## Candidate Handbook &

Resource Guide

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## ARCADIA UNIFIED SCHOOL DISTRICT

Board Of Education Election

April 17, 2007



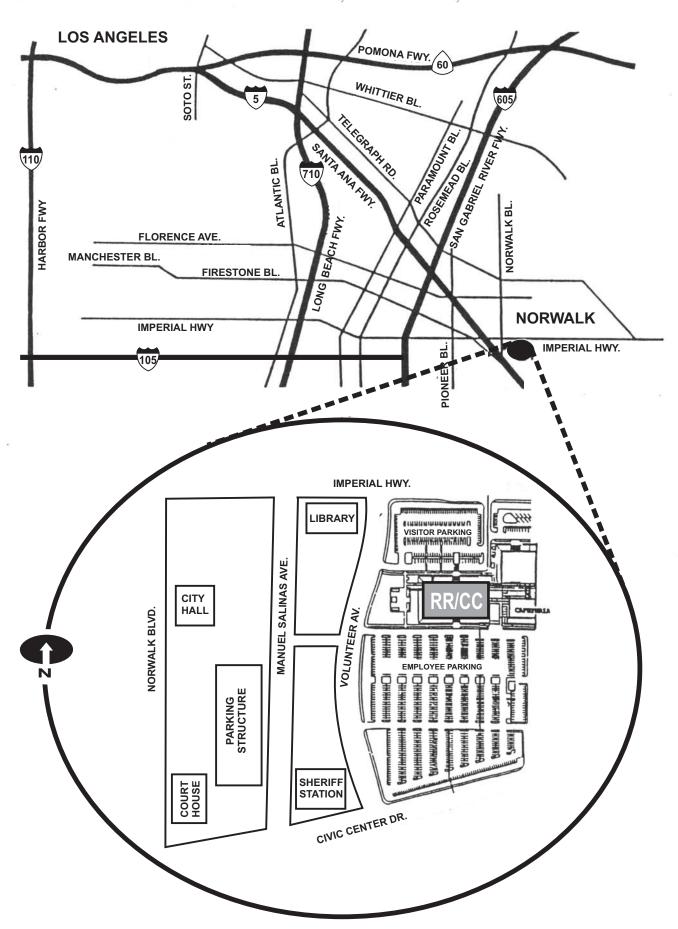
Conny B. McCormack Los Angeles County REGISTRAR-RECORDER/COUNTY CLERK 12400 East Imperial Highway Norwalk, CA 90650 (800) 815-2666 or (562) 466-1323 www.lavote.net



## **COUNTY OF LOS ANGELES**

## REGISTRAR-RECORDER/COUNTY CLERK

12400 IMPERIAL HWY., NORWALK, CA 90650





CONNY B. McCORMACK Registrar-Recorder/County Clerk

December 6, 2006

TO:

Candidates, Campaign Managers and Other Interested Individuals

FROM:

Conny B. McCormack, Registrar-Recorder/County Clerk

SUBJECT:

CANDIDATE HANDBOOK AND RESOURCE GUIDE

April 17, 2007 - Arcadia Unified School District Board of Education Election

This Candidate Handbook and Resource Guide has been prepared to assist candidates filing for elective offices for the April 17, 2007 Arcadia Unified School District Board of Education Election. The handbook provides valuable information concerning critical deadlines for the candidate filing process, guidelines for preparation and submission of candidate statements, campaign finance disclosure filing requirements and other useful information.

Please review the information provided in this handbook carefully. **Section 1,** Chapters 1-5, includes general candidate filing Information. **Section 2,** Chapters 1-4, includes Election and Campaign Information.

On-line access to this handbook is available on our website at <a href="www.lavote.net">www.lavote.net</a>. The names of candidates for offices to be filled and other information will be updated daily on website listings to assist you with the candidate filing process.

The Registrar-Recorder/County Clerk staff is committed to providing the best possible service to you, your campaign staff and the voters of Los Angeles County.

If you have questions or comments regarding items you would like to suggest for future candidate handbooks, please write a letter, send an email to (<a href="mailto:cmccorma@rrcc.co.la.ca.us">cmccorma@rrcc.co.la.ca.us</a>) or call me at (562) 462-2716.

For additional information regarding the election, including election results, check our website or call (562) 466-1310.

## **NOTICE**

This Candidate Handbook & Resource Guide has been prepared to assist you in filing documents relating to the election. It includes a calendar of events and summary of provisions and filing requirements. It is not intended to provide legal advice and is for general guidance only.

Please note that it is not within the purview of this office to determine whether a candidate meets the requirements for holding office. Individuals with questions concerning their own or other candidate qualifications or other related matters should seek legal counsel.

Candidates and others using this Handbook & Resource Guide must bear full responsibility to make their own determinations as to all legal standards, duties and factual material contained therein.

# Section

## Candidate Handbook

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# CHAPTER 1

Calendar of Events

## **CALENDAR OF EVENTS**

## ARCADIA UNIFIED SCHOOL DISTRICT BOARD OF EDUCATION ELECTION

**APRIL 17, 2007** 

### **IMPORTANT NOTICE**

All documents are to be filed with and duties performed by the Registrar-Recorder/County Clerk unless otherwise specified.

DATES		EVENTS
(2006) DEC. 11 (M) E-127	<b>DEC. 26* (Tu)</b> E-112*	NOTICE OF ELECTION — PUBLICATION Between these dates the notice of election shall be published once in a newspaper of general circulation in the district. A copy of the notice shall be delivered to the school district's superintendent for posting.  (E. C. § 12101 & Govt. Code § 6061)
		A general press release will also be issued providing information on the elective offices and the telephone number to call regarding candidate nomination procedures.
<b>DEC. 18 (M)</b> E-120		BOARD RESOLUTION re CANDIDATE STATEMENTS  Not later than this date the district board shall by resolution determine the word limitation for candidate statements (200 or 400 words); and whether advance payment is required.  (E. C. § 13307)
<b>DEC. 26* (Tu)</b> E-112*		REQUEST SECRETARY OF STATE TO CONDUCT RANDOMIZED ALPHABET DRAWING  Recommended last day to notify the Secretary of State of the date of the election and the close of candidate filing period and request that a randomized alphabet drawing be held.  (E. C. § 13113)

<sup>\*</sup>Date adjusted due to weekend and/or holiday

DATES		EVENTS
<b>DEC. 26* (Tu)</b> E-112*	(2007) JAN. 19, (F) 5 P.M. E-88	NOMINATION PERIOD — FILING NOMINATION DOCUMENTS First and last day for candidates to file nomination documents with the Registrar-Recorder/County Clerk's Office at 12400 Imperial Highway, Norwalk, 2nd Floor, Room 2013. (E. C. § 10220)
		CANDIDATE STATEMENTS  During this period candidates may file a candidate statement not to exceed the word limitation prescribed by the district board (200 or 400 words) for inclusion with the sample ballot. The statement shall be filed with the Registrar-Recorder/County Clerk not later than the last day to file nomination documents.  (E. C. § 13307)

## JAN. 19, (F) 5 P.M. E-88

## **CONSOLIDATION OF ELECTIONS**

Last day for local jurisdictions to file a resolution with the Board of Supervisors requesting consolidation with the election. A copy of the resolution must also be filed with this office.

(E. C. §§ 10400, 10402, 10403 and Ed. Code § 5342)

## ADOPT SPECIAL MEASURE ELECTION RESOLUTION

Last day for governing board to adopt a resolution calling a special election to place a measure on the ballot. Copies shall be filed with the elections official.

## STATEMENT IN COMPLIANCE — LAST DAY TO SUBMIT

Last day to file statement in compliance (bond statement) with the elections official.

(E. C. § 9401)

<sup>\*</sup>Date adjusted due to weekend and/or holiday

DATES	EVENTS
JAN. 19, (F) 5 P.M. E-88	NOMINATION PERIOD — DEADLINE DATE Last day to file nomination documents with Registrar- Recorder/County Clerk at 12400 Imperial Highway, Norwalk, 2nd Floor, Room 2013. (E. C. § 10220)
	CANDIDATE WITHDRAWAL  No candidate, who has file nomination documents, may withdraw as a candidate after this date.  (E. C. § 10224)
	<ul> <li>APPOINTMENT IN-LIEU OF ELECTION — PUBLICATION</li> <li>If no more candidates file for office than there are offices to be filled and if there are no other offices or measures on the ballot the board of education shall be notified that it may:</li> <li>(1) Appoint to the office the person who has been nominated.</li> <li>(2) Appoint to the office any eligible elector if no one has been nominated.</li> <li>(3) Hold the election if either no one or only one person has been nominated. A notice of these facts shall be published once in a newspaper in the city. After publication, the board of education may make the appointment or direct the election to be held.</li> <li>(E. C. § 10229 &amp; Govt. Code § 6061)</li> </ul>

JAN. 20**(Sa)	JAN. 24, (W)	NOMINATION EXTENSION PERIOD IF
E-87**	5:00 P. M.	INCUMBENT DOES NOT FILE
	E-83	If nomination documents for an incumbent are not filed by 5 p.m. on January 19, the nomination period shall be extended until January 24, 5 p.m., for persons other than the incumbent.  (E. C. §§ 10220 & 10225)
		(-: -: 33 :: :)

<sup>\*\*</sup>January 20 (Saturday), and January 21 (Sunday) office will be closed

DATES		EVENTS
JAN. 20** (Sa) E-87**	<b>JAN. 29 (M)</b> E-78	PUBLIC EXAMINATION PERIOD — CANDIDATE STATEMENTS/CANDIDATES' NAMES AND BALLOT DESIGNATIONS  During this period candidate statements, candidates' names and ballot designations shall be open for public examination. A fee may be charged to any person obtaining a copy of the material. During this period any person may file a writ of mandate or an injunction to require any or all of the data/material to be amended or deleted.  (E. C. § 13313)
		<b>NOTE</b> : If the nomination period is extended for a particular office, the examination period for that office shall be adjusted to January 25 through February 5*.
<b>JAN. 25 (Th)</b> E-82		RANDOMIZED ALPHABET DRAWING BY SECRETARY OF STATE The Secretary of State shall hold a public drawing to determine order of candidates' names on ballot by randomly drawing each letter of the alphabet. (E. C. § 13113)
<b>FEB. 20* (Tu)</b> E-56*	<b>APR. 3 (Tu)</b> E-14	STATEMENT OF WRITE - IN CANDIDATE DECLARATION PERIOD  A name written on a ballot will not be counted unless the person has filed during this period a statement of write-in candidacy and sponsors' signatures, stating that he or she is a write-in candidate for the election.  (E. C. §§ 8600 & 8601)
MAR. 8 (Th) E-40	<b>MAR. 27 (Tu)</b> E-21	MAIL SAMPLE BALLOTS An Official Sample Ballot Booklet shall be mailed to each voter in the district during this period. (E. C. §§ 13303 & 13304)

<sup>\*</sup>Date adjusted due to weekend and/or holiday
\*\*January 20 (Saturday), and January 21 (Sunday) office will be closed

DATES		EVENTS
<b>MAR. 19 (M)</b> E-29		PRECINCT OFFICERS AND POLLING PLACES — APPOINTMENT Last day to appoint precinct officers and designate polling places. A notice of appointment shall be mailed to each precinct officer appointed. (E. C. §§ 12286 & 12307)
MAR. 19 (M) E-29	<b>APR. 10 (Tu)</b> E-7	ABSENT VOTERS — FIRST AND LAST DAY TO APPLY Between these dates (both dates inclusive) applications may be filed. Applications received prior to the 29th day preceding the election will be kept and processed during this period.  (E. C. § 3001)
<b>APR. 2 (M)</b> E-15		REGISTRATION CLOSES  Last day to transfer or register to vote in the election. (E. C. § 2107)
<b>APR. 3 (Tu)</b> E-14	<b>APR. 10 (Tu)</b> E-7	NEW CITIZEN REGISTRATION/VOTING Between these dates any new citizen (a person who meets all requirements of an elector and has become a U.S. citizen after the 14th day prior to the election but on or before the 7th day prior to that election) is eligible to register and vote at this office. New citizen must provide proof of citizenship prior to voting.  (E. C. §§ 331 & 3500-3503)

DATES		EVENTS
<b>APR. 3 (Tu)</b> E-14		STATEMENT OF WRITE-IN CANDIDACY DEADLINE Last day for any write-in candidate to file his/her statement of write-in candidacy with the Registrar-Recorder/County Clerk stating that he/she is a write-in candidate for the election. (E. C. §§ 8600 & 8601)
		BILINGUAL PRECINCT OFFICER LIST Last day to prepare list of appointed bilingual precinct officers. (E. C. § 12303)
<b>APR. 9* (M)</b> E-8*		TALLY CENTER LOCATION — PUBLICATION  On or before this date a notice specifying the public place to be used as the tally center location for counting the ballots shall be published once in a newspaper of general circulation within the district.  (E. C. § 12109)
<b>APR. 10 (Tu)</b> E-7		POLLING PLACES — PUBLICATION On or before this date, a list polling places for each precinct shall be published once in a newspaper of general circulation within the district. (E. C. § 12105 & Govt. Code § 6061)
		CANVASS ABSENT VOTER BALLOTS The canvass may commence on the 7th day before the election but the results of the tally shall not be released until after the polls close. (E. C. § 15101)
<b>APR. 11 (W)</b> E-6	APR. 17 (Tu) ELECTION DAY	EMERGENCY ABSENT VOTING Between these dates any voter may apply for an absentee ballot if conditions require his or her absence from the precinct on election day. The voter may designate an authorized representative to pick-up and return the ballot.  (E. C. §§ 3021 & 3110)

<sup>\*</sup>Date adjusted due to weekend and/or holiday

DATES	EVENTS
APR. 17, (Tu) 8:00 P. M. ELECTION DAY	ELECTION DAY Polls open at 7 A. M., close at 8 P. M. (Arcadia City Charter § 1402 & E. C. § 14212)
	ABSENT VOTER BALLOTS RETURNED — 8 P. M. Last day for absent voter ballots to be received or turned in personally/ by the voter at any polling place in the jurisdiction. A designated family member may return the voted ballot under specified conditions.  (E. C. §§ 3017 & 3020)
APR. 19 (Th) E+2	CANVASS ELECTION RETURNS  The canvass of returns shall commence no later than the first Thursday following the election.  (E. C. § 15301)
MAY 15 (Tu) E+28	COMPLETION OF OFFICIAL CANVASS The Official Canvass of returns shall be completed within 28 days of the election. (E. C. § 10262)
	NOTE: On May 11, 2007 the Registrar-Recorder/County Clerk is tentatively scheduled to certify the election results. On May 15 the Board of Supervisors is tentatively scheduled to declare the election results official.  (E.C. § 15501)
JULY 10 (Tu) E+84	TAKE OFFICE — BOARD OF EDUCATION  MEMBERS  Newly elected or appointed board of education members take office on or before the 2nd Tuesday in July after the election.  (Arcadia City Charter Art. XIV § 1403)
	NOTE: When one member of the governing board is to be elected, the candidate receiving the highest number of votes shall be elected. When two or more members are to be elected, the two or more candidates receiving the highest number of votes shall be elected.  (E. C. § 10600)

# CHAPTER 2

Offices to be Filled,
Candidate Qualifications
And Information on Office

## OFFICE INFORMATION

**OFFICE TERM:** Four Years

**TERM BEGINS:** On or before the 2<sup>nd</sup> Tuesday in July following the election.

(Arcadia City Charter Art. XIV §§ 1401 & 1403)

PARTY AFFILIATION - NO PARTY AFFILIATION REQUIRED

(E. C. § 334)

FILING FEE - NO FILING FEE IS REQUIRED

**PLACEMENT OF NAME ON BALLOT –** Secretary of State holds a public drawing to determine order of candidates' names on ballot by randomly drawing each letter of the alphabet. No rotation.

(E. C. §§ 13112 & 13113)

## **CANDIDATE QUALIFICATIONS**

QUALIFICATIONS	OFFICES TO BE FILLED	NOMINATING SIGNATURES MIN. MAX.	SALARY
BOARD OF EDUCATION MEMBER	Three	20 30 (E. C.§ 10220)	Varies
A registered voter of the district	INCUMBENTS:  Maryann Gibson John R. McClain James C. Romo		
(Arcadia City Charter Art. XIV §1400)			

## CHAPTER 3

Filing Procedures

## GENERAL INFORMATION ON FILING PROCEDURES FOR CANDIDATES

All candidates must be registered voters at time nomination documents are issued and otherwise qualified to vote for the office for which he or she is filing (E.C. § 201)

State law requires that all nomination documents contain the candidate's name and the elective office title to which he or she is seeking nomination or election; and be signed by the elections official at the time of issuance. Oral and written instructions regarding procedures to be followed in completing the nomination process are given to candidates or authorized agents when the forms are issued.

Only official documents issued by the Registrar-Recorder/County Clerk may be used. The forms are available at the Registrar-Recorder/County Clerk's Office, 12400 Imperial Highway, Norwalk, 2<sup>nd</sup> Floor, Room 2013, between the hours of 8:00 a.m. and 5:00 p.m., Monday through Friday, excluding Saturdays, Sundays and holidays.

#### **NOMINATION FILING PERIOD**

DEC. 26* (Tu) Through JAN. 19, (F) 5 P.M.	E - 112* - 88	NOMINATION PERIOD FOR ALL CANDIDATES First and last day for candidates to file Affidavit of Nominee and Oath of Affirmation of Allegiance and Nominating Petitions.
JAN. 20** (Sa) Through JAN. 24 (W) 5 P.M.	E - 87** - 83	NOMINATION EXTENSION PERIOD (If Incumbent Does Not File)
FEB. 20* (Tu) Through APR. 3, (Tu) 5 P.M.	E - 56* - 14	FIRST AND LAST DAY TO FILE STATEMENT OF WRITE-IN CANDIDACY

<sup>\*</sup>Date adjusted due to weekend and/or holiday.

**EXTENSION OF NOMINATION PERIOD** – If an incumbent for any office fails to file nomination documents by the deadline date, the nomination period is extended for five (5) days. During this period, any qualified person, other than the incumbent, may file Nomination Documents for the office.

**NOTE:** The extension does not apply where there is no incumbent to be elected.

**CANDIDATE WITHDRAWAL** – Withdrawal of candidacy is permitted up to and including the deadline date to file an Affidavit of Nominee and Oath of Affirmation of Allegiance for that office. (E. C. §§ 10220 & 10603)

<sup>\*\*</sup>January 20 (Saturday), January 21 (Sunday) and February 19 (Monday) – Office will be closed.

## NAME TO APPEAR ON THE BALLOT

The **ballot name** may be designated as follows:

- First, middle and last names.
- Initials only and last name.
- A nickname may be included but must be in parentheses () or quotation marks "".
- A short version of the first name, such as "Bill for William," "Dick for Richard" or "Kathy for Kathleen."

NO TITLES OR DEGREES ARE ALLOWED IN THE BALLOT NAME. (E.C. § 13106) WITHIN ONE YEAR OF ANY ELECTION, A CHANGE IN LEGAL NAME SHALL NOT APPEAR ON THE BALLOT UNLESS THE CHANGE WAS MADE BY MARRIAGE OR BY DECREE OF COURT. (E.C. § 13104)

Except as provided below a candidate shall not remove an Affidavit of Nominee and Oath of Affirmation of Allegiance form from the office of the elections official, and the elections official shall require all candidates filing an Affidavit of Nominee and Oath of Affirmation of Allegiance to execute the affidavit in the office of the elections official.

A candidate may, in a written statement signed and dated by the candidate, designate a person to receive the Affidavit of Nominee and Oath of Affirmation of Allegiance form from the elections official and deliver it to the candidate. The statement shall include language indicating that the candidate is aware that the Affidavit of Nominee and Oath of Affirmation of Allegiance must be properly executed and delivered to the elections official of the county of the candidate's residence by the 88<sup>th</sup> day prior to the direct primary election.

A candidate may request the county elections official to provide the candidate with the Affidavit of Nominee and Oath of Affirmation of Allegiance. The county elections official shall not require a candidate to sign, file, or sign and file, an Affidavit of Nominee and Oath Affirmation of Allegiance as a condition of receiving nomination papers.

## **BALLOT DESIGNATION PROVISIONS**

**SELECTING YOUR BALLOT DESIGNATION** – The **ballot designation** describes the current profession, vocation, occupation or incumbency status of the candidate that will appear on the ballot under the candidate's name.

## Ballot designations:

- Can be no more than three words.
- Must appear on the Affidavit of Nominee and Oath of Affirmation of Allegiance at the time it is filed.
- Becomes public record once the information is filed on the Affidavit of Nominee and Oath of Affirmation of Allegiance. Ballot designations cannot be changed after the final date to file nomination documents

The listing of a designation on the ballot is OPTIONAL. Only one of the following categories is allowed:

1) **Elective Office Title:** Words describing an elective office title may be used **IF** the candidate holds the office at the time nomination documents are filed and the office was filled by a vote of the people.

**Example A:** Governing Board Member

**Example B:** Board member, XYZ School District

- 2) **Incumbent:** The word **Incumbent** may be used **IF** the candidate is seeking re-election to the same office and was elected to that office by a vote of the people or was appointed as a nominated candidate in lieu of an election.
- 3) **Appointed Incumbent:** The words **Appointed Incumbent** <u>must</u> be used **IF** the candidate was appointed to the office and is seeking election to that office. The word Appointed may also be used with the office title.

**Example A:** Appointed Incumbent

**Example B:** Appointed Board member, XYZ School District

Exception: Candidates appointed to office in lieu of an election do not

have to use the word appointed.

#### BALLOT DESIGNATIONS (Continued)

4) Principal Occupation: No more than three words to either describe the current principal profession, vocation, or occupation of the candidate or the principal professions, vocations, or occupations of the candidate during the calendar year immediately preceding the filing of nomination documents. Geographical names are considered as one word.

**Example A:** High School Teacher **Example B:** Attorney/Educator/Rancher **Example C:** CEO/Councilmember

- 5) **Community Volunteer:** A Community Volunteer shall constitute a valid principal vocation or occupation subject to the following conditions:
  - a) A candidate's community volunteer activities constitute his or her principal profession, vocation or occupation.
  - b) A candidate may not use the designation of "community volunteer" in combination with any other principal profession, vocation or occupation.
  - c) A candidate is not engaged concurrently in another principal profession, vocation or occupation.
- 6) **No Occupation Desired:** If no ballot designation is requested, write the word "NONE" and place your initials in the space provided for ballot designation on the Declaration of Candidacy form.

**FORMAT OF BALLOT DESIGNATION** – Ballot designations selected which exceed space allotted on the ballot (approximately 60 characters) are printed in a smaller typeface pursuant to § 13107(f) of the California Elections Code. **Restrictions:** The rules governing ballot designations can be the subject of confusion. The California Secretary of State's ballot designation regulations are available at the public counter in the Election Information Section, 2<sup>nd</sup> Floor, Room 2013.

**REJECTION OF BALLOT DESIGNATION** – If the designation appears to be in violation of any of the restrictions set forth in the California Elections Code, this office will provide you with a "Ballot Designation Worksheet." This worksheet is intended to assist in the prompt evaluation of requested ballot designations. This office may also request that a candidate submit additional documentation to support the proposed ballot designation.

If a candidate ballot designation is in violation of any of these restrictions, the candidate will be notified by certified mail return receipt requested, addressed to the mailing address appearing on the candidate's Declaration of Candidacy or Affidavit of Nominee and Oath of Affirmation of Allegiance. If an alternative designation is not provided within the time allowed, no designation will appear on the ballot. (E.C. § 13107(c))

#### BALLOT DESIGNATIONS (Continued)

**UNACCEPTABLE DESIGNATIONS** – Pursuant to Elections Code §13107(b), the election official shall not accept a ballot designation if:

- a. It would mislead the voter.
- b. It would suggest an evaluation of a candidate, such as outstanding, leading, expert, virtuous or eminent.
- c. It abbreviates the word "retired" or places it following any word(s) that it modifies.
- d. It includes a word or prefix, such as "former" or "ex", which means a prior status. The only exception is the use of the word "retired."
- e. It includes the name of any political party, whether or not it has qualified for the ballot.
- f. It includes a word(s) referring to a racial, religious or ethnic group.
- g. It refers to any activity that is prohibited by law.

## **GUIDELINES TO ACCEPTABLE BALLOT DESIGNATIONS (BASIC TEST):**

- a. Is it true?
- b. Is it accurate?
- c. Does it mislead?
- d. Is it generic? (This means "IBM" is out, "Computer Company" is okay.)
- e. Is it neutral? (This means not for or against)
- f. Is it how this person makes a living?

Candidates may review their own ballot designation, as well as that of other candidates, at this office during working hours: Monday through Friday from January 20\*\* through January 29 or if the nomination period is extended, from January 25 through February 5\* (Excluding Saturdays, Sundays and Holidays).

If you have any questions regarding the nomination procedures, please call the Election Planning Section at (562) 462-2317.

<sup>\*</sup>Date adjusted due to weekend and/or holiday.

<sup>\*\*</sup>January 20 (Saturday), and January 21 (Sunday) - Office is scheduled to be closed.

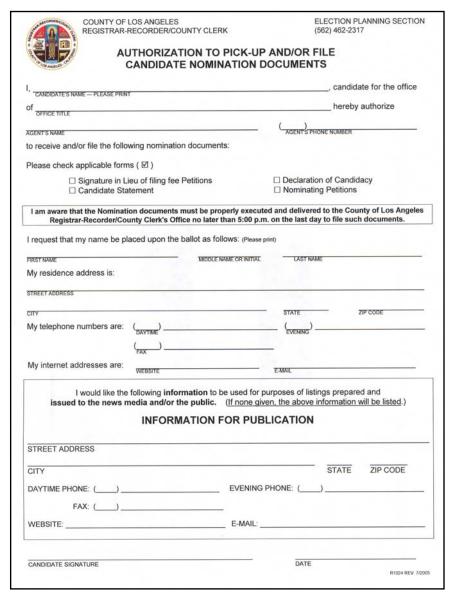
### **CANDIDATE NOMINATION PROCESS**

#### AUTHORIZATION TO PICK-UP AND/OR FILE CANDIDATE NOMINATION DOCUMENTS

Candidates who will have their Candidate Nomination Documents picked up and/or filed **via an Agent** must complete the AUTHORIZATION TO PICK-UP AND/OR FILE CANDIDATE NOMINATION DOCUMENTS form.

Below is a **generic sample** of the Authorization Form.

- 1. Print candidate's (your) name.
- 2. Print the elective office title.
- 3. Print the agent's name and phone number.
- 4. Check the box for each applicable form.
- Complete the middle section of the form with, how you would like your name to appear on the ballot, along with the other information requested.
- Complete INFORMATION FOR PUBLICATION box.
- Sign and date the form before giving it to your Agent.



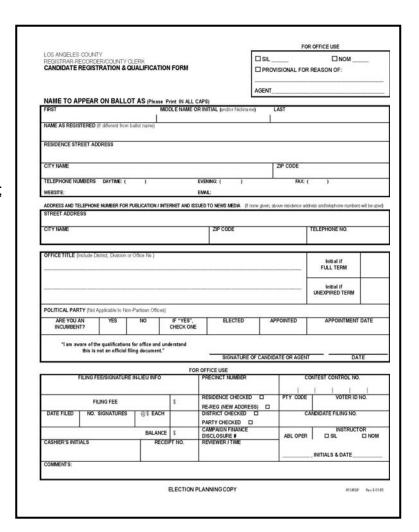
#### CANDIDATE NOMINATION PROCESS (Continued)

You are planning on filing as a candidate for elective office and want to know "**HOW DO I GET STARTED?**" There are six (6) easy steps to the candidate nomination process:

### **STEP 1 – CANDIDATE REGISTRATION (Applying For Nomination Documents)**

Candidates or authorized Agents are required to fill out a Candidate Registration and Qualification (CRQ) form providing the following information:

- 1. Name as you wish it to appear on ballot;
- 2. Full name as registered to vote;
- 3. Residence address;
- 4. Telephone/Fax numbers;
- E-mail and/or Web site address;
- 6. Address and telephone number for publication/ media/internet;
- Elective office title for which you are applying;
- 8. Signature and date.



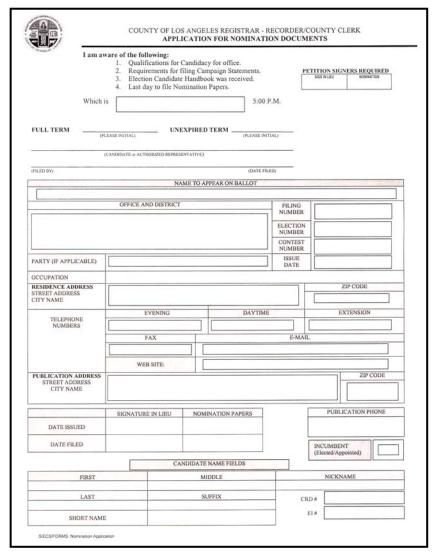
#### STEP 2 – ISSUING NOMINATION DOCUMENTS

An **Application for Nomination Documents** is prepared from information provided on the Candidate Registration and Qualification (CRQ) form.

This Application must be signed by candidate or an authorized agent acknowledging awareness of:

- 1. Qualifications for office;
- 2. Campaign statement filing requirements;
- 3.Last day to file nomination papers;
- 4. Receipt of candidate handbook.

Candidates must verify that the candidate information, including name to appear on ballot, office title, addresses, telephone/fax numbers, e-mail and web site is printed correctly on all forms.



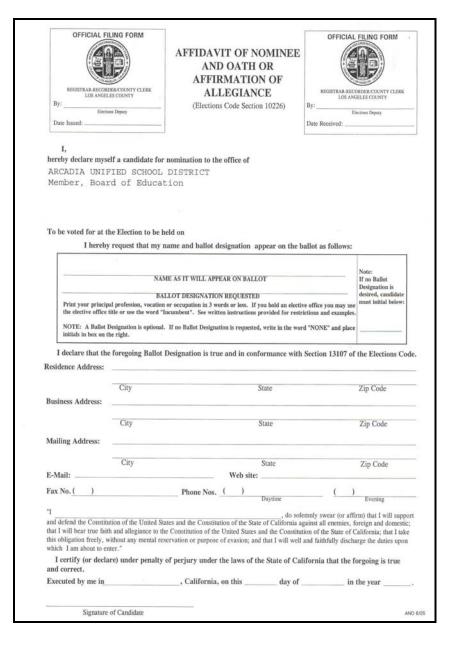
THE CANDIDATE HANDBOOK AND RESOURCE GUIDE, A CAMPAIGN FINANCIAL DISCLOSURE PACKET AND NOMINATION DOCUMENTS FORMS ARE ISSUED AT THIS TIME.

#### STEP 3 - COMPLETING NOMINATION DOCUMENTS

## AFFIDAVIT OF NOMINEE AND OATH OR AFFIRMATION OF ALLEGIANCE (Subscribed and sworn before a notary public or elections official)

The Affidavit of Nominee is a one-sided form used to declare your candidacy, provide your ballot designation, and take the loyalty oath. This form contains the candidate's name as it will appear on the ballot, based on data furnished from the CRQ. Once filed, these forms are public information.

- Fill in your name and designation (occupation) to appear on ballot. Refer to Name to Appear on the Ballot and Ballot Designation Provisions in this Chapter.
- 2. Fill in your residence, business and mailing addresses.
- 3. Day time and evening telephone numbers (Fax numbers, e-mail and web site address information is optional).
- Print name in space provided in "Oath of Office".
- 5. Fill in place of execution and date.
- Sign name under penalty of perjury that information is true and correct.



#### STEP 4 - NOMINATION PAPER FORM

A prospective candidate must submit nomination papers containing no less than 20 and no more than 30 signatures.

#### SIGNER QUALIFICATIONS

Must be a registered voter and resident of election area at the time of signing.

**EACH SIGNER must print** and **sign** own **name** and include **residence address**.

**Exception:** A signer who is unable to personally affix his/her own name and/or address on the petition may be assisted by another person. The voter must however, affix his/her own mark/signature on the petition. Two witnesses to signature (or mark) are required and such witnesses must also sign their names.

- a) Married women must sign name as registered to vote.
- b) P.O. Box numbers or mailing addresses are not acceptable.

#### **CIRCULATOR QUALIFICATIONS**

Must be a registered voter and resident of the election area in which the candidate is to be voted on, i.e., District or Division.

**Exception:** Any registered voter of the State who is a candidate for any office may obtain signatures and sign his/her own nominating petitions regardless of whether the candidate resides in the jurisdiction.

If the district includes more than one county, the circulator can only circulate the petition in the county in which he or she resides.

Only one circulator is allowed to circulate a petition section.

Circulator completes "Affidavit of Circulator" in own handwriting. DO NOT TYPE.

- a) Fills in appropriate information in blank spaces.
- b) Fills in dates signatures were obtained.
- c) Fills in execution date and place of signing.
- d) Signs name.

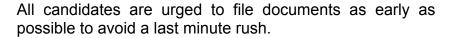
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	Free	Hary Smith	L. A. 90012	_
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12	Print			
12	Sign			
13	Pais			
_	Sign		-1	
14	Time .			_
_	Post			_
15	Sign			_
		52		
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		Print Name	idate is to be voted on. Thave been appointed to serve as a circ	
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#### CANDIDATE NOMINATION PROCESS (Continued)

#### **STEP 5 – FILING NOMINATION DOCUMENTS**

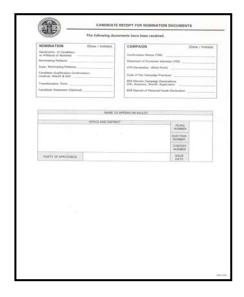
Listed below are mandatory and optional documents to be filed for candidacy. It is the responsibility of the candidate to ensure that filing requirements and deadlines are met.





DOCUMENTS	APPLIES TO	FOR FURTHER INFORMATION CONTACT
Affidavit of Nominee and Oath or Affirmation of Allegiance	All Candidates	Election Planning Section (562) 462-2317
Nomination Paper	All Candidates	Election Planning Section (562) 462-2317
Candidate Statement Form	Optional for Candidates	Election Planning Section (562) 462-2317
Transliteration Form	All Candidates	Multilingual Voting Service (562) 462-2730 (562) 462-2832
Candidate Campaign Statement Forms	All Candidates	Campaign Financial Disclosure Section (562) 462-2339

#### STEP 6 - RECEIVE A CANDIDATE RECEIPT FOR NOMINATION DOCUMENTS



# CHAPTER 4

**Candidate Statements** 

#### **ESTIMATED COST OF CANDIDATES STATEMENTS**

APPROXIMATE REGISTRATION (AS OF 10/06/06)	ESTIMATED COST	WORD LIMIT	WHO PAYS?
27,872	\$300 For English only	200	Candidate
	\$600 For English & Spanish		Pays In Advance

## STATE LAW PROVIDES STATEMENTS MUST BE FILED NO LATER THAN 5 P.M. ON THE LAST DAY OF THE NOMINATION PERIOD

- 1. Statement is optional and may include the candidate's age and occupation.
- 2. Statement may not include reference to other candidates. See information below and enclosed Notice to Persons Submitting Candidate Statements for restrictions.
- 3. No changes are allowed after statement is filed.
- 4. Statements are confidential until after close of the nomination period. Once the nomination period closes, the statements are open to public examination for a ten (10) calendar day period. During this period, a voter may file a writ of mandate or an injunction requiring any or all material to be amended or deleted.
- 5. A candidate may request that the statement also be printed in Spanish and included in the sample ballots mailed to all voters in the election area. An additional fee is required to print the Spanish statement. In compliance with California Law, only English and Spanish candidate statements are included in the Official Sample Ballot Booklet for candidates who wish to have one printed, at candidate's own expense.
- 6. No reference to candidate's political party affiliation nor any partisan political membership or activity is permitted.

#### FORMS AND COST INFORMATION

- 1. Form on which statement is submitted is issued with nomination documents and contains word limitation and an estimated cost.
- 2. Local agency has determined maximum amount of words allowed are 400 and it is the responsibility of the candidate to pay in advance. When word limitation is 400 words and a 200 words or less statement is submitted, only one half of the estimated cost shall be required to be deposited. Refer to Word Counting Guidelines in this Chapter.
- The estimated cost is determined prior to all information being available, therefore, it
  is an approximation of the actual cost that varies from election to election and may be
  significantly more or less depending on the actual number of candidates filing
  statements.

#### FORMAT AND CONTENT REQUIREMENTS

- 1. Statements must be neatly typed using upper and lower case letters. Use block paragraphs and single space format. Entire statements in all capital letters are not acceptable. Indentations, circles, stars, dots, italics and/or bullets cannot be accommodated. Enhanced words to be printed in **boldface** type, <u>underscored</u> and/or CAPITALIZED are to be clearly indicated. Any combinations of enhanced words are counted as one word. However, the number of words/acronyms that can be in **boldface**, <u>underscored</u> or CAPITALIZED shall not exceed 25 words per 200 word statement and 50 words per 400 word statement.
- 2. All statements should be checked by the candidate for spelling and punctuation as the elections official is not permitted to edit any material contained therein. It is recommended that you do not use dashes or hyphens at the end of a line.
- 3. Statement will be typeset using Dutch801 Rm BT font in 10 point size. Statements will be printed in uniform type, style and spacing. Text submitted indented or centered will be typeset in block paragraph form. See example of Candidate Statement on the opposite page for recommended form and style content.

NOTE: If a statement is formatted to include numerous paragraph breaks and/or individual listings of accomplishments, endorsements, etc., the printed statement may extend to two (2) pages. In these cases, the actual cost for the statement may double and additional cost may be billed to you after the election.

**MINORITY LANGUAGE TRANSLATIONS –** Minority language translations of candidate statements for voter information booklets may be provided in Chinese, Japanese, Korean, Spanish, Tagalog and Vietnamese for qualifying jurisdictions in accordance with National Voting Rights Act provisions and Department of Justice specifications. These booklets are sent only to voters who have requested translated material. Additional booklets are provided at the polling places on Election Day.

#### FORMS AND CONTENT REQUIREMENT (Cont'd)

**INDIGENT CANDIDATES** – If a candidate alleges to be indigent and unable to pay the advance fee for submitting a candidate statement, the candidate shall submit an Affidavit of Financial Worth to the local agency to be used in determining the candidate's indigence eligibility. The affidavit shall be submitted by the candidate with their candidate statement by the specified deadline. The candidate shall certify under penalty of perjury the truth and correctness of the content of the affidavit. A determination shall be made whether or not the candidate is indigent and the local agency will notify the candidate of its findings. If a determination is made that the candidate is indigent, the local agency shall print and mail the statement without payment of the advance fee. The candidate will be billed the actual pro rata share of the cost following the election. If a determination is made that the candidate is **not** indigent, the candidate shall withdraw the statement or pay the requisite fee within three days of notification, excluding Saturdays, Sundays and state holidays.

**ACCESS/PUBLIC EXAMINATION PERIOD** – Candidate statements are confidential until the applicable filing period ends. A fee may be charged to any person wishing to obtain a copy of the material. During this period any person may file a writ of mandate or an injunction to require any or all of the material/data to be amended or deleted. If the nomination period is extended for a particular office, the examination period shall be adjusted.

(E. C. § 13311)

STATEMENT MUST BE FIILED NO LATER THAN 5 P.M. ON THE LAST DAY OF NOMINATION PERIOD.

STATEMENT OF: JANE DOE

**CANDIDATE FOR:** MEMBER, BOARD OF EDUCATION ARCADIA UNIFIED SCHOOL DISTRICT

ELECTION DATE: 04/17/07 AGE: 42 OCCUPATION: Incumbent (Optional)

Please type your statement below in upper and lower case letters. The statement text will be typeset using font style DUTCH801 RM BT, size 10 point. However, statement can be submitted using any standard font. Statement are only included in the Official Sample Ballot Booklet and will not be included in the Official Absentee/Vote by Mail Ballot Instructions and Guide.

#### STATEMENT OF JANE DOE

CANDIDATE FOR MEMBER, BOARD OF EDUCATION

ARCADIA UNIFIED SCHOOL DISTRICT

Age: 42

Occupation: Incumbent

**FORMAT/CONTENT:** This is an example of an acceptable <u>format</u> to be used in a candidate's statement of qualifications. The guidelines for the <u>content</u> of the statement are in a separate section of the Candidate Handbook and Resource Guide.

**ENHANCED WORDS:** It is acceptable for some words or phrases to be **bold** or <u>underlined</u>, CAPITALIZED. Hyphens/dashes are allowed. The beginning of each paragraph may also be highlighted as shown in this example.

**PARAGRAPHS:** The candidate statement is printed in "block" paragraphs, which means each paragraph will start on the left and the right margins will be justified. A double space will appear between paragraphs, as shown in this example.

If elected, I will: 1) lower taxes; 2) increase services; 3) cure the common cold.

I belong to the following organizations:

- PTA
- Chamber of Commerce
- Zoological Society
- Bridge Club

We can trust Jane Doe to protect and serve Any City. Vote for Jane Doe for City Council

#### NOTICE TO PERSON SUBMITTING CANDIDATE STATEMENT

#### CANDIDATE STATEMENTS LIMITED TO CANDIDATE'S OWN QUALIFICATIONS

#### This decision applies to all candidates.

The California Elections Code and case law, prohibit **CANDIDATES** from making any reference to another candidate or to another candidate's qualification, character or activities. If the **COUNTY ELECTIONS OFFICIAL** discovers improper content in a candidate statement, the **COUNTY ELECTIONS OFFICIAL** will notify the candidate and give the individual an opportunity to correct the improper language in the candidate statement. If the candidate refuses to correct the improper language, the **COUNTY ELECTIONS OFFICIAL**, as well as any other voter, may bring legal action against the candidate to correct the statement. The prevailing party may also be entitled to obtain attorney's fees for bringing the action.

For judicial candidates, the **COUNTY ELECTIONS OFFICIAL** will not accept language in a candidate statement that in any way makes reference to other candidates for judicial office or to another candidate's qualifications, character, or activities pursuant to California Elections Code Section 13308. For these candidates, the **COUNTY ELECTION OFFICIAL** will remove the improper language from the statement and not allow it to be printed. The judicial candidate will be notified of the improper language and it's removal from the statement.

All prospective candidates may want to refer to California Election Code Sections 13307, 13308, 13311, 13313, and 13314, as well as the California Court of Appeal ruling in *Dean v. Superior Court*, (1998 4<sup>th</sup> Dist.) 62 Cal.App.4<sup>th</sup> 638. However, this list is not exhaustive and candidates are solely responsible for preparation and submittal of candidate's statements that are in conformance with the law. A copy of the above described Election Code Section and the *Dean* decision are available from our office at no cost.

#### CANDIDATE STATEMENTS – WORD COUNTING GUIDELINES

(Elections Code Chapter 1. General Provisions, Section 9)

The following guidelines are used by the Registrar-Recorder/County Clerk's Office for counting words on candidate statements, ballot measure text, arguments, rebuttals and other ballot enclosures. The guidelines do **not** apply to ballot designations for candidates. If the text exceeds the specified 200 or 400 word limit, the author will be asked to delete words or change text until the statement conforms to requirements.

- 1. Punctuation marks are not counted. Symbols such as "&" (and), and "#" (number/pound) are not considered punctuation and each symbol is counted as one (1) word.
- 2. The words "I", "a", "the", "and", "an" are counted as individual words.
- 3. **GEOGRAPHICAL NAMES** such as countries, states, counties, cities, towns, or jurisdictions are counted as one (1) word.

Such as: "City of Los Angeles" = 1 word

"City and County of San Francisco" = 1 word

4. **ABBREVIATIONS** each acronym or abbreviation for a word, phrase, or expression is counted as one (1) word.

Such as: UCLA, PTA, USMC, LAPD, U.S.M.C.

5. **HYPHENATED WORDS** that appear in any generally available standard reference dictionary published in the U.S. at any time within the last 10 calendar years immediately preceding the election are counted as one (1) word.

Such as: Attorney-at-law

6. **DATES...** consisting of a combination of digits are counted as one (1) word.

**Such as:** 3/18 7/21/89

DATES... consisting of a combination of words and digits are counted as two (2) words.

**Such as:** July 21, 1983 18 June, 1987

7. **NUMERIC COMBINATIONS are** counted as one (1) word.

**Such as:** 1973 13 1/2 1971-73 5% 8/3/73 #14

8. MONETARY AMOUNTS

**Such as:** \$1,000.00 are counted as one (1) word **Such as:** \$4 million are counted as two (2) words

9. NAMES OF PERSONS AND THINGS are counted as individual words.

Such as: Gus Enwright (2 words)

L. A. Basketball Team (3 words)

10. **TELEPHONE/FAX NUMBERS are** counted as one (1) word.

**Such as:** 1-800 815-2666 1-562-462-2317

11. INTERNET WEB SITES/E-MAIL ADDRESSES are counted as one (1) word.

Such as: http://www.co.la.ca.uswww.lavote.net http://www.lacounty.lnfo

# CHAPTER 5

Write-In Candidates

## GENERAL INFORMATION FOR WRITE-IN CANDIDATES

(Election Code §§ 8600 & 8601)

A person who has not followed the usual procedure for placing his or her name on the ballot for the election may still be elected to office as a Write-In Candidate.

You may file the required forms to run for office as a write-in candidate no later than 14 days prior to Election Day.

A Write-In Candidate is not required to pay a filing fee.

#### FILING DEADLINE

FEB. 20\* (Tu) E - 56\* - 14 FIRST & LAST DAY TO FILE STATEMENT OF THROUGH WRITE-IN CANDIDACY APR. 3 (Tu) 5:00 P.M.

\*Date adjusted due to weekend and/or holiday

The Write-In candidacy forms must be filed with the Registrar-Recorder/County Clerk's Office NO LATER THAN 5 P.M. ON THE 14<sup>th</sup> DAY prior to the election.

All candidates are urged to file the following documents as early as possible.

**STATEMENT OF WRITE-IN CANDIDACY –** Refer to the General Information for Nomination of Candidates.

**CANDIDATE CAMPAIGN STATEMENT FORMS –** If you have any questions regarding the completion of this form, contact the Campaign Finance and Disclosure Section at (562) 462-2339.

#### **ELECTION RESULTS FOR WRITE-IN CANDIDATES**

Write-In election results are not determined until the canvass is completed. California election law allows a prescribed number of days for the conduct of the official canvass. During the official canvass, write-in ballots must be individually reviewed to determine if the write-in vote is for a qualified/unqualified write-in candidate to determine whether a voter has over voted. All aspects of the canvass shall be open to the public. Write-In votes are counted and certified in an election only if qualified candidates have filed the required nomination documents with the elections official.

#### WRITE-IN CANDIDATES TO BE ELECTED

**OFFICES OMITTED FROM BALLOT.** Prospective write-in candidates should note that write-in candidacy is possible only if the office appears on the ballot. When School contests are involved, if the number of persons qualifying for the ballot does not exceed the number of offices to be filled, the election is cancelled. In this case, an eligible candidate is appointed in lieu of the election. California Law however, provides for such offices, a petition indicating that a write-in campaign will be conducted. The petition must be filed with the elections official to require the office(s) be placed on the ballot by means of a petition drive.

(E. C. §§ 8600 and Ed. Code § 5326)

The write-in candidate must receive more votes than any other candidate running for that office. When more than one office is to be filled, those candidates, including qualified write-in candidates, who receive the highest number of votes equal to the number of offices to be filled are elected. (E. C. § 10551)

Voters may write-in any person they wish for any office regardless of whether the person qualified or not. However, votes will only be tabulated for qualified write-in candidates.

# Section

## RESOURCE

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## Chapter 1

FINANCIAL REPORTING

## CAMPAIGN FILING REQUIREMENTS FOR CANDIDATES AND COMMITTEES PARTICIPATING IN THE ARCADIA UNIFIED SCHOOL DISTRICT BOARD OF EDUCATION ELECTION APRIL 17, 2007

All candidates/committees are required by the Political Reform Act to meet the first campaign statement filing deadline regardless of activity. The period covered by any statement begins on the day after the closing date of the last statement or January 1 if no previous statement has been submitted. Monetary penalties may be assessed for failure to file required statements.

## FILING PERIOD

#### **2007 FILING REQUIREMENTS**

MARCH 3 (Sat) THROUGH MARCH 8 (Thu)

#### FIRST CAMPAIGN STATEMENT

Candidates who have a controlled committee and committee primarily formed to support or oppose candidates or measures in this election at this time file a Form 460 to cover the period between January 1, and March 3, 2007. All other candidates who do not raise over \$1,000 file a Form 470. All reports must be received by personal delivery or first class mail.

(Gov. Code § 84200.7)

MARCH 31 (Sat) THROUGH APRIL 5 (Thu)

#### SECOND CAMPAIGN STATEMENT

The reporting requirements mentioned above apply to statements for the period between March 4 through March 31, 2007. All reports must be filed by personal delivery or guaranteed overnight service. (Gov. Code § 84200.7)

WITHIN 24 HOURS BETWEEN APRIL 1 (Sun) AND APRIL 16 (Mon)

## LATE CONTRIBUTION AND/OR LATE INDEPENDENT EXPENDITURE REPORTS

Each candidate or committee that makes or receives a contribution (including a loan) of \$1,000 or more, or makes an independent expenditure of \$1,000 or more between April 1 and the election, must be filed by fax, guaranteed overnight delivery service or personal delivery within 24 hours. **Regular mail may not be used.**(Gov. Code §§ 84203 & 84204)

JULY 1 (Sun) THROUGH JULY 31 (Tue)

#### **SEMI-ANNUAL CAMPAIGN STATEMENT**

Same requirements as above for the period between April 1, 2007 and June 30, 2007. (Gov. Code § 84200)

#### **CAMPAIGN DISCLOSURE FORMS**

#### **FORM 501**

Candidates who **intend** to receive contributions from others for their campaign, must file a Candidate Intention Statement, Form 501 with the **Los Angeles County Registrar-Recorder/County Clerk's Office** only. (Gov. Code § 85200)

#### **FORM 470**

Candidates who **anticipate** receiving less than \$1,000 in contributions and spending less than \$1,000 during the entire calendar year, exclusive of the cost of a candidate statement, if paid from personal funds, may reduce their filing obligation by filing a Form 470, Candidate and Officeholder Campaign Statement-Short Form by March 8, 2007. No further statements need be filed for this election **unless** the \$1,000 threshold is reached. (**Gov. Code § 84206**)

#### **FORM 470S**

Candidates who have filed a Form 470 and **thereafter** receive contributions or make expenditures totaling one thousand dollars (\$1,000) or more **are** required to file a 470 Supplement with 1) the local filing officer and 2) each candidate contending for the same office. The notice must be sent within 48 hours of receiving or expending the one thousand dollars (\$1,000). (**Gov. Code § 84206**)

#### **FORM 410**

Recipient committees and controlled committees, including any group, individual or candidate, that receive \$1,000 or more in contributions during a calendar year must file a Statement of Organization, Form 410, within 10 days of receiving the contributions. Original and one copy of Form 410 must be filed with the Secretary of State and two copies with the Los Angeles Registrar-Recorder/County Clerk's Office.

(Gov. Code § 84101)

#### **FORM 460**

A candidate or officeholder who has a controlled committee, or who has raised or spent or will raise or spend \$1,000 or more during a calendar year in connection with the election, is required to file the recipient committee campaign statement Form 460. The Form 460 is also required if \$1,000 or more will be raised or spent during the calendar year at the behest of the officeholder or candidate. (Gov. Code §§ 84200-84216.5)

#### **FORM 497**

A Late Contribution is a monetary or non-monetary contribution, including a loan, totaling \$1,000 or more from a single source and is made or received during the 16 days immediately preceding the election in which the recipient candidate is to be voted on.

(Gov. Code § 82036)

#### WHERE TO FILE

Candidates and committees file an original and copy of each campaign statement with the LOS ANGELES COUNTY REGISTRAR-RECORDER/COUNTY CLERK, CAMPAIGN FINANCE DISCLOSURE SECTION at:

## Mailing Address P.O. BOX 1024

Norwalk, California 90651-1024

#### **Business Address**

12400 Imperial Highway, Room 2003 Norwalk, California 90650

#### STATEMENT OF TERMINATION - FORM 410, (see PART 5)

Candidates and their committees are required to file semi-annual statements every six months <u>until</u> all campaign activity ceases and Form 410 (see Part 5) is filed. Original and one copy of Form 410 must be filed with the Secretary of State and two copies with the Los Angeles Registrar-Recorder/County Clerk's Office. (Government Code Section 84214)

Detailed instructions for complying with the Political Reform Act are in each candidate's Campaign Finance Disclosure Packet

FOR ADDITIONAL INFORMATION, CALL THE CAMPAIGN FINANCE DISCLOSURE SECTION

TELEPHONE (562) 462-2339 ♦ FAX (562) 651-2548

#### **REVIEW OF REPORTING REQUIREMENTS**

### Campaign Disclosure Filing Requirements for ALL Candidates and Committees

#### PLEASE READ CAREFULLY....

The Political Reform Act imposes certain duties and obligations on candidates, officeholders, committee treasurers and others participating in the political process. For example:

- Detailed records must be maintained for all financial activity and contributions received for political purposes must not be commingled with personal funds.
- Campaign statements must be filed at specified times disclosing contributions received, expenditures made and other financial information. In some cases, however, candidates can avoid filing campaign statements by submitting a "Candidate and Officeholder Campaign Statement Short Form (Form 470)."
- The only postmark which can be accepted as evidence of a filing date is one for first class mail. Mail, which is not received by the filing officer, shall be presumed not to have been sent unless the filer possesses a postal receipt establishing the date of deposit, and the name and address of the addressee.
- Any candidate or committee who files an original statement after an imposed deadline is liable in the amount of \$10 per day after the deadline until the document is filed. The liability is limited to the cumulative amount reported in the last document or \$100, whichever is greater.

The failure to submit a required statement is a misdemeanor. Persons who fail to submit required statements are referred to the Fair Political Practices Commission.

It is recommended that campaign disclosure statements be mailed by certified mail or by purchasing a certificate of mailing. This will eliminate any questions regarding receipt of your statement.

Unsigned forms are incomplete and are not considered filed until they are signed.

#### **DEFEATED CANDIDATES**

Must file campaign disclosure reports until:

√ Campaign committee has been terminated. Form 410 (see Part 5)

## Chapter 2

CAMPAIGNING

#### **GENERAL CAMPAIGN INFORMATION**

The following code sections pertaining to campaign literature and related matters have been reproduced in full for your information.

- PART 1 Chapter 976, 1977 Legislation. LEGISLATIVE INTENT.
- PART 2 Sections 82041.5, 84305 and 89001 Government Code. MASS MAILINGS.
- PART 3 Sections 20000 20010 Elections Code. TRUTH IN ENDORSEMENTS LAW.
- PART 4 Section 18301, Elections Code.
  PRINTING OF SIMULATED SAMPLE BALLOTS.
- PART 5 Section 18302, Elections Code.
  DISTRIBUTION OF PRECINCT POLLING PLACE INFORMATION
- PART 6 Sections 18370, 18371, 18540, 18541, 18544, 18545 and 18546 Elections Code.

  ELECTIONEERING/ITIMIDATION OF VOTERS/POSSESION OF FIREARMS AT POLLING PLACE.
- PART 7 Sections 20202 and 20203, Elections Code. SOLICITATION OF FUNDS.
- PART 8 Section 5405.3, Business and Professions Code. OUTDOOR ADVERTISING: POLITICAL SIGNS.
- PART 9 U.S. POSTAL SERVICE POLITICAL MAILINGS.
- PART 10 INFORMATION FOR INDIVIDUALS, GROUPS AND ORGANIZATIONS DISTRIBUTING APPLICATIONS FOR ABSENTEE BALLOTS.
- PART 11 INFORMATION ON FEDERAL LAW PROHIBITING FOREIGN NATIONALS FROM MAKING CONTRIBUTIONS OR EXPENDITURES.

#### PART 1

#### LEGISLATIVE INTENT. CHAPTER 976, 1977 STATUTES.

The Legislature finds and declares:

- (a) That a need exists for adequate identification of the source of campaign appeals directed at the voters in order to assist them in making rational decisions at the polls.
- (b) That by requiring such identification of campaign literature, the public is better able to evaluate the source of campaign material, may be more adequately informed, and can better distinguish between truth and falsity.
- (c) That by requiring identification, anonymous attacks, which cannot adequately be responded to in the heat of a campaign, will be discouraged.
- (d) That by requiring identification, a candidate who believes he or she has been libeled may more readily seek redress in a civil action for damages.
- (e) That limiting identification requirements to pejorative campaign material is inadequate because subtle attacks on candidates or measures can be framed which appear to be supportive but, in fact, are pejorative.
- (f) That a distinction needs to be made between campaign materials of small size that usually carry little more than a "Vote for\_\_\_\_\_" message, such as is often the case with buttons, matchbooks, pens, and the like, on the one hand, and campaign materials which carry more complex messages, on the other. In the case of the former, because of their characteristically small size and limited content, it would be an undue burden to require that identification as to source be included.

#### PART 2

#### Government Code Sections 82041.5. Mass Mailing – Definition.

"Mass mailing" means over two hundred 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.

#### 84305. Manner of sending mass mailings.

- (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 such mailing in no less than 6-point type. 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).

#### 89001. Newsletter or mass mailing.

No newsletter or other mass mailing shall be sent at public expense.

#### PART 3

## Elections Code Sections 20000. Name of chapter.

This chapter shall be known and may be cited as the Truth in Endorsements Law.

#### 20001. Legislature's findings.

The Legislature hereby finds the following to be true:

- (1) The major political parties have become an integral part of the American governmental system requiring regulation as to their structure, governing bodies, and functions by state government in the public interest.
- (2) The Legislature has found it necessary and appropriate in the regulation of political parties to create and provide for the convening of state conventions, state central committees, and county central committees for parties qualified by law to participate in the direct primary election, by statute.
- (3) Over the several years preceding the adoption of this section organizations of electors using as a part of their names the name of a political party qualified to participate in the direct primary election have endorsed candidates for nomination of that party for partisan office in the direct primary election and have publicized and promulgated the endorsements in a manner that has resulted in considerable public doubt and confusion as to whether the endorsements are those of a private group of citizens or of an official governing body of a political party.
- (4) The voting public is entitled to protection by law from deception in political campaigns in the same manner and for the same reasons that it is entitled to protection from deception by advertisers of commercial products.

#### 20006. Restraining order or injunction.

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, broadcasting, or telecasting of any matter in violation of this chapter, and all cases of this nature shall be in a preferred position for purposes of trial and appeal, so as to assure the speedy disposition thereof.

#### 20007. Representation requirements.

No candidate or committee in his or her behalf shall represent in connection with an election campaign, either orally or in campaign material, that the candidate has the

support of a committee or organization which includes as part of its name the name or any variation upon the name of a qualified political party with which the candidate is not affiliated, together with the words "county committee," "central committee," "county," or any other term that might tend to mislead the voters into believing that the candidate has the support of that party's county central committee or state central committee, when that is not the case.

This section shall not be construed to prevent a candidate or committee from representing that the candidate has the support of a committee or group of voters affiliated with another political party, which committee or group is identified by the name of that party, where the name of the committee or group also includes the name of the candidate.

Any member of a county central committee or state central committee may commence an action in the superior court to enjoin misrepresentation by a candidate or committee in his or her behalf, in the manner prohibited by this section, to the effect that the candidate has the support of the state or county central committee involved.

#### 20008. Political advertisement requirements.

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.

#### 20009. 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 such 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 an 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 preparation thereof)."

Nothing in this section shall be construed to require any such 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 any such 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 position for purposes of trial and appeal, so as to assure the speedy disposition thereof.

#### 20010. No pictures of candidates in campaign material.

- (a) Except as provided in subdivision (b), no person, firm, association, corporation, campaign committee, or organization may, with actual malice, produce, distribute, publish, or broadcast campaign material that contains (1) a picture or photograph of a person or persons into which the image of a candidate for public office is superimposed or (2) a picture or photograph of a candidate for public office into which the image of another person or persons is superimposed. "Campaign material" includes, but is not limited to, any printed matter, advertisement in a newspaper or other periodical, television commercial, or computer image. For purposes of this section, "actual malice" means the knowledge that the image of a person has been superimposed on a picture or photograph to create a false representation, or a reckless disregard of whether or not the image of a person has been superimposed on a picture or photograph to create a false representation.
- (b) A person, firm, association, corporation, campaign committee, or organization may produce, distribute, publish, or broadcast campaign material that contains a picture or photograph prohibited by subdivision (a) only if each picture or photograph in the campaign material includes the following statement in the same point size type as the largest point size type used elsewhere in the campaign material: "This picture is not an accurate representation of fact." The statement shall be immediately adjacent to each picture or photograph prohibited by subdivision (a).
- (c) (1) Any registered voter may seek a temporary restraining order and an injunction prohibiting the publication, distribution, or broadcasting of any campaign material in violation of this section. Upon filing a petition under this section, the plaintiff may obtain a temporary restraining order in accordance with Section 527 of the Code of Civil Procedure.
- (2) A candidate for public office whose likeness appears in a picture or photograph prohibited by subdivision (a) may bring a civil action against any

person, firm, association, corporation, campaign committee, or organization that produced, distributed, published, or broadcast the picture or photograph prohibited by subdivision (a). The court may award damages in an amount equal to the cost of producing, distributing, publishing, or broadcasting the campaign material that violated this section, in addition to reasonable attorney's fees and costs.

- (d) (1) This act shall not apply to a holder of a license granted pursuant to the Federal Communications Act of 1934 (47 U.S.C. § 151 et seq.) in the performance of the functions for which the license is granted.
- (2) This act shall not apply to the publisher or an employee of a newspaper, magazine, or other periodical that is published on a regular basis for any material published in that newspaper, magazine, or other periodical. For purposes of this subdivision, a "newspaper, magazine, or other periodical that is published on a regular basis" shall not include any newspaper, magazine, or other periodical that has as its primary purpose the publication of campaign advertising or communication, as defined by Section 304.

#### PART 4

#### **Elections Code Section**

#### 18301. Printing of simulated sample ballots.

In addition to any other penalty, any person who prints or otherwise duplicates, or causes to be printed or duplicated, a simulated ballot or simulated sample ballot that does not contain the statement required by Section 20009 or that uses an official seal or insignia in violation thereof, is guilty of a misdemeanor.

#### PART 5

#### **Elections Code Section**

#### 18302. Distribution of precinct polling place information.

Every person is guilty of a misdemeanor who knowingly causes to be mailed or distributed, or knowingly mails or distributes, literature to any voter that includes a designation of the voter's precinct polling place other than a precinct polling place listed for that voter in an official precinct polling list that constituted the latest official precinct polling list at sometime not more than 30 days prior to the mailing or distribution.

#### PART 6

#### Legislature's findings.

The Legislature finds and declares that no person, other than the voter and the election official, should have access to, or possession of, the ballot except as permitted by the Federal Voting Rights Act of 1965, as amended.

#### **Elections Code Sections**

#### 18370. Electioneering within 100 feet of a polling place.

No person, on election day, or at any time that a voter might be casting a ballot, shall, within 100 feet of a polling place or an elections official's office:

- (a) Circulate an initiative, referendum, recall, or nomination petition or any other petition.
- (b) Solicit a vote or speak to a voter on the subject of making his or her ballot.
- (c) Place a sign relating to voters' qualifications or speak to a voter on the subject of his or her qualifications except as provided in Section 14240.
- (d) Do any electioneering.

As used in this section, "100 feet of a polling place or an elections official's office" means a distance 100 feet from the room or rooms in which voters are signing the roster and casting ballots.

Any person who violates any of the provisions of this section is guilty of a misdemeanor.

#### 18371. Electioneering during absentee voting.

- (a) No candidate or representative of a candidate, and no proponent, opponent, or representative of a proponent or opponent, of an initiative, referendum, or recall measure, or of a charter amendment, shall solicit the vote of an absentee voter, or do any electioneering, while in the residence or in the immediate presence of the voter, and during the time he or she knows the absentee voter is voting.
- (b) Any person who knowingly violates this section is guilty of a misdemeanor.
- (c) This section shall not be construed to conflict with any provision of the Federal Voting Rights Act of 1965, as amended, nor to preclude electioneering by mail or telephone or in public places, except as prohibited by Section 18370, or by any other provision of law.

#### 18540. Compelling another in voting.

- (a) Every person who makes use of or threatens to make use of any force, violence, or tactic of coercion or intimidation, to induce or compel any other person to vote or refrain from voting at any election or to vote or refrain from voting for any particular person or measure at any election, or because any person voted or refrained from voting at any election or voted or refrained from voting for any particular person or measure at any election is guilty of a felony punishable by imprisonment in the state prison for 16 months or two or three years.
- (b) Every person who hires or arranges for any other person to make use of or threaten to make use of any force, violence, or tactic of coercion or intimidation, to induce or compel any other person to vote or refrain from voting at any election or to vote or refrain from voting for any particular person or measure at any election, or because any person voted or refrained from voting at any election or voted or refrained from

voting for any particular person or measure at any election is guilty of a felony punishable by imprisonment in state prison for 16 months or two or three years.

#### 18541. Solicitation dissuading persons from voting.

- (a) No person shall, with the intent of dissuading another person from voting, within 100 feet of a polling place, do any of the following:
- (1) Solicit a vote or speak to a voter on the subject of marking his or her ballot.
- (2) Place a sign relating to voters' qualifications or speak to a voter on the subject of his or her qualifications except as provided in Section 14240.
- (3) Photograph, videotape, or otherwise record a voter entering or exiting a polling place.
- (b) Any violation of this section is punishable by imprisonment in a county jail for not more than 12 months, or in the state prison. Any person who conspires to violate this section is guilty of a felony.
- (c) For purposes of this section, 100 feet means a distance of 100 feet from the room or rooms in which voters are signing the roster and casting ballots.

## 18544. Fine for person in possession of firearm or unauthorized uniformed personnel.

- (a) Any person in possession of a fireman or any uniformed peace officer, private guard, or security personnel or any person who is wearing a uniform of a peace officer, guard, or security personnel, who is stationed in the immediate vicinity of, or posted at, a polling place without written authorization of the appropriate city or county elections official is punishable by a fine not exceeding ten thousand dollars (\$10,000), by imprisonment in the state prison for 16 months or two or three years or in a county jail not exceeding one year, or by both the fine and imprisonment.
- (b) This section shall not apply to any of the following:
- (1) An unarmed uniformed guard or security personnel who is at the polling place to cast his or her vote.
- (2) A peace officer who is conducting official business in the course of his or her public employment or who is at the polling place to cast his or her vote.
- (3) A private guard or security personnel hired or arranged for by a city or county elections official.
- (4) A private guard or security personnel hired or arranged for by the owner or manager of the facility or property in which the polling place is located if the guard or security personnel is not hired or arranged solely for the day on which an election is held.

#### 18545. Fine for hiring of person in possession of firearm or uniformed personnel.

Any person who hires or arranges for any other person in possession of a firearm or any uniformed peace officer, private guard, or security personnel or any person who is wearing a uniform of a peace officer, guard, or security personnel, to be stationed in the immediate vicinity of, or posted at, a polling place without written authorization of the appropriate elections official is punishable by a fine not exceeding ten thousand dollars (\$10,000), by imprisonment in the state prison for 16 months or two or three years or in

a county jail not exceeding one year, or by both the fine and imprisonment. This section shall not apply to the owner or manager of the facility or property in which the polling place is located if the private guard or security personnel is not hired or arranged solely for the day on which the election is held.

#### 18546. Definitions.

As used in this article:

- (a) "Elections official" means county elections official, registrar of voters, or city clerk.
- (b) "Immediate vicinity" means the area within a distance of 100 feet from the room or rooms in which the voters are signing the roster and casting ballots.

#### PART 7

#### **Elections Code Sections**

#### 20202. Authorization to use candidate or committee name.

It is unlawful for any person who solicits funds for the purpose of supporting or promoting any candidates or committees to include in any part of its name the name of that candidate or committee unless that person shall have previously obtained the authorization of the candidate or committee or the candidate's or committee's designated agent to use the candidate's or committee's name in the name of that person.

Authorization by a candidate or committee shall not be construed as rendering the person soliciting funds a controlled committee as defined by Section 82016 of the Government Code.

#### 20203. Notice of nonauthorization to be included in fundraising communication.

Any person who solicits or receives contributions on behalf of any candidate or committee for the purported and exclusive use of that committee or the candidate's election campaign and who is not authorized by the candidate or committee or the candidate's or committee's designated agent to do so, shall include a notice in any fundraising communication, whether through any broadcasting station, newspaper, magazine, printed literature, direct mailing, or any other type of general public advertising, or through telephone or individual oral fundraising appeal, clearly and conspicuously stating that the person is not authorized by the candidate or committee and that the candidate or committee is not responsible for the actions of that person.

#### PART 8

## PLACEMENT AND REMOVAL OF TEMPORARY POLITICAL SIGNS INCLUDING PLACARDS AND POSTERS

#### **Business and Professions Code Sections** 5405.3 Outdoor Temporary Political Signs.

Nothing in this chapter, including, but not limited to, Section 5405, shall prohibit the placing of temporary political signs, unless a federal agency determines that such placement would violate federal regulations. However, no such sign shall 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.

A temporary political sign is a sign which:

- (a) Encourages a particular vote in a scheduled election.
- (b) Is placed not sooner than 90 days prior to the scheduled election and is removed within 10 days after that election.
- (c) Is no larger than 32 square feet.
- (d) Has had a statement of responsibility filed with the department certifying a person who will be responsible for removing the temporary political sign and who will reimburse the department for any cost incurred to remove it.

The State agency responsible for administering outdoor advertising laws including those for political signs is:

#### STATE OFFICE

#### **DISTRICT OFFICE**

DEPARTMENT OF TRANSPORTATION RIGHT OF WAY OUTDOOR ADVERTISING BRANCH 1120 N. STREET, MS-37 P.O. BOX 942874 SACRAMENTO, CA 94274-0001 TDD 1-800-735-2929 PHONE (916) 654-4790 FAX (916) 654-4956 DEPARTMENT OF TRANSPORATION DIVISION OF RIGHT OF WAY OUTDOOR ADVERTISING BRANCH 464 W. 4<sup>TH</sup> STREET 8<sup>TH</sup> FLOOR, MS 854 SAN BERNARDINO, CA 92401-1400 SACRAMENTO OFFICE PHONE (916) 654-4790

A **notarized** Statement of Responsibility must be filed with the Department of Transportation. The forms may be obtained from that department at the address above, or

REGISTRAR-RECORDER/COUNTY CLERK
CAMPAIGN FINANCE DISCLOSURE SECTION ROOM 2003
12400 IMPERIAL HIGHWAY
NORWALK, CALIFORNIA 90650
Telephone (562) 462-2339

In some instances, city ordinances also regulate the placement and removal of temporary political signs. Please check with the city clerk or police department of a city before placing such signs within its boundaries.

#### PART 9

### IMPORTANT NOTICE TO CANDIDATES WHO PLAN TO MAIL CAMPAIGN MATERIALS

The U.S. Postal Service can provide assistance for mailing requirements to political candidates and committees. Business Mail Entry Units will explain addressing, sorting, fees and postage. Additionally, they will also review a mailing piece to ensure mailability.

To avoid delays and other delivery problems in your campaign mailings, call:

## CUSTOMER SERVICES U.S. POSTAL SERVICE

ZIP CODE AREAS SERVED	LOCATION OF OFFICE	OFFICE TELEPHONE NUMBER
900XX	LOS ANGELES CITY	(323) 586-2605
902XX - 908XX	LONG BEACH DIST.	(562) 986-7360
910XX – 935XX	VAN NUYS DIST.	(661) 775-6663
917XX – 918XX	SANTA ANA DIST.	(714) 662-6248
926XX - 928		OPTION #4

#### **PART 10**

## INFORMATION FOR INDIVIDUALS, GROUPS AND ORGANIZATIONS DISTRIBUTING APPLICATIONS FOR ABSENTEE BALLOTS

#### **ABSENTEE BALLOT APPLICATION**

#### (a) Before you do anything else, contact your local elections official.

The local elections official can assist you in your absent voter drive. He or she can provide information to ensure that your application format is correct, as well as other important details. Failure to make early contact with the elections official could result in delays or problems which might interfere with your intended goal of enabling people to vote absentee.

If you need assistance or have any further questions concerning use of the absent voter application form, please call Mr. Steve Logan, Head, Document Receipt and Absent Voting Section at (562) 462-2381.

#### (b) Uniform Absentee Voting Application

Pursuant to Elections Code § 3007, the Secretary of State has prepared a uniform application format for an absentee voter ballot for use by all individuals, organizations and groups distributing absent voter applications. Failure to conform your applications with the uniform format is a misdemeanor.

(Elections Code § 18402)

#### (c) Important Information

Some of the important points you need to be aware of in your effort to distribute applications for absentee ballots include:

- (1) In order to ensure accuracy, the voter should fill out all the information on the application himself or herself. The law does, however, permit the following information to be preprinted on the application form prior to distribution to the voter:
  - (a) The voter's name and residence address as they appear on the voter's affidavit of registration;
  - (b) The name and date of the election for which the absentee ballot is being requested; and,
  - (c) The deadline date by which the application must be received by the elections official.
- (2) There is a separate section of the form for the voter to indicate a "mailing address" if he or she receives mail at an address other than his or her residence address. This section of the form may only be completed by the voter (mailing address information may not be printed by the person, group or organization distributing the applications).
- (3) The voter must personally affix his or her signature
- (4) The mailing address to which an absentee ballot is requested to be sent may not be the address of any political party, political campaign headquarters, or a candidate's residence. This provision, of course, does not apply to the candidate or the candidate's immediate family members or housemates who requests that an absentee ballot be mailed to the candidate's residence address.

(5) Any application containing preprinted information shall contain the following statement (verbatim):

You have the legal right to mail or deliver this application directly to the local elections official of the county where you reside.

This statement must be conspicuously printed on the application form.

- (6) The name, address and telephone number of any organization, individual or group which authorizes the distribution of applications shall be printed on the application.
- (7) Any individual, organization or group that distributes applications for absent voter ballots and receives completed application forms back from voters shall deliver the forms to the appropriate elections official within 72 hours of receiving the completed forms. Note that Elections Code § 18576 makes it a misdemeanor to delay the proper return of an absent voter application.
- (8) Any application for an absentee voter ballot which is sent by a group or organization to a voter shall be sent by nonforwardable mail.
- (9) Any individual, group or organization that knowingly distributes any application for an absent voter's ballot which does not conform to the requirements of the absentee voter provision is guilty of a misdemeanor. (Elections Code § 18402)
- (10) Voters who use the absentee ballot applications provided by individuals, groups and organizations must attest to the truth and correctness of the contents of the application and sign the application under penalty of perjury.
- (11) Elections Code § 3006 requires that the absentee ballot application contain information about California's permanent absentee voter provision.

#### (d) Absentee Ballot Application Format

California Elections Code § 3007 requires all individuals, groups and organizations distributing voter ballot applications to use standard format approved by the Secretary of State.

#### APPLICATION FOR AN ABSENTEE BALLOT

To request an absentee ballot, complete the in Elections official no later than <b>APRIL 10, 20</b> 0		tion Form must be received by the	FOR OFFICIAL USE ONLY
1. PRINT NAME:	2. DATE OF BIRT	TH:	
First Name	Middle Name or Initial	Last Name	NOTICE – You have the legal right to mail this form to:
3. RESIDENCE ADDRESS (please print):  Number and Street- as registered (P.O. Bo		(Designate N.S.E.W. if used)	Registrar-Recorder/County Clerk Absent Voters Section P O Box 30450, Los Angeles, CA 90030- 0450 Or deliver to:
City  4. TELEPHONE NUMBER: ( ) (Optional)  5. MAILING ADDRESS FOR BALLOT, IF NOTE: ORGANIZATIONS DISTRIBUTING THIS F  Number and Street/P.O. Box (Designate N.:	ORM MAY NOT PREPRINT MAILING ADD		12400 Imperial Hwy. Norwalk, CA 90650 3 <sup>rd</sup> Floor Room 3002 8am – 5pm (562) 466-1323 FAX: (562) 462-3035  Any Voter wishing to become a Permanent Absent Voter can call our Office at:(562) 462-1323 for further information
City U.S	S. State or Foreign Country	Zip Code	Returning this application to anyone else may
6. THIS APPLICATION FORM WILL NOT BE APPLICANT  I have not applied for, nor do I intend to apply for, an absorperjury under the laws of the State of California that the n and correct.	entee ballot from any other jurisdiction for thi	s election. I certify under penalty of	cause a delay that could interfere with your right or ability to vote.  The format used on this application MUST be used by ALL individuals, organizations, and groups that distribute absentee ballot applications. Failure to conform to this format may result in criminal prosecution. Elec. Code Secs. 3007 & 18402  Under Federal law, election materials are
Date  NARNING Parism is purishable by impris	4 in state united for the state of	Caption 126 of the Calif	available in other languages in Los Angeles County 1-800-581-VOTE.
WARNING: Perjury is punishable by imprisonmen Penal Code)	i in sidie prison for two, three or four ye	ars. (Section 126 of the Camfornia	

 $7. \ \ \textbf{THIS FORM IS PROVIDED BY};$ 

IMPORTANT: ORGANIZATIONS PROVIDING THIS FORM MUST ENTER THEIR NAME, ADDRESS AND TELEPHONE NUMBER

AVAPP5/2004

**NOTE:** The Postal Service will not process absent voter applications prepared by a committee which contains a postage pre-paid permit if it is addressed to the Registrar-Recorder/County Clerk's Office even though the committee uses their own permit number.

If the applications are addressed directly from a computer file of registered voters, please include the voter identification number (9 digits) with the names and street addresses of the voters.

If bar coding or OCR font of the voter identification number is used, submit samples to the Registrar-Recorder/County Clerk's Office for testing.

#### PENALTIES FOR FRAUDULENT ABSENTEE VOTING

#### (a) Voting more than once.

It is a crime to vote more than once in any election.

(Elections Code § 18560)

#### (b) Interfering with the absent voting process.

It is a misdemeanor to willfully interfere with the prompt delivery to the elections official of a completed application for an absentee ballot.

(Elections Code § 18576)

A third party may not (without the voter's authorization) retain a completed application for an absentee ballot for more than 36 hours (excluding weekends and holidays) or beyond the deadline for applying, whichever is earlier.

(Elections Code § 18576)

No one can deny a voter the right to return his or her application for an absentee ballot to the elections official.

(Elections Code § 18576)

It is a crime to interfere with the prompt return of a voted absentee ballot (Elections Code § 18577), or to vote or attempt to vote a fraudulent absentee ballot.

(Elections Code § 18578)

It is a misdemeanor to do any electioneering, or otherwise attempt to influence a voter, at the time he or she is voting an absentee ballot.

(Elections Code § 18371)

Absentee ballot return envelopes are signed under penalty of perjury, a violation of which can result in a prison term.

(Penal Code § 126)

#### (c) Other penalties.

It is a crime to pay, or offer to pay, a person any amount of money or to give them anything of value in exchange their vote for a particular person or issue. Similarly, it is against the law to pay someone to not vote.

(Elections Code §§ 18521, 18522 and 18524)

#### GENERAL CAMPAIGN INFORMATION (Continued)

#### **PART 11**

## INFORMATION ON FEDERAL LAW PROHIBITING FOREIGN NATIONALS FROM MAKING CONTRIBUTIONS OR EXPENDITURES

Federal law prohibits foreign nationals from making contributions or expenditures in connection with any U.S. election (federal, state, or local), either directly or through another person. This prohibition applies to foreign-owned corporations and associations, as well as to foreign governments, political parties and certain individuals and partnerships. Additionally, U.S. candidates for federal, state and local offices are prohibited from accepting contributions from these sources.

The ban on political contributions and expenditures by foreign nationals was first enacted in 1966 as part of the amendments to the Foreign Agents Registration Act (FARA), an "internal security" statute. The goal of the FARA was to minimize foreign intervention in U.S. elections by establishing a series of limitations on foreign nationals. These included registration requirements for the agents of foreign principals and general prohibition on political contributions by foreign nationals. In 1974, the prohibition was incorporated into the Federal Campaign Act which gave the Federal Election Commission (FEC) jurisdiction over its enforcement and interpretation.

If you have any questions on this matter, please call the Federal Election Commission (FEC) in Washington, D.C. at (800) 424-9530 or (202) 219-3420.

Chapter: 2 April 17, 2007



# COUNTY OF LOS ANGELES REGISTRAR-RECORDER/COUNTY CLERK

12400 IMPERIAL HWY. - P.O. BOX 1024, NORWALK, CALIFORNIA 90651-1024/(562) 466-1310

CONNY B. McCORMACK
REGISTRAR-RECORDER/COUNTY CLERK

### **Fee Schedule**

Item	Fee
Boundary Maps - District Congressional, Senate, Assembly & Supervisorial	\$ 0.03 Per Map Plus \$0.75 Handling Fee Per Request.
Certified Copy - Affidavit Or Transcript	\$1.50 For Copy Of Own Registration. \$6.50 Per Copy For All Others. (Public And Authorized)
Campaign Statement Copies	\$0.10 Per Page.
Certification Of Election Documents (Except Affidavits Of Registration)	\$1.75 Per Certified Copy.
I Registered To Vote Stickers	\$2.22 Per Each Batch Of 600 Labels <u>Plus</u> \$9.84 Handling Charge Per Order.
Precincting Book	\$34.00 Per Set.
Precinct Maps – 18" X 24" - Large 18" X 12" - Small	\$2.00 Per Map Page. (Handling Fee Included In Cost)
Precincting G I S Maps 3" X 3 ½"	\$30.00 Each
Polling Place Maps	\$17.00 Small 11" X 17" Each Page. \$26.00 Large – Each Page Varies In Size.
Photocopies (Miscellaneous)	\$0.46 Per Copy
Returned Checks	\$33.00 Each
Search – Voter Registration File	\$5.00 Per Name For Each Year Of Records Searched.
Statement Of Votes Cast (SVC)	\$0.36 Per Page. (Handling Fee Included In Cost)

Chapter: 2 April 17, 2007

Item	Fee
Telefaxing	\$0.04 Per Page Plus \$0.75 Handling Fee.
Customized Wall Maps	\$30.00 Each
Customized District Map With Acetate Overlay Map That Allows Distinction From Original Background Map.	\$48.00 Each
Video Tapes (Personnel Training)	\$10.00 Each
*Compact Disc (CD) Text File Los Angeles County Voter Files	\$146.00 Per File.
*Compact Disc (CD) Text File (Voter/Precinct/Election Information Files)	(Excluding Los Angeles County Voter Files) \$54.00 Per File \$39.00 For Each Additional File
*Index To Voter (Street Index)	Candidates/Committees: \$0.50 Per Thousand Names.
*Voted Index	\$0.10 Per Page Plus \$1.60 Handling Fee Per Request.
*Precinct Rosters (Combined Index-Roster)	\$5.50 Per Roster Or \$0.22 Per Page. (Handling Fee Included In Cost)
*Absent Voter Report	\$0.10 Per Page Plus \$1.60 Handling Fee Per Request.
*Applicant Is Required To Execute Contract With The Regi	strar-Recorder/County Clerk

Chapter: 2 April 17, 2007

# Chapter 3

MULTILINGUAL VOTING
SERVICES

#### **MULTILINGUAL VOTING SERVICES**

#### OVERVIEW OF MULTILINGUAL (ML) VOTER SERVICES PROGRAM

#### **BACKGROUND**

Public Law 102-344 extended the Voting Rights Act of 1965 (VRA) to federally mandate that Los Angeles County provide written and oral election assistance to limited-English, Chinese, Japanese, Korean, Spanish, Tagalog/Filipino and Vietnamese-speaking voters. In January 2000, the Department of Justice further directed this office to *transliterate* the names of



candidates in those languages that do not use Roman Characters. (*Transliteration* is the process of reproducing phonetic sounds as closely as possible from one alphabet or writing system into another.) These languages include Chinese, Japanese and Korean.

#### TRANSLATION OF ELECTION MATERIALS

A language is considered to be covered by the Voting Rights Act (VRA) as mandatory for the County's translated election materials if 1) more than 5% of the citizens of voting age are members of a single language minority and are limited English proficient (LEP) or 2) more than 10, 000 of the citizens of voting age are members of a single language minority and are limited English proficient.

#### MANDATED LANGUAGES

Although the VRA requires a 5% standard for targeting for multilingual services, Los Angeles County has set a 3% standard to provide minority language materials in every election. If the number of eligible voters for a specific language is higher or equal to the 3% criteria, that language qualifies for translation. Languages that fall under the 3% criteria do not qualify for translation. This criteria not only identifies the election district/city areas throughout the county with a cost-effective method of meeting the VRA requirements, but also helps minimize printing/translation costs for election jurisdictions. The six minority languages that are required by Federal mandates in Los Angeles County are Chinese, Japanese, Korean, Spanish, Tagalog/Filipino and Vietnamese.

#### IMPLICATIONS TO CANDIDATE

There are no implications to the candidate because the County will automatically provide *translated sample ballot booklets* to voters who request it two weeks before the election and after they received the English Sample Ballot booklet. However, as noted in the *Candidate Statements* (see page 20 of Section 1) there is a cost for a Spanish translated candidate statement which appears in the <u>English</u> sample ballot booklet. This translation is optional and the candidate needs to make a request for this service and pay for it when he/she files candidate statements with the county elections official.

Chapter: 3 April 17, 2007 OVERVIEW OF MULTILINGUAL (ML) VOTER SERVICES PROGRAM - Cont.

#### TRANSLITERATION OF CANDIDATE NAMES

This department will transliterate your name in Chinese, Japanese and Korean. Candidates will also be permitted to submit their won transliterations for each or all of these languages. A review period will be established to allow candidates to request changes prior to the deadline set to print translated sample ballots. Various minority community groups and news media assist this office by reviewing submitted transliterations to insure uniform name recognition within the community. Once transliterations are considered final, no further changes or submission of transliteration requests will be accepted after the review period. **There will be no exceptions.** 

All candidates will be required to file a transliteration form (see page 25 of Section 2) together with their nomination documents but no later than the last day to file these documents.

#### TRANSLITERATION REVIEW PERIOD

Candidates may review transliteration of their names. Requests for changes must be submitted to the county elections official no later than the last day of the review period. Timeframe: **E-62 through E-60** (subject to change). To schedule a review of your transliterated name, you may call (562) 462-2730 or (562) 462-2832.

#### **MULTILINGUAL VOTER SERVICES**

The ML Voter Services Program includes services such as:

- ♦ Bilingual Assistance Hotline (1-800) 481-8683.
- Upon request, translated election materials are mailed to voters before every election.
- Bilingual assistance at targeted polling places.

Translated copies of the "ML Voter Services" brochures are available at the RR/CC Election Information counter, 2<sup>nd</sup> Floor Room 2013 and online at www.lavote.net

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### TRANSLITERATION FORM

I,		, Candidate for nomination to the office
of		
to be	voted for at the	
agree	as indicated below:	
<u>CHE</u>	CK ONE:	
	I will accept the transliteration Registrar-Recorder/County Clerk in	of my name provided by the Los Angeles County n Chinese, Japanese and Korean.
	of my name provided by the Los A any language not submitted.	or the languages below. I will accept the transliteration ageles County Registrar-Recorder/County Clerk for
	<u>Languages</u>	Name Transliteration
	☐ Chinese:	
	☐ Japanese:	
	☐ Korean:	
reque consi	st changes to transliterations dur	sliterations and review period. I understand that I maying the review period and that transliterations are eadline. I further understand that there will not be an
Cand	idate's Signature	Date
		Candidate Filing #:

Chapter: 3 April 17, 2007

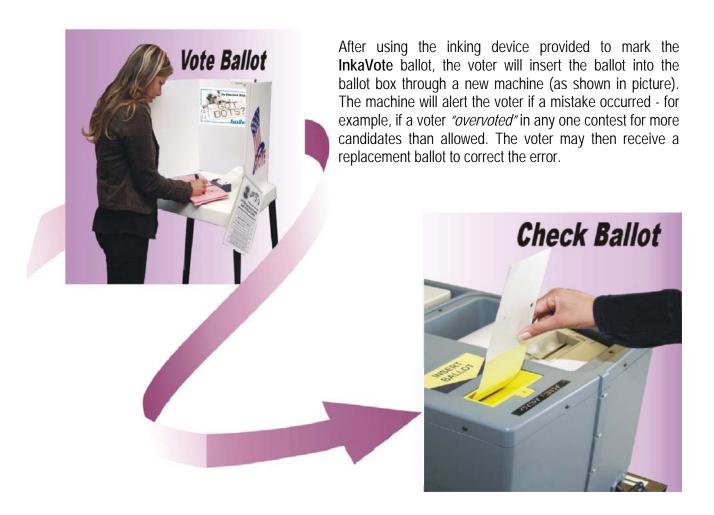
# Chapter 4

**ELECTION DAY** 

#### **ELECTION DAY**

#### **ENHANCED VOTING SYSTEM – INKAVOTE PLUS**

For the April 17, 2007 Arcadia Unified School District Board of Education Election, voters will be using the InkaVote Plus voting system at all voting precincts on election day. InkaVote Plus enhances the existing InkaVote optical scan system. The enhanced system allows disabled voters, including those who are blind and visually impaired, to cast a ballot privately and independently using an audio headset. Additionally, the InkaVote Plus system will provide all voters with the opportunity to have their ballots reviewed for errors prior to casting their votes.



# Chapter 5

ELECTION CONTESTS/RECOUNTS

#### **ELECTION CONTESTS/ RECOUNTS**

#### **Timing of Recount Request**

The request must be filed within five (5) calendar days after the complete of the official canvass. The canvass is complete when the elections official signs the Certification of the Election Results.

(E.C. § 15620)

#### Format of request

The request must be submitted in writing.

(E.C. § 15620)

Must specify the contest to be recounted.

(E.C. § 15620)

 Must state on behalf of which candidate, slate of electors, or position on a measure (affirmative or negative) it is filed.

(E.C. § 15620)

May specify the order in which precincts shall be counted.

(E.C. § 15622)

• May specify the method of counting to be used (computer, manual or both).

(E.C. § 15627)

• May specify any other relevant material to be examined.

(E.C. § 15630)

• For statewide contests, may specify in which county or counties the recount is sought.

(E.C. § 15621)

#### Place of filing

• With the county elections official responsible for conducting the election, if the contest is not voted upon statewide.

(E.C. § 15620)

Chapter: 5 April 17, 2007

#### Place of Filing (Continued)

 If election is conducted in more than one county, the request may be filed with the county elections official of, and the recount conducted within, any or all of the affected counties.

(E.C. § 15620)

• With the Secretary of State if the contest is voted upon statewide.

(E.C. § 15621)

• With the City Clerk if it is a city election (or if the city has not consolidated with the county).

(E.C. § 15620)

#### **Notice of recount**

A notice stating the date and place of the recount will be posted by the elections official at least one day prior to the recount and the following persons will be notified in person or by telegram:

(E.C. § 15628)

All candidates for the office being recounted.

Proponents of any initiative or referendum or persons filing ballot arguments for or against any initiative, referendum or measure to be recounted.

#### Process of recount

• The recount is open to the public.

(E.C. § 15629)

Recount shall start no later than seven calendar days following the receipt
of the request by the elections official and shall be continued daily except
for Saturdays, Sundays, and holidays, for not less than six hours each day
until completed.

(E.C. § 15626)

 A manual recount must be conducted under the supervision of the elections official by recount boards, consisting of four voters of the county, appointed by the elections official.

(E.C. § 15625)

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#### Result of Recount

 The results of a recount are declared null and void unless every vote in which the contest appeared is recounted.

(E.C. § 15632)

 Upon completion of a recount, if a different candidate, slate of electors, or position on a measure receives a plurality of votes, the results of the official canvass will be changed and the election results re-certified.

(E.C. § 15632)

 A copy of the results of any recount conducted shall be posted conspicuously in the office of the elections official.

(E.C. § 15633)

#### **Cost and payment**

• The elections official shall determine the amount of deposit necessary to cover costs of the recount for each day.

(E.C. § 15624)

 The voter filing the request for recount must deposit, before the recount commences and at the beginning of each day following, such sums as required by the elections official to cover the cost of the recount for that day.

(E.C. § 15624)

• If upon completion of the recount the results are reversed, the deposit shall be returned.

(E.C. § 15624)

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### 

JANUARY								
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