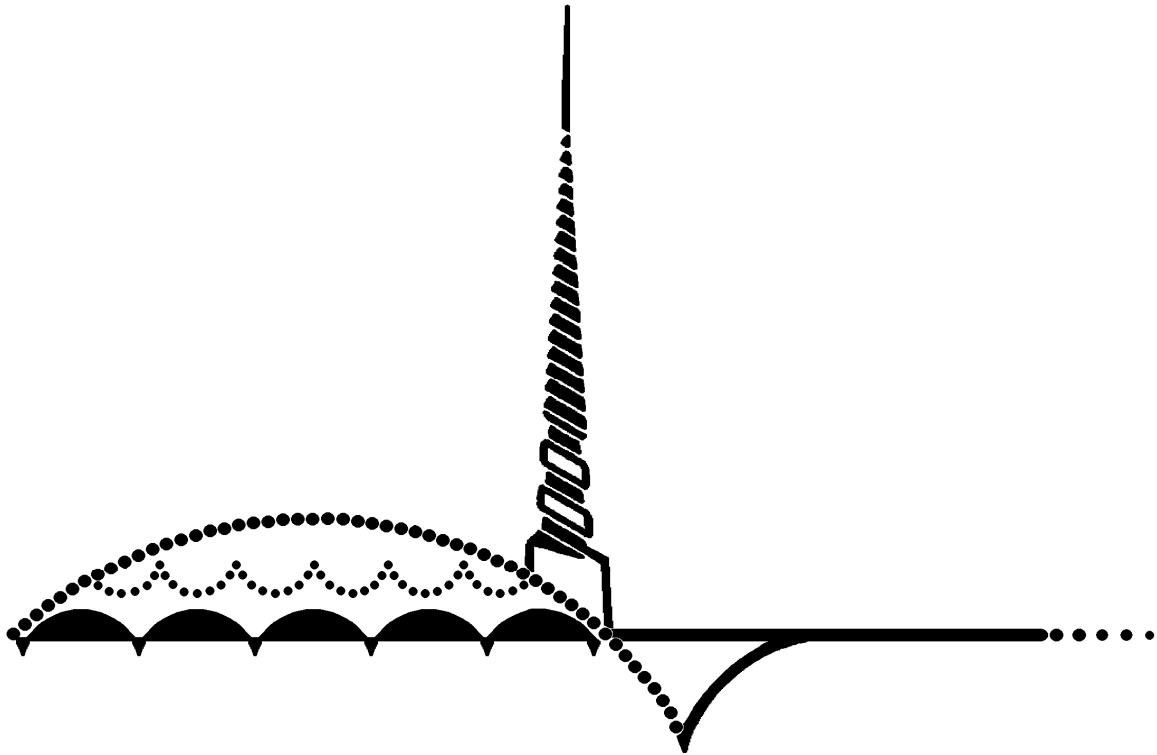


2011

CANDIDATES' GUIDELINES



Uniform District Election

November 8, 2011

PREPARED AND DISTRIBUTED
BY
THE STAFF OF THE
MARIN COUNTY REGISTRAR OF VOTERS

March 18, 2011

Dear Candidate:

The purpose of this handbook is to help guide you through the forms, fees, deadline dates and laws that you will encounter as a candidate for public office. While this handbook is intended to be as informative as possible, it is general information only and not to be used as a substitute for legal counsel. Registrar of Voters' employees are not permitted to answer questions of a legal nature. If you have legal questions about the nominations or election process, we advise you to consult an attorney.

Please file early. The filing deadlines are rigid and if one waits until the last moment to file a document containing errors or omissions, one's right to appear on the ballot may be lost. Most errors can be corrected given adequate time.

The laws surrounding raising funds, and the expenditure and reporting of campaign contributions, are continually changing. If you have any questions, you may call our Elections Office at 499-6437, or you may want to call the following State Offices in Sacramento:

Fair Political Practices Commission (Toll Free) 1-866-275-3772
www.fppc.ca.gov

Secretary of State Elections Division (916) 657-2166
www.ss.ca.gov

We hope you find this handbook useful. If you have any suggestions for improving it or have identified corrections to be made, please call Judy Arbini at (415) 499-6442.

Please call or visit our Elections staff for any assistance they may be able to provide. Our office hours are Monday through Friday, 8:00 a.m. to 4:30 p.m. Elections information is also available on our web page at <http://www.marinvotes.org>.

Sincerely,

ELAINE GINNOLD
Marin County Registrar of Voters

Registrar of Voters
P.O. Box E, San Rafael, CA 94913
3501 Civic Center Drive, Room 121
415-499-6456 FAX 415-499-6447

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MARIN COUNTY REGISTRAR OF VOTERS
CALENDAR OF IMPORTANT DATES FOR NOVEMBER 8, 2011
UNIFORM DISTRICT ELECTION

DATES	DOCUMENTS	APPLIES TO
July 18-Aug 12 (E-113-E-88)	<u>Nominations period</u> . Obtain and file nominations papers (Declaration of Candidacy, statement of qualifications, etc.) <i>pay filing fee when obtain papers.</i>	All candidates
Aug 12-Aug 17 (E-88-E-83)	<u>Nominations period – 5 day extension</u>	Applies only if incumbent did not file nominations papers by August 12.
Aug 13- Aug 22 (E-87-E-78)	10-day examination period for candidates' statements	For candidates' statements filed during nominations period. (CA Elections Code Sec. 13313-14)
Aug 15 (E-85)	Last day for candidates to withdraw statement of qualifications	Applies to candidates who filed by August 12.
Aug 18- Aug 27 (E-82-E-73)	10-day examination period for candidates' statements	For candidates' statements filed during extended period. (CA Elections Code Sec. 13313-14)
Aug 18 (E-82)	Last day for candidates to withdraw statement of qualifications	Applies to candidates who filed during extended period.
Aug 18 (E-82)	Random Alphabet drawing by Secretary of State	Determines order of candidates' names on ballot
Aug 23 (E-77)	Last day to file a petition forcing a contest on the ballot.	Only for contests with unopposed or insufficient candidates
Sept 12-Oct 25 (E-57-E-14)	Write-in candidates obtain and file nominations papers	Write-in candidates only
Sept 9 (E-60)	First day to mail ballots to overseas and military voters	Overseas and military voters
Sept 29 (E-40)	Deadline to file 1 st pre-election campaign expense report in person or by overnight mail.	From last statement to 9/24/2011
Sept 29 (E-40)	First day to mail sample ballot and voter information pamphlets	All registered voters
Oct 10 E-29	Deadline to request precinct indexes and mailing labels for delivery before election	

Oct 10 (E-29)	First day to mail ballots and first day of voting at the Registrar of Voters' Office.	Applies to any voter who wants to vote at the elections office or applies to vote by mail.
Oct 24 (E-15)	Deadline to register to vote in the November 8, 2011 election	
Oct 27 (E-12)	Deadline to file 2 nd pre-election campaign expense report in person or by overnight mail	From last report to 10/22/2011
Nov 1 (E-7)	Last day ROV can receive application for a vote-by mail ballot from US mail	
Nov 2-Nov 8 (E-6-E-0)	Vote in person at the election office or authorize in writing a representative to pick up a ballot	Voters unable to go to the polls on Election Day.
Nov 8	Election day	Polls open from 7:00 a.m. to 8:00 p.m.
Nov 17 (E+9)	Random selection of precincts for 1% manual tally	9:30 a.m. at Registrar of Voter's Office

Asterisks: When the starting or ending dates of a time period fall on a Saturday, Sunday or a holiday, the deadline is moved forward to the next business day. Dates moved forward are shown with an asterisk.

Rev. 1/7/2011

SECTION I

NOVEMBER 8, 2011

UNIFORM DISTRICT ELECTION

FILING PERIOD – JULY 18, 2011 – AUGUST 12, 2011

ELECTIVE OFFICES TO BE FILLED

DISTRICTS:

	<u>NUMBER OF VACANCIES*</u>	
	<u>Regular Term</u>	<u>Short Term</u>
<u>COMMUNITY SERVICES</u>		
Bel Marin Keys	. . . . . 3	
Marin City	. . . . . 2	+ 2
Marinwood	. . . . . 3	
Muir Beach	. . . . . 2	
Tamalpais	. . . . . 3	+ 1
Tomales	. . . . . 2	
<u>FIRE PROTECTION</u>		
Kentfield	. . . . . 2	
Novato	. . . . . 3	
Sleepy Hollow	. . . . . 2	
Southern Marin County	. . . . . 3	
Stinson Beach	. . . . . 3	
Tiburon	. . . . . 2	
<u>PUBLIC UTILITY</u>		
Bolinas Community	. . . . . 2	
Inverness	. . . . . 3	

*Number of Vacancies as of March 2011 Roster of Public Agencies.

NUMBER OF VACANCIES

<u>SANITARY</u>					<u>Regular Term</u>		<u>Short Term</u>
Alto	.	.	.	.	3		
Homestead Valley	.	.	.	.	3		
Las Gallinas Valley	.	.	.	.	2		
Novato	.	.	.	.	2		
Richardson Bay	.	.	.	.	2		
Sausalito-Marín City	2	+	1
District No. 5 – Tiburon	3		

COUNTY WATER

North Marin Water **	3		
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SCHOOLS:

					<u>Regular Term</u>		<u>Short Term</u>
County Board of Education:							
Trustee Area No. 1	1		
Trustee Area No. 2	.	.	.	.	1		
Trustee Area No. 4	.	.	.	.	1		
Trustee Area No. 7	.	.	.	.	1		
Dixie	.	.	.	.	2		
Kentfield	.	.	.	.	2		
Laguna Joint ***	.	.	.	.	1		
Lagunitas	.	.	.	.	2		
Larkspur	.	.	.	.	2	+	2
Lincoln	.	.	.	.	1		
Marin Community College	.	.	.	.	4		

* Number of Vacancies as of March 2011 Roster of Public Agencies.

** Papers issued **ONLY** by Marin County. Sonoma voters **MUST** file in Marin County.

*** Papers issued in county where voter resides (Marin or Sonoma).

						<u>NUMBER OF VACANCIES*</u>	
						<u>Regular Term</u>	<u>Short Term</u>
Mill Valley	.	.	.	.	.	2	
Nicasio	.	.	.	.	.	1	
Novato Unified	.	.	.	.	.	4	
Reed Union	.	.	.	.	.	2	
Ross	.	.	.	.	.	2	
Ross Valley	.	.	.	.	.	3	
San Rafael **	.	.	.	.	.	3	
Shoreline Unified:							
Trustee Area No. 1	.	.	.	.	.	1	
Trustee Area No. 2	.	.	.	.	.	1	
Trustee Area No. 3	.	.	.	.	.	2	
Tamalpais Union High	.	.	.	.	.	2	
Union Joint ***	.	.	.	.	.	1	

CITIES/TOWNS

	<u>NUMBER OF VACANCIES</u>
	<u>Regular Term</u>
Corte Madera **	2
Fairfax **	4 (2 councilmembers, 1 town clerk, 1 treasurer)
Larkspur **	2
Mill Valley **	3
Novato **	3
San Anselmo **	4 (2 councilmembers, 1 town clerk, 1 treasurer)
San Rafael **	5 (2 councilmembers, 1 city clerk, 1 mayor, 1 city attorney)
Tiburon **	2

* Number of Vacancies as of March 2011 Roster of Public Agencies.

** Papers issued **ONLY** by City or Town Clerk.

*** Papers issued in county where voter resides (Marin or Sonoma).

INFORMATION ON HOW TO BECOME A CANDIDATE

Qualifications of a candidate for elective office

School district candidates (Ed Code §35107; §72103):

- Registered voter in California
- Resident of the school district
- In addition, candidates for the County Board of Education cannot be the County Superintendent of Schools, any member of his/her staff, or any employee of a school district. (Ed. Code §1006)

Special District candidates:

- Registered voter in the district
- Any additional qualifications are determined by the principal act of the district.

Nomination Documents – when and where to file

Nomination documents are documents that candidates must file with the election official in order to be a candidate on the ballot for the upcoming election. The main document is called the “Declaration of Candidacy”.

Nomination documents for school and special district candidates must be obtained and filed with the Registrar of Voters between July 18 and August 12, 2011 for the November 8, 2011 election ballot. (EC§10510)(a)

A person shall not file nomination papers for more than one district office or term of office for the same district at the same election. (EC§10510)(b)

The Registrar of Voters office is located at 3501 Civic Center Drive, Room 121, San Rafael. The office is open from 8:00 a.m. to 4:30 p.m. Monday through Friday. On Friday, August 12th the office will be open until 5:00 p.m.

Nomination documents for city offices are available in the respective city clerks’ offices.

Nomination Documents - Declaration of Candidacy form

Candidates must declare their candidacy for a specific office on the *Declaration of Candidacy Form*. In addition to the candidate’s name, residence, business and mailing addresses, phone number, the following information is required on the form. (EC§10511)

○ **Candidate’s name as it should appear on the ballot**

A candidate may use a nickname, in addition to his legal name, provided his candidacy has been declared under such name on the Declaration of Candidacy. (A.G. Ops. 50-87, 5/27/80)

No title or degree shall appear on the same line on a ballot as a candidate’s name, either before or after the candidate’s name in the case of any election to any office. (EC§13106)

- **Candidate’s occupational designation for the ballot - no more than 3 words that tell voters how a candidate earns his/her living**

A candidate may choose a 3-word occupational designation for the ballot. A guide for selecting ballot designations pursuant to EC§13107 is in Appendix A of this booklet.

- **Oath that the candidate will accept the office and serve to the best of his/her ability.**

Code of Fair Campaign Practices

This is an optional form, which candidates may sign and submit with the Declaration of Candidacy.

Filing the Declaration of Candidacy form

Candidates for school and special district offices must file their Declaration of Candidacy form in the Registrar of Voters’ office from July 18 through August 12 by 5:00 p.m. (EC§10510)(a)

The forms for school and special district candidates may also be filed by certified mail so that the forms reach the Registrar of Voters’ Office by the filing deadline. (EC§10510)(a)

Candidates for city offices file in the City Clerk’s office.

Filing fees/nomination signatures

No filing fees or nomination signatures are required for candidates for school and special district offices. Cities may have filing fees that are set by ordinance and they require a minimum of 20, and no more than 30, nomination signatures. (EC§§10220 and 10228)

Extension of the filing period if incumbent does not file

If, by 5:00 p.m. on the last day for filing (88th day before the election), one or more of the incumbents have not filed, then the nominations period is extended to 5:00 p.m. on the following Wednesday, (83rd day before the election) for non-incumbents only. (EC§10516)(a)

However, this section of the law is not applicable if there is no incumbent to be elected. (EC§10516)(b)

Insufficient number of candidates for an election contest -Appointment of Candidates

School Districts

If the number of candidates who have filed is less than the number of offices to be filled within a particular school district, an election will not be held and the qualified candidate or candidates shall be seated at the organizational meeting of the board (Ed. Code §5326; §5328).

If no person has been nominated, or an insufficient number is nominated resulting in a vacancy for the office, the governing board of the school district shall appoint any qualified person (or persons) at a meeting **held prior** to the day **fixed for the election**. Such appointees shall be seated at the first organizational meeting of the board after the election. The appointees shall serve as if elected at a district election. (Ed. Code §5328)

The governing board of the school district shall publish a notice of the vacancy once in a newspaper of general circulation published in the district, or if no such newspaper is published in the district, in a newspaper having general circulation in the district, stating that the board intends to make an appointment and informing persons of the procedure available for applying for the office. (Ed. Code §5328.5)

Special Districts

If the number of candidates who have filed for an office is less than the number of offices to be filled within a particular district, an election will not be held and the Registrar of Voters shall request the Board of Supervisors to appoint the candidates who have been nominated.

If no person has been nominated, resulting in a vacancy for the office, the Board of Supervisors shall appoint a qualified person. Appointees shall qualify and take office and serve exactly as if elected at a General District Election. (EC§10515)

Cities

If the number of candidates is less than the number of offices to be filled, the City may:

- (1) Appoint to the office the person who has been nominated;
 - (2) Appoint any eligible elector if no one has been nominated;
 - (3) Hold the election, if either no one, or only one person has been nominated.
- (EC§10229)

Death of a Candidate

Whenever a candidate has filed a declaration of candidacy, and the candidate's declaration of candidacy has been certified as sufficient pursuant to Section 10513, the name of the candidate shall be printed upon the ballot unless the candidate has died and that fact has been ascertained by the officer charged with the duty of printing the ballots, at least 68 days before the day of the election. (If a candidate who has been certified for the ballot dies after the 68th day before the election and that fact has been ascertained by the election official, the name of the candidate shall remain on the ballot.) (EC§10529)

Ballot order of names

On August 18, 2011, the Secretary of State will conduct a drawing of the letters of the alphabet at 11:00 a.m. The resulting randomized alphabet will be the basis for determining the order of all candidates in all elections. Each candidate will be placed on the ballot in the order that each of the letters of his/her surname was drawn in the drawing. For example, the placement of candidates with the surnames of Campbell and Carlson will depend on the order in which the letters M and R were drawn. (EC§13112)

When candidates take office

All candidates elected at any election may take office only after the election is certified and they have taken their oaths of office.

After the election has been certified, candidates take office as follows:

Candidates elected to full terms of office:

School and district candidates elected to full terms take office on the first Friday in December (December 2, 2011).

Candidates elected or appointed to short terms of office:

School or district candidates elected or appointed to short terms take office at the next regularly scheduled board meeting following certification of the election.

The Registrar of Voters will forward the oaths of office to the superintendent of schools and to the district managers, who will arrange to administer them on or before the date that the elected candidates take office.

Examples of the Declaration of Candidacy, Ballot Designation Worksheet and Code of Fair Campaign Practices follow:

Official Filing Form

(Official Use Only)

ELAINE GINNOLD
Registrar of Voters

Declaration Of Candidacy

For **NONPARTISAN** Office
(Elections Code §§ 200, 8040)

By _____
Deputy
Date Issued: _____

I hereby declare myself a candidate for election to the office of «OfficeTitle», «DistrictName», to be voted for at the «ElectionDesc» to be held on «ElectionDate», and declare the following to be true: **Contest ID: «ContestID»**

My name is «CandFullName»: **Candidate ID: «CandidateID»**

I request my name and occupational designation to appear on the ballot as follows:

«CandFullName»

Candidate initials:

NAME AS IT IS TO APPEAR ON BALLOT
«BallotDesignation»

DESIGNATION TO APPEAR BELOW NAME ON BALLOT

Note: A ballot designation is optional. If no ballot designation is requested, enter the word "NONE".

Residence Address: «ResidenceAddr1» _____

«ResidenceAddr2» _____
City State Zip Code

Mailing Address: «MailAddr1» _____

«MailAddr2» _____
City State Zip Code

Telephone: «Phone» _____ «AltPhone» _____
Area Code Daytime Area Code Evening

FAX and E-Mail: «FaxNo» _____ «EmailAddress» _____
Area Code FAX E-Mail

I do **NOT** elect to file a statement of qualifications as permitted by Elections Code Sections 13307-13312.

Candidate: Sign here only if you do **NOT** choose to file a statement.

I meet the statutory and constitutional qualifications for this office (including but not limited to citizenship, residency, and party affiliation, if required). I am at present an incumbent of the following public office (if any): _____

IMPORTANT: BACK SIDE OF PAGE MUST BE COMPLETED

All code section references are to the California Elections Code unless stated otherwise.

SOS DC.2 11/9

If nominated/elected I will accept the office and not withdraw.

_____ Date _____ Signature of Candidate
State of California
County of Marin } ss.

Subscribed and sworn to before me this _____ day of _____.

Notary Public (or other official)

Examined and certified by me this _____ day of _____.

ELAINE GINNOLD By _____
Registrar of Voters Deputy

WARNING: Every person acting on behalf of a candidate is guilty of a misdemeanor who deliberately fails to file at the proper time and in the proper place any declaration of candidacy in his/her possession which is entitled to be filed under the provisions of Elections Code section 18202.

Oath of Office

I, «CandFullName», do solemnly swear (or affirm) that I will support and defend the Constitution of the United States and the Constitution of the State of California against all enemies, foreign and domestic; that I will bear true faith and allegiance to the Constitution of the United States and the Constitution of the State of California; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties upon which I am about to enter.

Signature of Candidate
State of California
County of Marin } ss.

Subscribed and sworn to before me this _____ day of _____.

Notary Public (or other official)

Examined and certified by me this _____ day of _____.

ELAINE GINNOLD By _____
Registrar of Voters Deputy

BALLOT DESIGNATION WORKSHEET

Name of Candidate: _____

Office Sought: _____

Daytime Telephone Number: _____ Evening: _____

FAX Number: _____ E-Mail Address: _____

Name of Attorney (or other person authorized to act in your behalf) _____

Telephone Number: _____

FAX Number: _____ E-Mail Address: _____

PROPOSED BALLOT DESIGNATION: _____

1st Alternative:

2nd Alternative:

Describe what you do and why you believe you are entitled to use the requested ballot designation. If using the title of an elective office, you may submit a copy of your certificate of election or appointment.

Your Job Title: _____

Dates in Position: _____

Name of Employer or Business: _____

Person(s) who can verify this information:

Name(s): _____

Telephone Number(s): _____

To the best of my knowledge and belief, the above-requested ballot designation(s) represent my true principal profession(s), vocation(s), and/or occupation(s) that I am entitled to use as my ballot designations pursuant to §13107 of the California Elections Code.

Signature _____

Signed this _____ day of _____, 2011, in _____
(Location)

You may attached any documents or exhibits that you believe support your proposed ballot designation. These documents will not be returned to you, so **do not submit originals.**

PROVISIONS OF THE CODE OF FAIR CAMPAIGN PRACTICES

As found in Chapter 5 of Division 20 of the
California Elections Code

Chapter 5. Fair Campaign Practices

Article 1. General Intent

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

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

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

Article 2. Definitions

20420. As used in this chapter, “Code” means the Code of Fair Campaign Practices.

Article 3. Code of Fair Campaign Practices

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

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

The text of the code shall read, as follows: (see reverse side)

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

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

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

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

CODE OF FAIR CAMPAIGN PRACTICES

There are basic principles of decency, honesty, and fair play which every candidate for public office in the State of California has a moral obligation to observe and uphold, in order that, after vigorously contested, but fairly conducted campaigns, our citizens may exercise their constitutional right to a free and untrammelled choice and the will of the people may be fully and clearly expressed on the issues.

THEREFORE:

- (1) I SHALL CONDUCT my campaign openly and publicly, discussing the issues as I see them, presenting my record and policies with sincerity and frankness, and criticizing without fear or favor the record and policies of my opponents or political parties which merit such criticism.
- (2) I SHALL NOT USE OR PERMIT the use of character defamation, whispering campaigns, libel, slander, or scurrilous attacks on any candidate or his or her personal or family life.
- (3) I SHALL NOT USE OR PERMIT any appeal to negative prejudice based on race, sex, religion, national origin, physical health status, or age.
- (4) I SHALL NOT USE OR PERMIT any dishonest or unethical practice which tends to corrupt or undermine our American system of free elections, or which hampers or prevents the full and free expression of the will of the voters including acts intended to hinder or prevent any eligible person from registering to vote, enrolling to vote, or voting.
- (5) I SHALL NOT coerce election help or campaign contributions for myself or for any other candidate from my employees.
- (6) I SHALL IMMEDIATELY AND PUBLICLY REPUDIATE support deriving from an individual or group which resorts, on behalf of my candidacy or in opposition to that of my opponent, to the methods and tactics which I condemn. I shall accept responsibility to take firm action against any subordinate who violates any provision of this code or the laws governing elections.
- (7) I SHALL DEFEND AND UPHOLD the right of every qualified American voter to full and equal participation in the electoral process.

I, the undersigned, candidate for election to public office in the State of California or treasurer or chairperson of a committee making any independent expenditures, hereby voluntarily endorse, subscribe to, and solemnly pledge myself to conduct my campaign in accordance with the above principles and practices.

Candidate: «CandFullName»
Contest ID: «ContestID»
Candidate ID: «CandidateID»
Office sought: «OfficeTitle»
District: «DistrictName»
Election: «ElectionDesc» to be held on «ElectionDate»
County: «CountyName» County

Signature: _____

Date _____

CANDIDATE'S STATEMENT

Definition of Candidate's Statement

Candidates' statements are statements of education and qualifications written by candidates for non-partisan offices for publication in the Voter Information Pamphlet. Candidates' statements are optional. They are confidential until the close of the nominations period, which is 5:00 p.m. on the 88th day before the election.

Submission and withdrawal of statement

The Candidate's statement must be submitted at the time that the candidate files his/her Declaration of Candidacy. The statement can be withdrawn, but not changed during the nominations period, up until 5:00 p.m. on the next working day after the close of the nominations period. Withdrawal of statements must be in writing.

Cost of Statement

There is a cost for printing a candidate's statement in the sample ballot. The cost, which must be paid at the time that the statement is filed, depends on the size of the district and in some cases is paid for by the district. If a candidate wishes to have a Spanish translation of the Statement, costs will be double, plus a translation fee. Costs of the candidates' statements are listed by district in the cost section of this booklet. If a candidate is unable to pay for his/her candidate's statement, he/she should call the Registrar of Voters for information about indigency procedures.

Requirements for word limit and content

The statement can be no more than 200 words and is a brief summary of the candidate's qualifications for the office. It shall not include the candidate's political party affiliation or his/her membership in any partisan organization.

Formatting requirements

Statements will not be accepted unless they are typed in the required format and submitted on or with the *Candidate's Statement of Qualifications Form* provided by the Registrar of Voters' office. This form is part of your election packet distributed with your Declaration of Candidacy. Your statement can be typed on a personal computer and a copy attached to the form. *See detailed formatting requirements for candidates' statements and a sample of the Candidate's Statement of Qualifications Form following this page.*

CANDIDATE'S STATEMENT FORMATTING REQUIREMENTS

THE CANDIDATE'S STATEMENT ON THE FOLLOWING PAGE,
MUST BE TYPED ON A FORM PROVIDED BY THE REGISTRAR OF VOTERS OR ON A
WORD PROCESSOR AND ATTACHED TO OUR FORM.
IT WILL APPEAR ON THE SAMPLE BALLOT AS FOLLOWS:

**STATEMENT OF CANDIDATE FOR
MEMBER OF CITY COUNCIL
City of Candidate**

JOHN/JANE DOE

AGE: 21

Occupation: Manager

Education and Qualifications: I can bring to the office a diversity of viewpoints and experience. Born and raised in the San Francisco area, with my family still farming, I can appreciate the concerns of the environmentalists. On the other hand, having been in business since my undergraduate days at college, and with my experience in the rental and real estate field, I appreciate the practical housing choices and frustrations with high rental cost.

As a Member of the City Council, I would balance the narrow spectrum of views that have dominated the Council the past four years. I advocate a program to protect our neighborhoods from increasing overcrowding and visual blight.

THE STATEMENT WILL BE SPACED INTO A SQUARE 5-12" X 3-3/4" OR ¼ OF A PAGE. The word count (200 words) commences after "Education and Qualifications".

No special marks such as underlining, stars, dots/bullets, italics, bold type or all capital letters will be accepted. Candidate Statements are to be in block form as explained on the following page. Any listing or outline form on the statement will be reformatted by the Elections Department. If the statement exceeds the space limit mentioned above, you will be contacted to reformat the statement.

Persons who have filed Candidate Statements will receive a full refund if that district's race does not appear on the ballot due to insufficient filings.

Preparation of the Candidate's Statement

Shown below is a facsimile of a full-size 8-1/2" x 15" Candidate's Statement form. Note that the top portion contains information as to the number of words allowed and the cost of printing and mailing your statement. This portion of the form is to be completed by our office. The statement shown has been typed, double spaced, in block paragraph form, and the candidate has requested a translation of his/her statement pursuant to Elections Code Section 13307. If additional space is required, the remainder of your statement should be typed on a separate sheet of paper, double-spaced, in BLOCK paragraph form. If you wish, you may type the entire statement on a separate sheet of paper.

<p>CANDIDATE'S STATEMENT OF QUALIFICATIONS</p> <p>Candidate for _____ <small>(Title of Office Sought)</small></p> <p>of the _____ <small>(Name of Local Agency, City, County or District)</small></p> <p>at the _____ <small>(Title of Election)</small></p> <p>election to be held _____, _____ <small>(Date of Election) (Year)</small></p> <p>I submit the following statement:</p> <p>NOTICE TO CANDIDATE: This statement may include your age, occupation and a brief description of not more than 200 words for your education and qualifications. All statements will be printed in a style determined by the governing body conducting the election. PLEASE TYPE, in upper and lower case. Your statement will be printed exactly as submitted by you: check carefully for errors in spelling, punctuation and grammar before filing.</p>	<p>ELECTION OFFICER: FILL IN BLANKS MARKED BY STARS BEFORE RELEASING FORM. DISTRIBUTE COPIES OF SUBMITTED FORM AS INDICATED AT BOTTOM</p> <div style="border: 1px solid black; padding: 5px; margin-top: 10px;"> <p>INSTRUCTIONS TO CANDIDATE</p> <ol style="list-style-type: none"> 1. Carefully read the notice below. 2. PLEASE TYPE your statement. What you submit is the printer's copy. Be sure that the second copy of this form is clear and legible, and shows all corrections. 3. Return the complete set to the officer conducting the election, either with nomination papers or if none, no later than 88 days before the election. See back of form for runoff or general following a primary. <hr style="border: 0; border-top: 1px solid black; margin: 5px 0;"/> <p>The governing body conducting this election has determined that the cost of the statement is the responsibility of the _____.* The estimated cost of printing and mailing the following statement is \$ _____.*</p> </div>
<p>Name: JOHN/JANE DOE AGE: 21 (Optional)</p> <p>Occupation: Manager (Optional) (May be more descriptive than what will appear on the ballot)</p> <p>Education and Qualifications: (Statement and word count start here – please type) I can bring to the office a diversity of viewpoints and experience. Born and raised in the San Francisco area, with my family still farming, I can appreciate the concerns of the environmentalists. On the other hand, having been in business since my undergraduate days at college, and with my experience in the rental and real estate field, I appreciate the practical housing choices and frustrations with high rental cost.</p> <p>As a Member of the City Council, I would balance the narrow spectrum of views that have dominated the Council the past four years. I advocate a program to protect our neighborhoods from increasing overcrowding and visual blight.</p> <p>If additional space is required, attach a supplemental sheet and be sure to sign that sheet, also.</p>	
<p><input type="checkbox"/> I do not wish to file a statement. Candidate: Confer with officer conducting election regarding jurisdiction's requirements under the Federal Voting Rights Act. If your jurisdiction is <u>not</u> covered, you have this option:</p> <p style="text-align: center;"><input type="checkbox"/> I wish to have my statement translated and printed in Spanish in addition to English, with the understanding that I will pay the actual cost incurred.</p> <p><input type="checkbox"/> PURSUANT TO SECTIONS 13307, 13308, ELECTIONS CODE, I state that I prepared the above statement which is to be printed in a voter's pamphlet and mailed to each registered voter of my district. I further state that if the cost of printing is the responsibility of the candidate, I will pay for my prorated cost of the statement at such time as instructed by the officer conducting the election.</p> <p><input type="checkbox"/> I am indigent and unable to pay for my prorated costs in advance. Attached is a financial statement pursuant to Elections Code Section 13309 and a release authorizing you to obtain a copy of my most recent federal income tax form. I certify under penalty of perjury under the laws of the State of California that the financial statement is true and correct.</p>	
<p>_____ (Print Name as Signed) _____ (Signature of Candidate)</p> <p>_____ (Address of Candidate) _____ Dated _____</p>	

Word count standards

Counting of words. (EC9)

- (a) Counting of words, for purposes of this code, shall be as follows:
 - (1) Punctuation is not counted.
 - (2) Each word shall be counted as one word except as specified in this section.
 - (3) All geographical names shall be considered as one word; for example, “City and County of San Francisco” shall be counted as one word.
 - (4) Each abbreviation for a word, phrase, or expression shall be counted as one word.
 - (5) Hyphenated words that appear in any generally available standard reference dictionary, published in the United States at any time within the 10 calendar years immediately preceding the election for which the words are counted, shall be considered as one word. Each part of all other hyphenated words shall be counted as a separated word.
 - (6) Dates consisting of a combination of words and digits shall be counted as two words. Dates consisting only of a combination of digits shall be counted as one word.
 - (7) Any number consisting of a digit or digits shall be considered as one word. Any number which is spelled, such as “one,” shall be considered as a separate word or words. “One” shall be counted as one word whereas “one hundred” shall be counted as two words. “100” shall be counted as one word.
 - (8) Telephone numbers shall be counted as one word.
 - (9) Internet web site addresses shall be counted as one word.
- (b) This section shall not apply to counting words for ballot designations under Section 13107.

Some examples follow:

attorney-at-law	1
higher-education	2
twenty-nine	1
11-7-07	1
June 2, 2007	2
Terra Linda	1
Lydia Fleming	2
Southern California	2
Bay Area	2
Pacific Rim	2
University of San Francisco	4
Sir Francis Drake High School	5
Tamalpais Union High School District	1
City and County of San Francisco	1
Marin County Board of Education	4
Marin County	1
League of Women Voters	4
County Teachers Association	3
California Coastal Commission	3

100	1
One hundred	2
S.F.S.U., CPA, etc.	1
Black Point	2
Santa Venetia	1
Sleepy Hollow	1
San Quentin	1
San Rafael	1

SECTION II

CAMPAIGN FINANCE: FILING REQUIREMENTS FOR ALL CANDIDATES

THE FOLLOWING MAY NOT APPLY TO PRIMARILY FORMED AND BALLOT MEASURE COMMITTEES. CONTACT THE ELECTIONS DEPARTMENT FOR DETAILS.

ALL CAMPAIGN FORMS ARE CONSIDERED PUBLIC DOCUMENTS.

NOTE

ALL FORMS ARE AVAILABLE FOR DOWNLOADING AT

<http://www.fppc.ca.gov/>

IMPORTANT CONTACT INFORMATION

MARIN COUNTY REGISTRAR OF VOTERS

3501 Civic Center Dr, Room 121, San Rafael, CA
Phone: 415-499-6437
Mailing address: PO Box E, San Rafael, 94913
Fax: 415-499-6447
Email: danmiller@co.marin.ca.us

SECRETARY OF STATE – POLITICAL REFORM DIVISION

1500 11TH Street, Room 495
Sacramento, CA 95814
916-653-6224
www.sos.ca.gov/elections

FAIR POLITICAL PRACTICES COMMISSION

428 J Street, Suite 620
Sacramento, CA 95814
866-275-3772
www.fppc.ca.gov

REFER TO THE APPROPRIATE MANUALS FOR COMPREHENSIVE INFORMATION

HERE ARE A FEW OF THE BASICS:

- If you raise or spend funds you must file the Form 501 with the proper filing agency. You must deposit all funds into a campaign bank account. Never commingle contributions with funds from a personal account.
- You may open a campaign committee at any time, but you *must* do so once \$1000 is raised or spent by filing a Form 410 with the Secretary of State and the proper filing agency. Be sure to include your name, the office sought, and the year of the election in the title of the committee.
- Office holders with existing committees must re-designate the committee prior to the election period. Existing bank accounts and committees may not be used if the candidate is seeking election to a different office.
- Never accept \$100 or more in cash. For contributions of \$100 or more, including loans and in-kind contributions, you must disclose the contributor's name, address, occupation and employer. Maintain details on contributions and expenditures of \$25 or more. Refer to recordkeeping guidelines in your campaign disclosure manual.
- Except for mass mailings (more than 200 pieces) committee identification is not required by the Political Reform Act on most advertisements when it is paid for by a candidate in support of his or her own campaign. See Manual 2 for details.
- Candidates may not use campaign funds to make independent expenditures to support or oppose other candidates.
- Know the due dates for campaign statements and *file on time*. Filing late may result in monetary penalties. Failure to file will result in enforcement proceedings with the Fair Political Practices Commission.
- If \$1,000 or more is received from a single source during the last 16 days before the election, disclose receipt within 24 hours, even if the contribution is from your personal funds. This includes multiple contributions from a single source aggregating to \$1000 or more.
- Candidates should inquire about any local campaign finance restrictions. After the election all candidates have future filing obligations. See Manual 2 for the use and restrictions of surplus and campaign funds.

CANDIDATE CAMPAIGN FINANCE FORMS

FORM 501 – STATEMENT OF INTENT

Candidates for state or local office must file this form prior to solicitation or receipt of any contribution, or expenditure of personal funds used for the election. **Exception:** This form is not required if you will not solicit or receive contributions from other persons, and the only expenditures will be from your personal funds used for the filing fee and statement of qualification in the sample ballot. Candidates who file a Form 501 must establish a separate bank account with a financial institution in California, if they accept contributions. Please refer to Manual 2 for more information.

FORM 470 – CAMPAIGN STATEMENT

All candidates who have filed a Form 501 must file at least one campaign statement before the election. Candidates may file the Form 470 if they do not have a controlled committee, do not anticipate receiving contributions totaling \$1000 or more during the calendar year, and do not anticipate spending \$1000 or more during the calendar year. The Form 470 is filed once, by the first pre-election due date. If the \$1000 threshold is achieved, candidates must file the Form 470 Supplement, and establish a campaign committee. Please refer to Manual 2 for more information.

FORM 410 - STATEMENT OF ORGANIZATION

Candidates must use Form 410 to establish a campaign committee, no later than within 10 days after the committee has spent or received \$1000 or more. Form 410 is also used to amend changes to the committee, and termination of the committee. By establishing a committee, candidates are required to file periodic campaign statements until the committee is closed. All committees must file the Form 410 with the Secretary of State and their local filing agency. Please refer to Manual 2 for more information.

FORM 460 – RECIPIENT COMMITTEE CAMPAIGN STATEMENT

Candidate controlled committees are required to use Form 460 to report all campaign activity during scheduled semi-annual and pre-election periods. Statements must be completed fully and accurately, and filed on time per the filing schedule. Please refer to Manual 2 for more information.

FORM 497 – LATE CONTRIBUTION REPORT

A Late Contribution Report must be filed if a committee controlled by the candidate receives a contribution (including aggregated amounts) from a single source, or makes contributions, totaling \$1,000 or more to a candidate or primarily formed committee during the 16 days prior to the candidate's election.

Other special reports may be required depending on the committee's activity. Please refer to Manual 2, or contact your local filing officer for more information.

CAMPAIGN FINANCE INFORMATION

CONTRIBUTION LIMITS

Contribution limits may vary between cities and districts. Please contact your local jurisdiction. At the time of this printing, the County of Marin does not regulate contribution limits.

COMMINGLING WITH PERSONAL FUNDS PROHIBITED

No contribution shall be commingled with the personal funds of the recipient or any other person. (Gov. Code §84307)

PROMPT REPORTING OF CONTRIBUTIONS

All contributions received by a person acting as an agent of a candidate shall be reported promptly to the candidate or any of his or her designated agents.

All contributions received by a person acting as an agent of a committee shall be reported promptly to the committee's treasurer or any of his or her designated agents. "Promptly" as used in this section means not later than the closing date of any campaign statement the committee or candidate for whom the contribution is intended is required to file. (Gov. Code §84306)

LATE CONTRIBUTIONS

A candidate or committee who receives \$1,000 or more, and a candidate or committee that makes a "late contribution" during *THE LAST 16 DAYS BEFORE THE ELECTION*, must report within 24 hours by telegram, mailgram, any over night guaranteed delivery service or personal delivery (not by regular mail) to every place where the candidate or committee receiving the contribution is required to file campaign statements. Reports to our office may be sent by FAX (415) 499-6447.

PENALTIES FOR VIOLATIONS

If any person files an original statement or report after any deadline imposed by the Political Reform Act, he or she may be subject to a fine of \$10 per calendar day *beginning the day after the filing deadline* until the statement is filed. Fines are not to exceed the cumulative amount stated in the late statement, or \$100, whichever is greater. (Gov. Code §91013)

Any person who intentionally or negligently violates any of the reporting requirements of the Act shall be liable in a civil action brought by the civil prosecutor or by a person residing within the jurisdiction for an amount not more than the amount or value not properly reported. (Gov. Code §91004)

INDEPENDENT EXPENDITURES

An independent expenditure is a payment for a communication that expressly advocates the support or opposition of a clearly defined candidate or ballot measure. Candidates may not make independent expenditures from their campaign committee to support or oppose other candidates.

CAMPAIGN INFORMATION

DEFINITION OF "MASS MAILING"

"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. (Gov. Code §82041.5)

Solicitation letters, notices of fundraising events, newsletters sent by the candidate or committee, and other types of campaign literature are common types of mass mailings.

MASS MAILING

The sender of a mass mailing is the candidate or committee who pays for the largest portion of the mailing. The sender must be identified by name, address, and city on the outside of the mailing and on at least one insert. If the sender of the mass mailing is a single officeholder, candidate, or committee, the identification need only be shown on the outside of each piece of mail. If the sender is a controlled committee, the name of the person controlling the committee must also be included. A committee may use a post office box if its street address is a matter of record with the Secretary of State. It is not necessary to include the committee's identification number or the name of a committee treasurer or on the mailing.

Type size must be at least six points, printed in a color or typeface that contrasts with the background.

If two or more officeholders, candidates, or committees pay an equal share of the costs of the mailing, at least one of them must be identified on the outside of the mailing, and all of them must be identified on the inside.

In the case of a mass mailing paid for by one officeholder, candidate or committee on behalf of another candidate or committee (i.e., mass mailings that are in-kind contributions), the officeholder, candidate, or committee that pays for the mailing must be identified as the sender of the mailing.

A "slate mailer" is a mass mailing (more than 200 substantially similar pieces of mail sent in a calendar month) which supports or opposes a total of four or more candidates or ballot measures. Detailed slate mailer information can be found in Information Manual F.

ADVERTISING

Any paid political advertisement that refers to an election or candidate for an elective office and that is contained in or distributed with a newspaper must say "Paid Political Advertisement" in type at least one half the size type in the advertisement or 10 point roman type, whichever is larger. Such 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 office. (Ref. Gov. Code §20008)

An advertisement as defined in Government Code section 84501 includes but is not limited to the following:

(1) Programming received by a television or radio; (2) A communication as described in subdivision (a) of Government Code section 84501 that is placed in a newspaper, periodical, or magazine of general circulation; (3) A telephone or facsimile message that is not solicited by the recipient and is intended for delivery in substantially similar form to 200 or more households; (4) A direct mailing that is not solicited by the recipient and is intended for delivery in substantially similar form to 200 or more households; (5) Posters, door hangers, and yard signs produced in quantities of 200 or more; (6) A billboard; (7) Campaign buttons 10 inches in diameter or larger, and bumper stickers 60 square inches or larger produced in quantities of 200 or more.

In addition to the exempted communications in subdivision (b) of Government Code section 84501, the following are not an "advertisement": (1) A small promotional item (e.g., pen, pin, etc.) upon which the disclosures required by Government Code sections 84503, 84506 and 84507 cannot be conveniently printed or displayed, wearing apparel, and skywriting; (2) A communication from an organization to its members, other than a communication from a political party to its members; (3) A web-based or Internet-based communication. (Gov. Code §18450.1)

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. (Gov. Code §18301)

POLITICAL SIGNS

It shall be unlawful for any person, firm or corporation, or any agent or employee of any person, firm or corporation, to place, or cause to be distributed or placed upon or along any public highway, road, street, square, park, or other public place, or into or upon any private property or territory adjacent to any public highway, in the county of Marin, without the written consent of the owner' thereof, or his agent, or the occupant of said private property, by posting, sticking, tacking, affixing or placing to and upon fences, posts, trees, buildings, or other surface other than advertising structure any political card or circular or any advertising sheet or device of cloth, paper or cardboard bills, cards or posters, or tin signs, or matter whatever, designed or intended for advertising or making known in a general or promiscuous manner any business, occupation, profession, medical treatment, medicine, or the dealing or selling of any merchandise or thing whatsoever. Title 6, Chapter 6.48.010 (County Ordinance 209 §1, 1933)

The Elections Department strongly recommends that each candidate consult with the City Clerk in each of the cities in which you wish to place your signs. Each city may have its own unique sign policy. A listing of the cities and clerks can be found at the end of this manual.

ELECTIONEERING

No person, on election day, or at any time that a voter may 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 marking 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. (El. Code §18370)

STATEMENT OF ECONOMIC INTERESTS

All candidates are required at the time of candidacy filing to file a Statement of Economic Interests Form 700 disclosing certain financial interests. The Form 700 is issued with the nomination papers and must be filed together with the nomination papers. All candidates elected to office or appointed in lieu of an election are required to file the Form 700 WITHIN 30 days after assuming office. Failure to file will result in enforcement proceedings and possibly monetary fines.

**Candidates for Local Office
Committees Primarily Formed to Support/Oppose Local
Candidates/Measures Being Voted on November 8, 2011**

<u>Filing Deadline</u>	<u>Type of Statement</u>	<u>Statement period</u>
January 31, 2011	Semi-Annual	*thru – 12/31/10
August 1, 2011	Semi-Annual	1/1/11 – 6/30/11
September 29, 2011	Pre-Election	7/1/11 – 9/24/11
October 27, 2011	Pre-Election	***9/25/11 – 10/22/11
Within 24 Hours **(late in-kind 48 hours)	Late Contributions and (a)Independent Expenditures of \$1000 or More	***10/23/11 – 11/7/11
January 31, 2012	Semi-Annual	10/23/11 – 12/31/11

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

** The recipient of a late "in-kind" contribution must file a Late Contribution Report within 48 hours from the time the contribution is received.

(a) Late independent expenditure filers for Marin County offices are subject to Chapter 2.02 under the Marin County Code which states that at any time during the year filers are subject to the 24 hour reporting requirement. Candidate controlled committees may not make independent expenditures to support or oppose other candidates.

***** Filing deadlines for this period will not be extended. All late statements and non-filers are subject to monetary fines.**

Filed statements are considered public documents and are available on the Registrars' office and website.

**Candidate Controlled committees for local offices use Manual 2;
Primarily Formed committees for local offices/measures use Manual 3**

Forms and statements can be found at www.marinvotes.org or at www.fppc.gov

APPENDIX A

A GUIDE FOR SELECTING BALLOT DESIGNATIONS

Ballot designations are governed by California Elections Code Section 13107. In the following outline, the provisions of Section 13107 are broken down into pertinent parts and are printed in the boxes with the subdivision identified. The text of Section 13107 in its entirety appears below, prior to the discussion by subdivision.

CALIFORNIA ELECTIONS CODE SECTION 13107

(a) With the exception of candidates for Justice of the State Supreme Court or court of appeal, immediately under the name of each candidate, and not separated from the name by any line, may appear at the option of the candidate only one of the following designations:

(1) Words designating the elective city, county, district, state, or federal office which the candidate holds at the time of filing the nomination documents to which he or she was elected by vote of the people, or to which he or she was appointed, in the case of a superior, municipal, or justice court judge.

(2) The word "incumbent" if the candidate is a candidate for the same office which he or she holds at the time of filing the nomination papers, and was elected to that office by a vote of the people, or, in the case of a superior, municipal, or justice court judge, was appointed to that office.

(3) No more than three words designating either the current principal professions, vocations, or occupations of the candidate, or the principal professions, vocations, or occupations of the candidate during the calendar year immediately preceding the filing of nomination documents. For purposes of this section, all California geographical names shall be considered to be one word. Hyphenated words that appear in any generally available standard reference dictionary, published in the U.S. at any time within the 10 calendar years immediately preceding the election for which the words are counted, shall be considered as one word. Each part of all other hyphenated words shall be counted as a separate word.

(4) The phrase "appointed incumbent" if the candidate holds an office other than a judicial office by virtue of appointment, and the candidate is a candidate for election to the same office, or, if the candidate is a candidate for election to the same office or to some other office, the word "appointed" and the title of the office. In either instance, the candidate may not use the unmodified word "incumbent" or any words designating the office unmodified by the word "appointed." However, the phrase "appointed incumbent" shall not be required of a candidate who seeks reelection to an office which he or she holds and to which he or she was appointed, as a nominated candidate, in lieu of an election, pursuant to Sections 5326 and 5328 of the Education Code, or Section 10229 or 10515 of this code.

(b) Neither the Secretary of State nor any other election official shall accept a designation of which any of the following would be true:

- (1) It would mislead the voter.

- (2) It would suggest an evaluation of a candidate, such as outstanding, leading, expert, virtuous, or eminent.

- (3) It abbreviates the word "retired" or places it following any word or words which it modifies.

- (4) It uses a word or prefix, such as "former" or "ex-," which means a prior status. The only exception is the use of the word "retired."

- (5) It uses the name of any political party, whether or not it has qualified for the ballot.

- (6) It uses a word or words referring to a racial, religious, or ethnic group.

- (7) It refers to any activity prohibited by law.

(c) If, upon checking the nomination documents, the election official finds the designation to be in violation of any of the restrictions set forth in this section, the election official shall notify the candidate by registered or certified mail return receipt requested, addressed to the mailing address appearing on the candidate's nomination documents.

- (1) The candidate shall, within three days from the date of receipt of the notice, appear before the election officer or, in the case of the Secretary of State, notify the Secretary of State by telephone, and provide an alternate designation.

- (2) In the event the candidate fails to provide an alternate designation, no designation shall appear after the candidate's name.

(d) No designation given by a candidate shall be changed by the candidate after the final date for filing nomination documents, except as specifically requested by the elections official as specified in subdivision (c) or as provided in subdivision (e).

(e) The designation shall remain the same for all purposes of both primary and general elections, unless the candidate, at least 98 days prior to the general election, requests in writing a different designation, which the candidate is entitled to use at the time of the request.

(f) In all cases, words so used shall be printed in 8-point roman uppercase and lowercase type except that, if the designation selected is so long that it would conflict with the space requirements of Sections 13207 and 13211, the elections official shall use a type size for the designation for each candidate for that office sufficiently smaller to meet these requirements.

(g) Whenever a foreign language translation of a candidate's designation is required under the Voting Rights Act of 1965 (42 U.S.C. Sec. 1971), as amended, to appear on the ballot in addition to the English language version, it shall be as short as possible, as consistent as is practicable with

this section, and shall employ abbreviations and initials wherever possible in order to avoid undue length.

Section 2. Section 13107.3 is added to the Elections Code, to read:

- (a) Each candidate who submits a ballot designation pursuant to subdivisions (a) of Section 13107 shall file, in addition to the nomination documents filed pursuant to Section 8020, a ballot designation worksheet that supports the use of that ballot designation by the candidate, in a format prescribed by the Secretary of State.
- (b) The ballot designation worksheet shall be filed with the elections official at the same time that the candidate files his or her declaration of candidacy.
- (c) In the event that a candidate fails to file a ballot designation worksheet in accordance with the subdivision (a), no designation shall appear under the candidate's name on the ballot.

I. General Provision

- A. Section 13107, subd. (a) With the exception of candidates for Justice of the State Supreme Court or court of appeal, immediately under the name of each candidate, and not separated from the name by any line, may appear at the option of the candidate only one of the following designations:

1. Subdivision (a) is divided into four parts, each with its own requirements. The candidate may use only one of the four categories.
2. The candidate, however, may opt to not use subdivision (a) (1) (unlimited words designating the elective office) and may opt, instead, to use subdivision (a) (3) ("no more than three words designating principal professions, vocations, or occupations"). For example, the Assembly representative from the Nth Assembly District who happens to be a lawyer and rancher can use the designation "Member of the Assembly, Nth District" under subdivision (a) (1), or the incumbent may use "Legislator/Lawyer/Rancher" under subdivision (a) (3).
3. Candidates are not required to use ballot designations and may opt to leave the space blank. The candidate must initial the appropriate box on the nomination document to notify the elections official of this choice.

II. Acceptable Ballot Designations

- A. Section 13107, subd. (a)(1) Words designating the elective city, county, district, state, or federal office which the candidate holds at the time of filing the nomination documents to which he or she was elected by vote of the people, or to which he or she was appointed, in the case of a superior court judge.

1. Words designating the elective offices specified in this subdivision are not subject to the three-word limitation found at subdivision (a) (3).
2. Legislative leadership titles, e.g., "Majority Leader of the California Senate" and "Speaker of the California Assembly" are not elective offices as described in subdivision (a) (1). Therefore, these designations must satisfy the subdivision (a) (3) three-word limitation. "Senate Majority Leader" and "California Assembly Speaker" would be acceptable.

II. A. Acceptable Ballot Designations (cont.)

3. If the elected official opts to include another profession, vocation, or occupation with the elective office, the designation must satisfy the three-word limitation. For example, "Legislator, Businessman"; "Physician/Senator"; "State Assemblyman, Businessman" would be acceptable. See Part I.A.2, above. An example of an impermissible designation would be "Member of the Senate/Rancher".

4. Political party central committee designations are not elective county or state offices as prescribed in this statute, nor are they principal professions, vocations, or occupations.

B.

Section 13107, subd. (a) (2) The word "incumbent" if the candidate is a candidate for the same office which he or she holds at the time of filing the nomination papers, and was elected to that office by a vote of the people, or, in the case of a superior court judge, was appointed to that office.
Section 13107.5 The word "community volunteer" constitute his/her principal profession, vocation or occupation; not engaged concurrently in another principal profession, vocation or occupation; may not use with any other principal profession, vocation or occupation designation.

1. Subdivision (a) (2) cannot be combined with subdivisions (a) (1), (a) (3) or (a) (4). Therefore, the word "Incumbent" cannot be used with any other words; it must stand alone. "Community Volunteer" must also stand alone.

2. Examples of impermissible designations: "Incumbent Assemblymember, Nth Assembly District" (either "Incumbent" or "Assemblymember Nth Assembly District" is acceptable) and "Incumbent Senator/Baker" (either "Incumbent" or "Senator/Baker" is acceptable).

C.

Section 13107, subd. (a) (3) No more than three words designating either the current principal professions, vocations, or occupations of the candidate, or the principal professions, vocations, or occupations of the candidate during the calendar year immediately preceding the filing of nomination documents. For purposes of this section, all California geographical names shall be considered to be one word.

1. A principal profession, vocation, or occupation is the primary job or work one does which is the means of livelihood or production of income, as opposed to a hobby or avocation. Some persons may work at more than one profession, vocation, or occupation. Exceptions may apply for persons retired or unemployed by choice or by circumstance. No designation which connotes a status is acceptable. Examples of acceptable designations of a vocation, include, minister, priest, mother, father, parent, homemaker, dependent care provider, carpenter, plumber, electrician, and cabinetmaker. Examples of unacceptable status claims include "taxpayer", "citizen", "patriot", "renter", and "presidential appointee."

II. C Acceptable Ballot Designations (Cont.)

2. A candidate may use either his or her current principal profession, vocation or occupation, regardless of the amount of time in which the candidate has engaged in such or, in the alternative, any principal profession, vocation or occupation in which the candidate was engaged over the course of the previous calendar year even though it may no longer be one in which the candidate is currently engaged. In choosing between the alternatives, the candidate must ask himself or herself: "What is my primary job right now?" and "What was my primary job last year?" Either job, if otherwise proper, based on the statutory criteria, may be used as a ballot designation. For purposes of this section, the "calendar year immediately preceding the filing of nomination papers" is defined as that year beginning January 1 immediately preceding the year in which nomination papers for the office are allowed to be filed.
3. Multiple designations are usually acceptable, provided that the three-word limitation is met. See examples and brief explanations at Parts I.A.2, II.A.3, and II.B.2.
4. A political party central committee designation is not a principal profession, vocation, or occupation as prescribed in this statute, nor is it an elective county or state office.
5. Organization names must be replaced with generic references. For example, "President, Computer Company" would be acceptable; "President, Apple Computer" would not be allowed. Similarly, based on previous court interpretation, a designation such as "Director, ABC Club" would not be permissible, whereas, "Administrator, Environmental Club" would be. Ballot designations are not intended to advertise a specific product, corporation or organization; they are intended to reveal what a candidate does, not for whom the work or service is performed.
6. Word count
 - a. Each word, regardless of the number of letters in the word, is counted as one word.
 - b. The only exception to this is geographical names. While subdivision (a) (3) specifies California geographic names, this subdivision has been construed to mean all geographic names.
 - c. The Elections Code Section 9 word-count provision relating to ballot arguments, recall notices and answers, etc., is not applicable to the subdivision (a) (3) three-word limitation. See Section 9, subdivision (b).
 - d. Only those words generally hyphenated may be hyphenated for ballot designation purposes. The use of hyphens will not serve as a means around the three-word limitation. (See example, e. (6), immediately below.)

II. C Acceptable Ballot Designations (cont.)

e. Word count examples:

- (1) "District Attorney" - 2 words
- (2) "Certified Public Accountant" - 3 words
- (3) "CPA/Attorney" - 2 words
- (4) "City Councilmember" - 2 words
- (5) "Chief Deputy Public Defender" - 4 words; unacceptable
- (6) "Businessman-Social Planning Consultant" - 4 words: unacceptable

D.

Section 13107, subd. (a)(4) The phrase "appointed incumbent" if the candidate holds an office other than a judicial office by virtue of appointment, and the candidate is a candidate for election to the same office, or, if the candidate is a candidate for election to the same office or to some other office, the word "appointed" and the title of the office. In either instance, the candidate may not use the unmodified word "incumbent" or any words designating the office unmodified by the word "appointed". However, the phrase "appointed incumbent" shall not be required of a candidate who seeks reelection to an office which he or she holds and to which he or she was appointed, as a nominated candidate, in lieu of an election, pursuant to Sections 5326, and 5328 of the Education Code or Section 7228, 7423, 7673, 10229, or 10515 of the Elections Code.

1. If an incumbent was appointed as being the lone candidate at the last election for the office being sought at this election, the candidate is not required to use "appointed".

III. Unacceptable Ballot Designations

NOTE: Ballot designations may be challenged by elections officials or through the courts by other candidates or voters.

A.

Section 13107, subd. (b) Neither the Secretary of State nor any other elections official shall accept a designation of which any of the following would be true:

III. Unacceptable Ballot Designations (Cont.)

B. Section 13107, subd. (b) (1) It would mislead the voter.

1. The candidate may be required to provide the elections official with substantiation, evidence or documentation to support the requested designation.

C. Section 13107, subd. (b) (2) It would suggest an evaluation of a candidate, such as outstanding, leading, expert, virtuous, or eminent.

1. Examples of ballot designations usually considered to suggest an evaluation of a candidate include: "Best _____", "Exalted _____", "Prominent _____", "Advocate", "Activist", "Reformer", "Pro-", and "Anti-" anything conveying a philosophy, or words connoting a status. Statements of philosophy belong in campaign ads and literature, not as ballot designations.

2. Commercial or proper names such as "IBM President", "Director, Health Services" or "Sierra Club Secretary" are impermissible. Generic descriptions of specific jobs should be substituted; for example, "Computer Corporation President", "State Agency Director", or "Nonprofit Organization Secretary". See Part II.C.5.

3. Certain requested designations may connote a status which also suggest an evaluation; for example, "Patriot" or "Presidential Appointee". For status examples, see Part II.C.1.

D. Section 13107, subd. (b) (3) It abbreviates the word "retired" or places it following any word or words which it modifies.

1. Examples of impermissible designations: "Ret. Army General" and "Navy Admiral, Retired".

III. Unacceptable Ballot Designations (cont.)

- E. Section 13107, subd. (b) (4) It uses a word or prefix, such as “former” or “ex-,” which means a prior status. The only exception is the use of the word “retired”.

1. "Retired" is defined as having given up one's work, business, career, etc., especially because of advanced age.

2. Generally, a retired status may be allowed if the candidate can demonstrate retirement. The following are examples of evidence supporting retired status:

- a. served in the position being requested to be listed as retired from for more than 5 years;
- b. is collecting or eligible to collect retirement benefits/pension (i.e. is vested);
- c. is 55 or more years old;
- d. left the position voluntarily after serving a minimum of 5 years;
- e. if requesting the use of a retired public office designation, was not recalled from or did not fail to win that office or surrender it to run for another office in a previous election campaign;
- f. has not had another more recent occupation;
- g. retirement benefits are providing a principal source of income.

3. Because the Elections Code specifically forbids the use of a prior profession, vocation, or occupation, unless the candidate is retired therefrom, election officials may require candidates to provide substantiating evidence or documentation in support of the requested designation.

- F. Section 13107, subd. (b) (5) It uses the name of any political party, whether or not it has qualified for the ballot.

1. "Democratic Party Chair", "Republican Central Committeemember", and "Socialist" are examples of unacceptable designations.

III. Unacceptable Ballot Designations (Cont.)

G. Section 13107, subd. (b) (6) It uses a word or words referring to a racial, religious, or ethnic group.

1. Examples of impermissible designations are "Indian Sculptor", "Polish Pope", "Latino Notary", "African-American Firefighter", "Mormon Physician", and "Caucasian Policeman".

H. Section 13107, subd. (b) (7) It refers to any activity prohibited by law.

1. "Gambler" refers to a generally-unlawful activity. However, "Poker Player" may be acceptable in some circumstances, since in some communities that activity is allowed. See also Part II.C.1.

IV. Alternatives and Procedures if the Ballot Designation is Not Acceptable

A. Section 13107, subd. (c) If, upon checking the nomination documents, the elections official finds the designation to be in violation of any of the restrictions set forth in this section, the elections official shall notify the candidate by registered or certified mail return receipt requested, addressed to the mailing address appearing on the candidate's nomination documents.

1. It is important for the candidate to include a correct telephone number, facsimile number (if available) and mailing address on the nomination document in order to expedite communication in the event the ballot designation is being questioned.

IV. Alternatives and Procedures if the Ballot Designation is Not Acceptable (Cont.)

B.

Section 13107, subd. (c) (1) The candidate shall, within three days from the date of receipt of the notice, appear before the elections official or, in the case of the Secretary of State, notify the Secretary of State by telephone, and provide an alternate designation.

1. Time is of the essence. Note Section 13107, subdivision (c) (2) following.
2. Facsimile transmission may be used to expedite communications as an alternative to telephone conversations upon approval of the Secretary of State's staff and by agreement with the candidate. This method serves to establish written documentation of agreed-upon alternative designations and can be used to provide substantiation materials in the event designations are later challenged.

C.

Section 13107, subd. © (2) In the event the candidate fails to provide an alternate designation, no designation shall appear after the candidate's name.

1. Every effort will be made to help the candidate select an acceptable substitute ballot designation, if the candidate so desires.

V. Changing Ballot Designations

A.

Section 13107, subd. (d) No designation given by a candidate shall be changed by the candidate after the final date for filing nomination documents, except as specifically requested by the elections official as specified in subdivision (c) or as provided in subdivision (e).

V. Changing Ballot Designations (cont.)

- B. Section 13107, subd. (e) The designation shall remain the same for all purposes of both primary and general elections, unless the candidate, at least 98 days prior to the general election, requests in writing a different designation which the candidate is entitled to use at the time of the request.

NOTE: In the event of a special election, this time frame cannot be followed. Contact the involved local elections official(s) to determine certification deadlines.

1. A candidate who validly uses a ballot designation for a primary election will not be required to change that designation for the subsequent general election even if his/her profession, vocation, or occupation changes.

VI. Miscellaneous

- A. Section 13107, subd. (f) In all cases, words so used shall be printed in 8-point roman uppercase and lowercase type except that, if the designation selected is so long that it would conflict with the space requirements of Sections 13207 and 13211, the elections official shall use a type size for the designation for each candidate for that office sufficiently smaller to meet these requirements.

- B. Section 13107, subd. (g) Whenever a foreign language translation of a candidate's designation is required under the Voting Rights Act of 1965 (42 U.S.C. Sec. 1971), as amended, to appear on the ballot in addition to the English language version, it shall be as short as possible, as consistent as is practicable with this section, and shall employ abbreviations and initials wherever possible in order to avoid undue length.

APPENDIX B

ESTIMATED COSTS

District	Estimated* No. of Voters	Precinct Index	Candidates Statement	Mail Labels
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COMMUNITY SERVICES

Bel Marin Keys	1,045	1.00	156.00	132.00
Marin City	1,324	1.00	158.00	132.00
Marinwood	2,998	1.50	170.00	198.00
Muir Beach	287	.50	150.00	66.00
Tamalpais	4,000	2.00	178.00	264.00
Tomales	136	.50	149.00	66.00

FIRE PROTECTION

Kentfield	4,438	2.50	181.00	330.00
Novato	32,673	16.50	393.00	2,178.00
Sleepy Hollow	1,664	1.00	160.00	132.00
Southern Marin	11,917	6.00	237.00	792.00
Stinson Beach	479	.50	152.00	66.00
Tiburon **	4,833	2.50	184.00	330.00

PUBLIC UTILITY

Bolinas	885	.50	155.00	66.00
Inverness	501	.50	152.00	66.00

* Registration per February 10, 2011 report to the Secretary of State.

** District pays for Candidate Statement of Qualifications.

ESTIMATED COSTS

(Continued)

District	Estimated* No. of Voters	Precinct Index	Candidates Statement	Mail Labels
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SANITARY

Alto	652	.50	153.00	66.00
Homestead Valley	1,719	1.00	161.00	132.00
Las Gallinas Valley	17,469	9.00	279.00	1,188.00
Novato	30,505	15.50	377.00	2,046.00
Richardson Bay	5,935	3.00	193.00	396.00
Sausalito-Marín City	7,044	4.00	201.00	528.00
District No. 5 – Tiburon***	4,069	2.50	179.00	330.00

WATER

North Marin **	34,494	17.50	407.00	2,310.00
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SCHOOLS

County Board of Education

Tr. Area No. 1	20,623	10.50	303.00	1,386.00	
Tr. Area No. 2	12,998	6.50	245.00	858.00	Tr. Area No. 4
24,760	12.50	334.00	1,650.00		
** Tr. Area No. 7	19,009	10.00	291.00	1,320.00	
Dixie	13,215	7.70	247.00	924.00	
Kentfield	7,826	4.00	207.00	528.00	
Laguna Joint **	102	.50	149.00	66.00	

* Registration per February 10, 2011 report to the Secretary of State.

** District is also in Sonoma County.

*** District pays for Candidate Statement of Qualifications

ESTIMATED COSTS

(Continued)

District	Estimated * No. of Voters	Precinct Index	Candidates Statement	Mail Labels
<u>SCHOOLS</u> (continued)				
Lagunitas	2,584	1.50	167.00	198.00
Larkspur	8,865	4.50	214.00	594.00
Lincoln	71	.50	149.00	66.00
Marin Community College	146,817	73.50	1249.00	9,702.00
Mill Valley	20,278	10.50	300.00	1,386.00
Nicasio	432	.50	151.00	66.00
Novato Unified	32,641	16.50	393.00	2,178.00
Reed Union	8,921	4.50	215.00	594.00
Ross	1,877	1.00	162.00	132.00
Ross Valley	15,893	8.00	267.00	1,056.00
San Rafael	36,316	18.50	420.00	2,442.00
Shoreline Unified Trustee Areas Nos. 1, 2 & 3 **	2,473	1.50	167.00	198.00
Tamalpais Union High	75,361	38.00	713.00	5,016.00
Union Joint **	32	.50	148.00	66.00

* Registration per February 10, 2011 report to the Secretary of State.

** District is also in Sonoma County.

ESTIMATED COSTS

(Continued)

District	Estimated * No. of Voters	Precinct Index	Candidates Statement	Mail Labels
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CITIES/TOWNS:

Corte Madera	5,757	3.00	191.00	396.00
Fairfax	5,143	3.00	187.00	396.00
Larkspur	7,889	4.00	207.00	528.00
Mill Valley	9,433	5.00	219.00	660.00
Novato	28,102	14.50	359.00	1,914.00
San Anselmo	8,182	4.50	209.00	594.00
San Rafael	27,819	14.00	357.00	1,848.00
Tiburon	5,784	3.00	191.00	396.00

- Subject to change as registered voters figures change. Labels ordered per registered voters. If ordered by household, it should be approximately 65% - 75% of the registered voters.

Labels cost \$66.00 per thousand. Disks or CD's are available for any district. For further information, contact Tony Aquilino at 499-7460 or taquilino@co.marin.ca.us.

Precinct maps are available @ \$15.00 each or \$60.00 for a set of four (4).

* Registration per February 10, 2011 report to the Secretary of State.

APPENDIX C

INFORMATION AND CONTACTS REGARDING CAMPAIGN SIGNS FOR COUNTY OF MARIN

County roads phone number is – **Planning** (Private Property) **499-6269**
Land Use (Public Property) **499-6269**

CITY OF BELVEDERE

Deputy City Clerk - **Leslie Carpentiers - 435-8908**

TOWN OF CORTE MADERA

Planning Director – **Dan Bell - 927-5064**

TOWN OF FAIRFAX

Town of Fairfax - Town Clerk - **Judy Anderson - 453-1584**
Senior Planner – **Linda Neal – 453-1584**

CITY OF LARKSPUR

City Clerk - **927-5110**

CITY OF MILL VALLEY

Deputy City Clerk - **Kimberly Wilson - 388-4033, ext. 102**

CITY OF NOVATO

City Clerk - **Sheri Hartz - 899-8900**

TOWN OF ROSS

Town Manager - **Gary Broad - 453-1453, ext. 107**

TOWN OF SAN ANSELMO

Interim Building & Planning Director – **Diane Henderson – 258-4636**

CITY OF SAN RAFAEL

City of San Rafael - Public Works - **485-3375**
Code Enforcement - **485-3097**
Public Works – Report a problem
<http://www.cityofsanrafael.org/Government/PublicWorks.htm>

CITY OF SAUSALITO

Deputy City Clerk - **Debbie Pagliaro - 289-4165**

TOWN OF TIBURON

Tiburon Planning Department - **435-7390**

DEPARTMENT OF TRANSPORTATIONDIVISION OF TRAFFIC OPERATIONS
OUTDOOR ADVERTISING BRANCH

Dear Candidate or Committee Member:

As a candidate or campaign worker for either an office or a ballot measure, this reminder about State law governing campaign signs should be helpful to you.

Section 5405.3 of the State Outdoor Advertising Act exempts the placing of Temporary Political Signs from normal outdoor advertising display requirements.

A Temporary Political Sign meets the following criteria:

- 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 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 sign (attached).

A completed Statement of Responsibility must be submitted to the appropriate District Office according to the county location of the Temporary Political Sign(s). (See attached map for address.)

Temporary Political Signs shall not be placed within the right-of-way of any highway, or be visible within 660 feet from the edge of the right-of-way of a classified "Landscaped freeway".

State law directs the Department of Transportation to remove unauthorized Temporary Political Signs and bill the responsible party for their removal. We are calling these provisions to your attention to avoid possible embarrassment to you and your supporters. Please pass this information along to those assisting in your campaign.

If you have any questions, feel free to contact us at the appropriate Outdoor Advertising District Office (See attached map for contact numbers.)

Enclosure

DEPARTMENT OF TRANSPORTATION

DIVISION OF TRAFFIC OPERATIONS
OUTDOOR ADVERTISING BRANCH



**STATEMENT OF RESPONSIBILITY FOR TEMPORARY
POLITICAL SIGNS**

Election Date: June November Other: _____

Candidate's Name: _____

Office sought or Proposition Number: _____

County where sign(s) will be placed: _____

Number of signs to be placed: _____

Responsible Party's:

Name: _____

Address: _____

Phone Number (Include Area Code) _____

The undersigned hereby accepts responsibility for the removal of Temporary Political Signs placed pursuant to Section 5405.3 of the Outdoor Advertising Act for the above candidate or proposition.

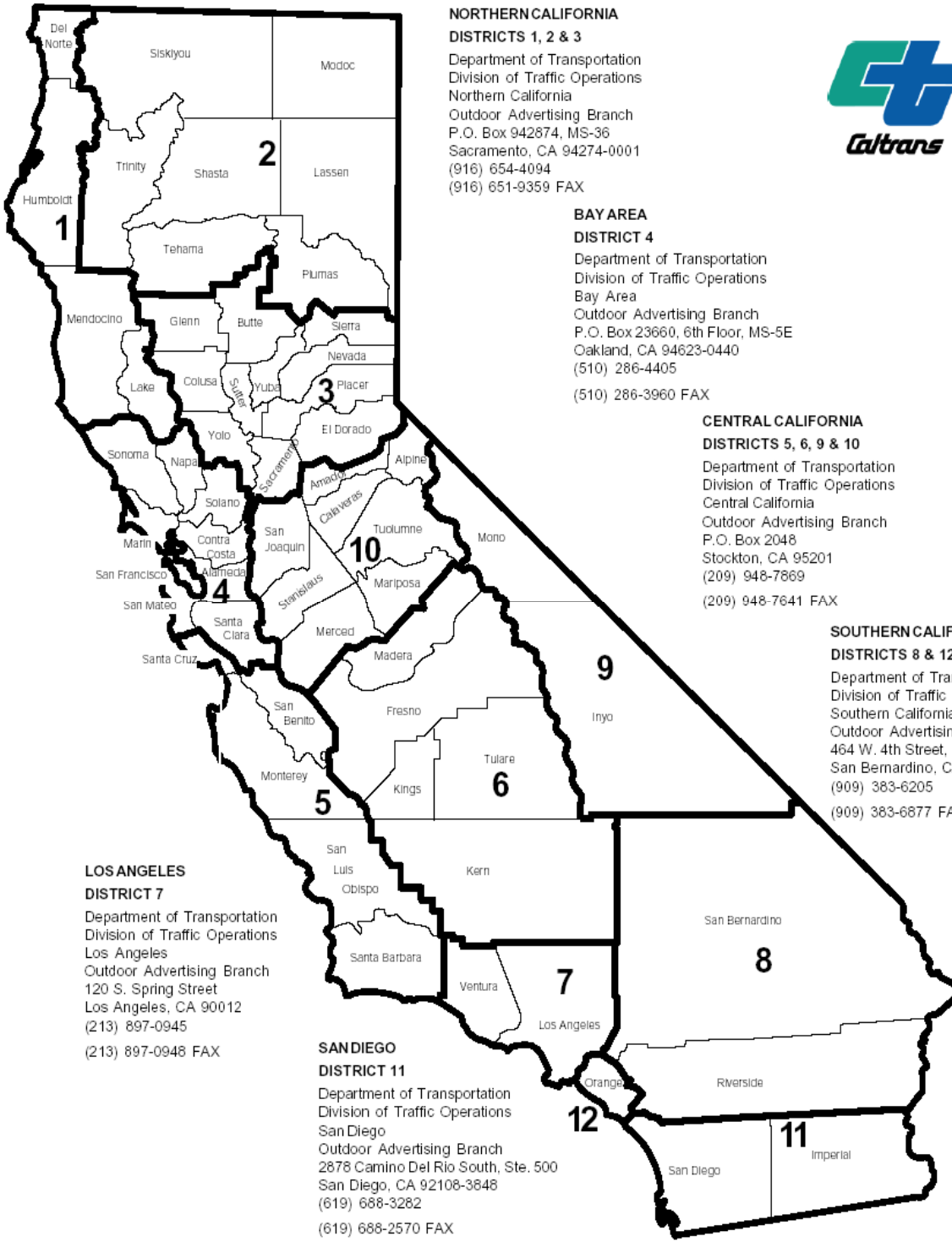
It is understood and agreed that any Temporary Political Signs placed not sooner than ninety (90) days prior to the election and /or not removed within ten (10) days after the election, may be removed by the Department and the responsible party will be billed for any associated removal costs.

SIGNATURE OF RESPONSIBLE PARTY

DATE

Mail Statement of Responsibility to the Appropriate District Office according to the **COUNTY LOCATION** of the Temporary Political Sign(s) (See attached map).

Mail to Caltrans District Office according to the COUNTY LOCATION of the display.
Please utilize map below to aquire the correct mailing address.



MAY 2003