



# CANDIDATE'S GUIDE

## BOARD OF SUPERVISORS SPECIAL ELECTION

### MAY 3, 2011

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# Mark Church

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January 2011

Dear Candidate:

I congratulate you on your decision to run for office and offer your leadership to the people of San Mateo County. There are important challenges facing the Board of Supervisors and I salute your willingness to tackle these issues.

As a candidate for office, you are now responsible for legally setting up your campaign, filing for office and submitting all of the necessary forms. It can be confusing even for the most seasoned of candidates.

We have developed this Candidate Guide along with a combined Candidate & Voter Data Seminar to help you understand your responsibilities, reporting requirements, and deadlines as well as how to obtain and use voter data in your campaign. I highly recommend that you attend this seminar. Even if you've run before and are familiar with the process, laws change, forms change and reporting requirements change, and the laws governing special elections are slightly different. If you are unable to attend the seminar, I encourage you to read the Candidate Guide carefully.

The Candidate & Voter Data Seminar will be held on January 7 from 2 p.m. to 4 p.m. at the Elections Office at 40 Tower Road in San Mateo. You are welcome to bring your key volunteer(s) or campaign staff member(s) to this seminar. Just let us know who will be coming.

In addition to the seminar, our website, [www.shapethefuture.org](http://www.shapethefuture.org), has an abundance of useful information for candidates and campaigns, including an interactive election calendar, information on how to request voter file data, an electronic copy of the Candidate Guide for this election, the specific requirements and steps for including voter registration and/or vote by mail information in your campaign materials, polling place lookups, voting options for voters, and much more.

I also want to encourage you to participate in Smart Voter, a nonpartisan, comprehensive voter education resource provided by the League of Women voters ([www.smartvoter.org](http://www.smartvoter.org)). Their contact info is included.

Lastly, it is a privilege and honor to serve you in my new capacity as your Chief Elections Officer. My office is ready to answer your questions and provide assistance. I encourage you to direct your questions regarding candidate filings to our Filing Officer, Megan Asmus at (650) 312-5293 or email her at [masmus@smcare.org](mailto:masmus@smcare.org).

Sincerely,

A handwritten signature in black ink that reads "Mark Church".

Mark Church

*The 2011 Candidate Guide is intended to provide general information about the nomination and election of candidates, and does not have the force and effect of law, regulation or rule. It is distributed with the understanding that the Elections Division is not rendering legal advice and, therefore, the guide is not to be a substitute for legal counsel for the individual, organization or candidate using it. In case of conflict, the law, regulation or rule will apply.*

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# Office of Mark Church

Chief Elections Officer & Assessor-County Clerk-Recorder  
40 Tower Road, San Mateo, California 94402

Days Prior to Election	Date	Election Calendar for May 3, 2011 Special Election Action Taken
140	December 14, 2010	Resolution adopted by the Board of Supervisors calling for a special election to fill the District 1 vacancy.
140	December 14, 2010	Signatures-in-lieu of filing fees candidates may obtain forms from the Elections Office beginning December 14. <i>EC §8106</i>
120 97	January 3, 2011 January 26, 2011	County to publish notice of special election between these dates. <i>EC §12112; County Charter Art. II, §203</i>
116	January 7, 2011	Candidate Seminar at 2 p.m. held at Elections Office, 40 Tower Road, San Mateo.
113	January 10, 2011	Candidate filing begins: nomination papers available starting on this date. Declaration of candidacy and nomination papers available upon payment of filing fee, and candidate statements due at the time of filing. <i>EC §§8106, 8105, 8068, 13107, 13307; County Charter Art. II, §203</i>
103	January 20, 2011	Signatures-in-lieu of filing fees must be filed with the County Elections Official by 5 p.m. <i>EC §8106</i>
88	February 4, 2011	Candidate filing ends: last day to turn in nomination papers. <i>EC §8020; County Charter Art. II, §203</i>
88	February 4, 2011	Public examination period of candidate statements begins at 5:00 p.m. <i>EC §13313</i>
85	February 7, 2011	Last day for candidates to withdraw candidate statement (must notify Elections official in writing by 5 p.m.). <i>EC §13307</i>
85	February 7, 2011	Random alphabet drawing for order of names on ballot. <i>EC §13113</i>
78	February 14, 2011	Candidate statement review period ends at 5 p.m. <i>EC §13313</i>
57 14	March 7, 2011 April 19, 2011	Write-in candidate filing period. Between these dates, any qualified person may obtain and file a statement of write-in candidacy and nomination forms to be a write-in candidate for public office. Filing fee is not required. <i>EC 8600-8605; County Charter Art. II, §203</i>
40	March 24, 2011	Pre-election campaign and supplemental independent expenditure statements due. <i>GC §§84200.5(c), 84200.8(a), 84203.5</i>
40	March 24, 2011	Public logic and accuracy testing (eSlates). <i>EC §15000</i>
36	March 28, 2011	Public logic and accuracy testing (Ballot Now). <i>EC §15000</i>
29 0	April 4, 2011 May 3, 2011	Between these dates: Vote by Mail Ballots/Voter Information Pamphlets are mailed between April 4, 2011 and April 23, 2011. Replacement ballots may be obtained at the Elections Office through election day. Voted ballots may be dropped off at the Elections Office or in ballot boxes in each City Hall in San Mateo County until May 3, 2011. ADA-accessible voting centers in Redwood City and San Mateo are open during this period. <i>EC §3001, 3023, 4101</i>
29 1	April 4, 2011 May 2, 2011	Begin processing Vote By Mail ballots (return envelopes). Processing vote by mail ballot return envelopes may include verifying the voter's signature on the vote by mail ballot return envelope and updating voter history records. <i>EC §15101(a)</i>

16	April 17, 2011	Late Contribution Report/Late Independent Expenditure Report/Late Payments - Slate Mailer Organization. - All candidates and ballot measure committees that make or receive a late contribution of \$1,000 or more and all other committees that make a late contribution on any date of more than \$1,000 during this timeframe must report the late contribution within 24 hours on Form 497. - All candidates and committees that make a late independent expenditure of \$1,000 or more during this time frame must report the late independent expenditure within 24 hours on Form 496. - Each slate mailer organization that receives a payment of \$2,500 or more for the purpose of supporting or opposing any candidate or measure in a slate mailer must report the late payment within 24 hours on Form 498. <i>GC §§84203, 84204, 84220</i>
1	May 2, 2011	24-Hour Statement of Organization Filing Requirement – Recipient Committees & Slate Mailer Organizations: During the 16 days preceding an election and the election, any person or entity that qualifies as a recipient committee (receives contributions totaling \$1,000 or more in a calendar year) or a slate mailer organization n <i>GC §§84101, 84108</i>
15	April 18, 2011	Voter Registration Closes on this date to be eligible to vote in this election. <i>EC §2102, 2107</i>
12	April 21, 2011	Second pre-election campaign and supplemental independent expenditure statements due. <i>GC §§84200.5, 84200.8(b), 84203.5</i>
11	April 22, 2011	Begin processing Vote By Mail ballots (ballot processing). Processing at this time includes opening vote by mail ballot return envelopes, removing ballots, duplicating any damaged ballots, and preparing the ballots to be machine read. Under no circumstances may a vote count be accessed or released until 8 p.m. on the day of the election. <i>EC §15101(b)</i>
7	April 26, 2011	Last day for a voter to request a replacement ballot be mailed.
0	May 3, 2011	Election Day. All voted ballots must be received by the Elections Office by 8 p.m. on May 3, 2011 in order to be counted. <i>EC §1500; County Charter Art. II, §203</i>
28	May 31, 2011	Last day for County to certify election results. <i>EC §15372</i>
<u>Footnotes</u>		
EC:	California Elections Code	
GC:	California Government Code	
All above California Codes may be referenced online at: <a href="http://www.leginfo.ca.gov/calaw.html">www.leginfo.ca.gov/calaw.html</a>		

## **Filing Procedures and Forms**

# Candidate Filing Procedures Checklist

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*Please note:* This can be used as a helpful checklist, but may not be fully inclusive of every requirement for every office.

	Date Issued	Date Filed
<b>1. <u>Personal information provided to Election Office</u></b>		
a. Residence Address ( <i>verify in district</i> )	N/A	_____
b. Party Affiliation	N/A	N/A
c. Request Phone and e-mail	N/A	_____
d. Permission to post on Internet	N/A	_____
<b>2. <u>Nomination Papers/Declaration of Candidacy (Jan 10 – Feb 4)</u></b>		
a. Required number of Nomination Signatures (20-40)	_____	_____
b. Declaration of Candidacy	_____	_____
Name on Ballot ( <i>no titles or degrees</i> )	_____	_____
Ballot Designation ( <i>If <u>no</u> ballot designation, sign box</i> )	_____	_____
Oath of Office taken	_____	_____
c. Chinese Transliteration Form	_____	_____
d. Form 700	_____	_____
e. Receipt for Signatures in Lieu and/or	_____	_____
f. Filing Fee \$ _____	_____	_____
<b>3. <u>Candidate's Statement (to be filed <i>with</i> Nomination Papers/Declaration)</u></b>		
a. 200 words	_____	_____
b. Proper format	_____	_____
c. Attached to candidate's statement form	_____	_____
d. Check payable to "San Mateo County Elections"	_____	_____
<b>4. <u>Campaign Statements</u></b>		
a. Form 501 Candidate Intention Statement	_____	_____
b. Form 410 indicating committee fundraising or	_____	_____
c. File 470 indicating activity anticipated to remain under \$1,000 ( <i>give 501 &amp; 470</i> )	_____	_____
d. Fair Campaign Practices ( <i>optional</i> )	_____	_____

# Candidate Qualifications for Office

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## **Member, Board of Supervisors**

Citizen of the United States. Registered voter of District 1 which he or she represents for at least 30 days immediately preceding the deadline for filing nomination documents and shall reside in the district during his or her incumbency. *San Mateo County Charter Article II, §202; GC §§24001, 25041; EC §201*

Term: Remaining term ending on January 3, 2013 (12:00 noon)

# Holding Two Offices

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The 1999 San Mateo County Grand Jury recommended that all candidates be made aware that individuals cannot hold incompatible offices. If a candidate is elected to an office that is incompatible with the first office, the first office becomes vacant upon the taking of the second office.

While there is no statute that defines what an "incompatible office is," there is a common law doctrine of incompatible offices. This doctrine precludes public officials from holding two different public offices simultaneously if the offices have overlapping and conflicting public duties. Courts have summarized the doctrine as follows: "One individual may not simultaneously hold two public offices where the functions of the offices concerned are inherently inconsistent, as where there are conflicting interests, or where the nature of the duties of the two offices is such as to render it improper due to considerations of public policy for one person to retain both." (*Mott v. Horstmann* (1950) 36 Cal.2d 388; see also, *Chapman v. Rapsey* (1940) 16 Cal.2d 636.)

The Attorney General's Office has issued many opinions as to whether certain offices are incompatible or not. Here are five examples of offices that the Attorney General Offices has opined were incompatible: (1) the offices of city councilman and school district board member where the city and the school district have territory in common; (2) the positions of fire chief of a county fire protection district and member of the board of supervisors of the same county; (3) the offices of trustee of a high school district and trustee of an elementary school district which is wholly within the geographic boundaries of the high school district; (4) water district director and a city council member and (5) a water district director and a school district trustee having territory in common.

## Footnotes

13.5. (a) (1) *Notwithstanding subdivision (a) of Section 13, no person shall be considered a legally qualified candidate for any of the offices set forth in subdivision (b) unless that person has filed a declaration of candidacy, nomination papers, or statement of write-in candidacy, accompanied by documentation, including, but not necessarily limited to, certificates, declarations under penalty of perjury, diplomas, or official correspondence, sufficient to establish, in the determination of the official with whom the declaration or statement is filed, that the person meets each qualification established for service in that office by the provision referenced in subdivision (b).*

(2) *The provision of "documentation," for purposes of compliance with the requirements of paragraph (1), may include the submission of either an original, as defined in Section 255 of the Evidence Code, or a duplicate, as defined in Section 260 of the Evidence Code.*

(b) *This section shall be applicable to the following offices and qualifications therefore:*

(1) *For the office of county auditor, the qualifications set forth in Sections 26945 and 26946 of the Government Code.*

(2) *For the office of county district attorney, the qualifications set forth in Sections 24001 and 24002 of the Government Code.*

(3) *For the office of county sheriff, the qualifications set forth in Section 24004.3 of the Government Code.*

(4) *For the office of county superintendent of schools, the qualifications set forth in Sections 1205 to 1208, inclusive, of the Education Code.*

(5) *For the office of judge of the superior court, the qualifications set forth in Section 15 of Article VI of the California Constitution.*

(6) *For the office of county treasurer, county tax collector, or county treasurer-tax collector, the qualifications set forth in Section 27000.7 of the Government Code, provided that the board of supervisors has adopted the provisions of that section pursuant to Section 27000.6 of the Government Code. (Note: The Board of Supervisors has NOT adopted the qualifications of GC §27000.7) Amended by Stats. 2002, c. 784, §92*

# Candidate's Filing Fee

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## Non-Refundable Filing Fees

The filing fees for all candidates required to file declarations of intention to become a candidate shall be paid at the time such declarations are filed with the county elections official. The filing fees for all other candidates shall be paid at the time the candidates obtain their nomination forms from the county elections official. The county elections official shall not accept any papers unless the fees are paid at the time required by this section, or unless satisfactory evidence is given to the county elections official or to the registrar of voters that the fee has been paid at the time of the declaration of candidacy in another county. All filing fees received by the elections official are nonrefundable. *EC §8104, 8105*

<u>Office</u>	<u>Salary</u>	<u>Filing fee</u>	<u>In-lieu signatures</u>	<u>Value per signature</u>	<u>Sponsors</u>
Board of Supervisors	\$ 115,970.40	\$ 1,159.70 (1%)	4,639	\$0.25	20 - 40

# Petition In-Lieu of Filing Fee

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A candidate may submit a petition containing signatures of registered voters in-lieu of paying the filing fee to run for office. The signatures submitted may cover all, or a pro rata portion of the filing fee. Any registered voter may sign an in-lieu-of-filing-fee petition for any candidate for whom he or she is eligible to vote. "All signers must be registered voters." If a voter signs more candidates' petitions than there are offices to be filled, the voter's signatures shall be valid only on those petitions which, taken in the order they were filed, do not exceed the number of offices to be filled.

*Elections Code §8060, §8106 (b) (1) (2)*

No additional signatures may be filed after the filing date, but supplemental signatures may be filed to replace signatures in the original filing that were found to be insufficient. That portion of the filing fee not covered by the signatures must be paid in full before the nomination documents may be filed. *EC §8105, §8106*

## Where/When Available

The candidate, or his or her representative (with written permission), may obtain the signature in-lieu of filing fee petition from the County of San Mateo's Registration – Elections Division office beginning December 14, 2010. The forms will not be mailed and must be submitted for verification prior to obtaining nomination documents and no later than January 20, 2011. *EC §8061, §8105, §8106*

# Nomination Petition Forms

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All forms required for nomination and election to county offices shall be furnished by the county elections official. At the time of issuing these forms the county elections official shall:

1. Type on the forms the name of the candidate and the office for which he or she is a candidate,
2. Imprint a stamp on the form which reads "Official Filing Form", and
3. Affix his or her signature on the form.

The forms shall be distributed to all candidates applying for them upon the payment of the filing fee. The county elections official shall not require a candidate to sign, file, or sign and file, a declaration of candidacy as a condition of receiving nomination papers. *EC §§ 8020 and 8101*

## **Signers (Sponsors) of Nomination Papers**

The number of registered voters required to sign a nomination paper for candidacy in a single county or any political subdivision of a county, other than State Senate or Assembly, not less than 20 nor more than 40. *EC §§ 8062*

No more signers shall be secured for any candidate than the maximum number required. If, however, through miscalculation or otherwise, more signers are secured than the maximum number, the officer with whom the nomination papers are filed shall, with the written consent of the candidate, withdraw the excess number. *EC §8067*

OFFICIAL FILING FORM

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County Elections Official

By: \_\_\_\_\_

Deputy

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

RECEIVED IN COUNTY

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COUNTY ELECTIONS OFFICIAL

By: \_\_\_\_\_

Deputy

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

(SECRETARY OF STATE USE ONLY)

# Nomination Paper

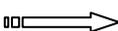
(Elections Code sections 100, 104, 8041, 8066, 8068, 8069, 10221, 10222, 10226, 10704, Code of Civil Procedure section 2015.5)

I, the undersigned signer for «**CandFullName**» candidate for the nomination to the office of «**OfficeTitle**», «**DistrictName**» to be voted for at the «**ElectionDate**» «**ElectionDesc**» hereby assert as follows:

I am a resident of «**DistrictName**» in San Mateo County and a resident at the address shown on this paper. I am a registered qualified voter. I am not at this time a signer of any other nomination paper of any other candidate for the above-named office, or in case there are several places to be filled in the above-named office, I have not signed more nomination papers than there are places to be filled in the above-named office.

My residence is correctly set forth after my signature hereto:

PRECINCT (To be entered by Elections Official)	NAME	RESIDENCE	VERIFICATION (To be entered by Elections Official)
	Print 1..... Sign	Residence Address ONLY ..... City or Town .....	
	Print 2..... Sign	Residence Address ONLY ..... City or Town .....	
	Print 3..... Sign	Residence Address ONLY ..... City or Town .....	
	Print 4..... Sign	Residence Address ONLY ..... City or Town .....	
	Print 5..... Sign	Residence Address ONLY ..... City or Town .....	

Please complete Affidavit of Circulator on reverse side 

PRECINCT (To be entered by Elections Official)	NAME	RESIDENCE	VERIFICATION (To be entered by Elections Official)
	Print 6..... Sign .....	Residence Address ONLY ..... City or Town .....	
	Print 7..... Sign .....	Residence Address ONLY ..... City or Town .....	
	Print 8..... Sign .....	Residence Address ONLY ..... City or Town .....	
	Print 9..... Sign .....	Residence Address ONLY ..... City or Town .....	
	Print 10..... Sign .....	Residence Address ONLY ..... City or Town .....	

**AFFIDAVIT OF CIRCULATOR**  
(To be completed in circulator's own hand)

I, \_\_\_\_\_, solemnly swear (or affirm) that I secured signatures in the County of San Mateo to the nomination paper of «**CandFullName**» as candidate for the office of «**OfficeTitle**»; that the signatures were obtained between \_\_\_\_\_, «**CurrentYear**» and \_\_\_\_\_, «**CurrentYear**»; that I saw all the signatures on this section of the nomination paper being signed and that, to the best of my information and belief, each signature is the genuine signature of the person whose name it purports to be.

My voting residence is \_\_\_\_\_.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on \_\_\_\_\_ at \_\_\_\_\_  
Date Place of execution

\_\_\_\_\_  
Signature of Circulator

Examined and certified by me this \_\_\_\_\_ day of \_\_\_\_\_, «**CurrentYear**».

(SEAL)

\_\_\_\_\_  
Signature of Elections Official

<p><b>TO BE ENTERED BY ELECTIONS OFFICIAL AFTER VERIFICATION:</b></p> <p><b>Number of Valid Signatures on this Section:</b> _____</p> <p><b>Date:</b> _____</p> <p><b>Deputy:</b> _____</p>	<p><b>WARNING:</b></p> <p>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 nomination paper in his/her possession which is entitled to be filed under the provisions of the Elections Code.</p> <p><i>EC 18202</i></p>
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# Guidelines for Gathering Signatures

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Candidates should obtain the required number of signatures as soon as possible in order for their nomination papers to be returned to the Elections Department for examination and filing.

## **Petition Circulator Information**

Anyone who is circulating a Signatures In-Lieu Petition or Nomination Paper must be a registered voter of the jurisdiction in which the candidate is seeking nomination. A circulator may serve only in the jurisdiction and county in which he/she resides. For offices that extend into another county, the circulator can only obtain signatures of registered voters residing in his or her county of residence. Therefore, a circulator in San Mateo County cannot obtain signatures from voters who reside in Santa Clara. A candidate for any office may obtain signatures to and sign his/her own Nomination Petition or Signatures In-Lieu Petition. His/her signature will be given the same effect as that of any other qualified signer. The candidate may circulate the petitions throughout the jurisdiction regardless of his/her county of residence.

*EC §§106, 8065, 8066*

## **Declaration of Circulator**

Circulators appointed to circulate nomination petitions shall be voters in the district or political subdivision in which the candidate is to be voted on and shall serve only in that district or political subdivision. The candidate may appoint circulators to serve, within the county in which they reside, for purposes of securing signatures to the candidate's nomination paper. The elections official shall not accept for filing any nomination papers unless all blanks in the certificate are filled. *EC §§ 8065 - 8066*

All petition circulators must complete, in his/her own hand:

- 1) The printed name of the circulator.
- 2) The residence address of the circulator, giving street and number, or if no street or number exists, adequate designation of residence so that the location may be readily ascertained.
- 3) The dates between which all the signatures to the petition or paper were obtained. Each declaration submitted pursuant to this section shall also set forth the following:
  - a. That the circulator circulated that section and witnessed the appended signatures being written.
  - b. That according to the best information and belief of the circulator, each signature is the genuine signature of the person whose name it purports to be.

The circulator shall certify to the content of the declaration as to its truth and correctness, under penalty of perjury under the laws of the State of California, with the signature of his or her name at length, including given name, middle name or initial, or initial and middle name. The circulator shall state the date and the place of execution on the declaration immediately preceding his or her signature. *EC §104*

### **Qualified Signers**

Only a person who is a registered qualified voter at the time he/she signs the Nomination Petition or Signatures In-Lieu Petition is entitled to sign it. *Each voter shall* at the time of signing the petition or paper *personally affix* his or her signature, printed name and place of residence, giving street and number, and if no street or number exists, then a designation of the place of residence which will enable the location to be readily ascertained. All signers of the same section of a petition must be registered in one county. Different sections must be used in each county where the petitions are circulated and filed with the County Clerk in the affected county. *EC §100*

Signers of nomination petitions shall be voters in the district or political subdivision in which the candidate is to be voted on and shall be affiliated with the party, if any, in which the nomination is proposed. No signer shall, at the time of signing a certificate, have his or her name signed to any other nomination paper for any other candidate for the same office or, in case there are several places to be filled in the same office, signed to more nomination papers for candidates for that office than there are places to be filled. *EC §§8068 - 8069*

### **Nomination Paper**

Signers of the Nomination Paper shall be voters in the district or political subdivision in which the candidate is to be voted. *EC §8068*

### **Signature In-Lieu Petition**

Any registered voter may sign an In-Lieu petition for any candidate for whom he or she is eligible to vote.

### **Applying Signatures In-Lieu toward Nomination Signature Requirement**

If a candidate submits a petition in-lieu of filing fee, the county elections official shall count all valid signatures appearing on the petition toward the number of sponsor signatures required for the candidate's nomination paper. If the petition in-lieu of filing fee contains the requisite number of valid signatures required for the nomination paper, the candidate is not required to circulate and file a nomination paper, but may request the county elections official to accept the petition in-lieu of filing fee as a nomination paper instead of filing separate additional nomination papers. If the petition in-lieu of filing fee does not contain the requisite number of valid signatures required for the nomination paper, the candidate shall be entitled to file, within the time period allowed for filing nomination papers, a nomination paper in order to obtain the requisite number of valid signatures required to be submitted to the elections official on a nomination paper. The nomination paper shall be delivered to the county elections official of the county in which the signer resides and is a voter.

**NOTE:** The candidate is still required to file a declaration of candidacy during the nomination period. *EC §8061, §8062, §8106*

### **Circulating Within 100 Feet of a Polling Place/Voting Center**

Signatures to a Nomination Paper or any other petition shall not be obtained within 100 feet of any election booth or polling place. *EC §18370*

### **Voters May Sign Only One Paper; Exceptions**

No signer shall, at the time of signing the petition, have his or her name signed to any other Nomination Paper for any other candidate for the same office or, in case there are

several places to be filled in the same office, signed to more Nomination Papers for candidates for that office than there are places to be filled. *EC §8069*

### **Registering Voters at time of Signing Petition**

Candidates may register voters at the same time as the voter signs the candidate's petition (signature in-lieu or nomination). For purposes of verifying signatures on a petition, a properly executed affidavit of registration shall be deemed effective for verification purposes if both (a) the affidavit is signed on the same date or a date prior to the signing of the petition, and (b) the affidavit is received by the county elections official on or before the date on which the petition is filed. *EC §2102(b)*

### **Validation of Signatures**

The county elections official shall verify the signatures of the signers on the nomination paper with the registration affidavits on file in the office of the county elections official. The county elections official shall mark "not sufficient" any signature that does not appear in the same handwriting as appears on the affidavit of registration in his or her office. The county elections official may cease to verify signatures once the minimum requisite number of signatures has been verified. *EC §8081*

No defect in any nomination document presented shall prevent the filing of another nomination document within the period allowed for presenting the nomination document. *EC §8102*

The sponsor must be a registered voter residing at his or her address of registration, at the time of signing any signature in-lieu or nomination petition.

The following guidelines will be used when validating signatures on nomination petitions or signature-in-lieu of filing fee petitions. A signature can be challenged if the signer:

- is not registered to vote;
- provides a signature on the petition that does not compare to the signature on the voter's affidavit of registration;
- does not reside in the appropriate district;
- uses a P.O. Box number for residence;
- omits his/her residence address;
- uses a mail drop number for residence address;
- provides an address that is different from the voter's residence address on the affidavit of registration on record;
- prints his or her name for the signature, unless registered as such;
- lists and signs *her* name using spouse's name, such as "Mrs. John Jones";
- uses ditto marks for an address previously listed

# Declaration of Candidacy Form

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No person shall be considered a legally qualified candidate for any office under the laws of this state unless that person has filed a declaration of candidacy or statement of write-in candidacy with the proper official for the particular election or primary, or is entitled to have his or her name placed on a general election ballot by reason of having been nominated at a primary election, or having been selected to fill a vacancy on the general election ballot as provided in Section 8806, or having been selected as an independent candidate pursuant to Section 8304.

Nothing in this section shall be construed as preventing or prohibiting any qualified voter of this state from casting a ballot for any person by writing the name of that person on the ballot, or from having that ballot counted or tabulated, nor shall any provision of this section be construed as preventing or prohibiting any person from standing or campaigning for any elective office by means of a "write-in" campaign. However, nothing in this section shall be construed as an exception to the requirements of Section 15341.

It is the intent of the Legislature, in enacting this section, to enable the Federal Communications Commission to determine who is a "legally qualified candidate" in this state for the purposes of administering Section 315 of Title 47 of the United States Code.  
*EC §13*

No candidate's name shall be printed on the ballot unless a declaration of candidacy and nomination papers are delivered for filing with the county elections official. The candidate is to execute the declaration of candidacy in the office of the county elections official unless the candidate has signed and dated a written statement designating a person to receive a declaration of candidacy form from the county elections official for the candidate or, upon request of a candidate, the county elections official shall provide the candidate with a declaration of candidacy and nomination papers. Such statement shall include language explaining that the candidate is aware that the declaration of candidacy must be properly executed and delivered to the county elections official of the county of the candidate's residence by 5 p.m., February 4, 2011.  
*EC §§8020, 8028, 8040, 8041, and 8060*

## **Name On Ballot**

The candidate's name as provided by the candidate on the Declaration of Candidacy is the way it will appear on the ballot. The Declaration of Candidacy cannot be changed after the nomination process is complete.

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*

If the candidate has changed his or her name within one year prior to the election, the new name will not appear on the ballot unless the change was made by marriage or by Decree of Court. *EC §13104*

## Ballot Designation

Candidates have the option of using a ballot designation. The ballot designation is the word, or group of not more than three (3) words, which will appear on the ballot under the candidate's name, designating the current principal profession, vocation, or occupation of the candidate.

The ballot designation that a candidate may use is governed by Election Code §13107 which states the following:

- (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 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 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 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 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 7228, 7423, 7673, 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.A. 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. *Amended by Stats. 1998, c. 931, §138; 1999 c. 312; 2002, c. 784, §98*

A ballot designation worksheet must be completed at the time of filing. Election Code 13107.3 states:

- (a) Each candidate who submits a ballot designation pursuant to subdivision (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 subdivision (a), no designation shall appear under the candidate's name on the ballot.

**Use of the term “Community Volunteer” as a Ballot Designation**

13107.5. (a) A candidate's ballot designation as "community volunteer" shall constitute a valid principal vocation or occupation for purposes of subdivision (a) of Section 13107, if not otherwise in violation of any of the restrictions set forth in that section, and subject to the following conditions:

1. A candidate's community volunteer activities constitute his or her principal profession, vocation, or occupation.
  - a. A candidate is not engaged concurrently in another 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 designation.
  - c. The Secretary of State shall by regulation define what constitutes a community volunteer for purposes of this section.

*Added by Stats. 2002, c. 364, §1*



I meet the statutory and constitutional qualifications for this office (including but not limited to citizenship, residency, and party affiliation, if required). If nominated/elected, I will accept the nomination/office and not withdraw. I will serve to the best of my ability. I am aware that any person who files or submits for filing a declaration of candidacy knowing that it or any part of it has been made falsely is punishable by a fine or imprisonment, or both, as set forth in Section 18203 of the Elections Code.

I am at present an incumbent of the following public office (if any) \_\_\_\_\_

**I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.**

\_\_\_\_\_ Date \_\_\_\_\_ Signature of Candidate \_\_\_\_\_

State of California ss. }  
 County of San Mateo }

Subscribed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_, «CurrentYear»  
 \_\_\_\_\_  
 Notary Public (or other official)

Examined and certified by me this \_\_\_\_\_ day of \_\_\_\_\_, «CurrentYear»  
 \_\_\_\_\_  
 County Elections Official By \_\_\_\_\_ Deputy

### Oath of Office

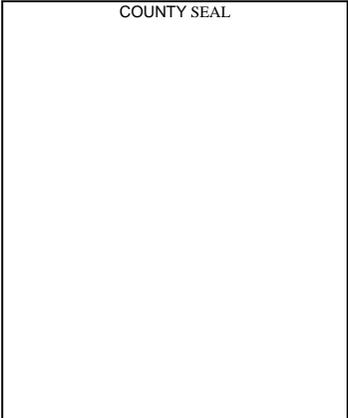
I, «CandFullName», do solemnly swear (or affirm) that I will support and defend the Constitution of the United States and the Constitution of the State of California against all enemies, foreign and domestic; that I will bear true faith and allegiance to the Constitution of the United States and the 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 ss. }  
 County of San Mateo }

Subscribed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_, «CurrentYear»  
 \_\_\_\_\_  
 Notary Public (or other official)

Examined and certified by me this \_\_\_\_\_ day of \_\_\_\_\_, «CurrentYear»  
 \_\_\_\_\_  
 By \_\_\_\_\_



## Other Forms

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All forms, optional and required will be provided by the County Elections Office at the time of your candidate filing appointment.

### **Ballot Designation Worksheet (Required)**

As a supplement to the ballot designation indicated on a candidate's Declaration of Candidacy, a Ballot Designation Worksheet is required of all candidates. The Ballot Designation Worksheet provides verification and supporting information as to the validity of the candidate's proposed designation as well as alternate designations, should the Elections Official find the proposed designation to be invalid.

### **Code of Fair Campaign Practices (Optional)**

The Legislature declares that the purpose of this chapter [Chapter 5, Division 20 of the California Elections Code] 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. *EC §20400*

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. 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. Every code subscribed to by a candidate for public office pursuant to this chapter is a public record open for public inspection. In no event shall a candidate for public office be required to subscribe to or endorse the code. *EC §§20440 – 20444*

### **Chinese Transliteration Form (Required)**

As of July 2002, all election information that is provided in English about voter registration, elections and voting, including information provided in polling places and the voting booths, must be provided in Chinese and Spanish to the extent needed to allow effective participation of all individuals in the electoral process and all voting related activities. *Section 203 of the Voting Rights Act, 42 U.S.C. 1973aa-1a*

The Voting Rights Act applies to all elections conducted by San Mateo County, which includes cities, special districts and school districts. This is a federal mandate that is not funded; therefore the election costs will be divided amongst the jurisdictions holding elections and the candidates submitting candidate statements. As a result of these requirements, costs for printing and handling of candidate statements have increased. Further information can be found through the Department of Justice website at [www.usdoj.gov/crt/voting/sec\\_203/activ\\_203.htm](http://www.usdoj.gov/crt/voting/sec_203/activ_203.htm)

Candidate names are listed in English along with a Chinese transliteration in the Chinese version of the Sample Ballot and Official Ballot. Each candidate must complete a Chinese Transliteration form designating one of three options with respect to how their name appears on the Chinese version of the

Sample Ballot and Official Ballot. The candidate can choose to provide his/her own Chinese transliteration of their name, have a court certified translator determine the Chinese transliteration of their name, or choose not to have their name printed only in English.

### **Form 700 – Statement of Economic Interest (Required)**

Candidates are required to file a statement disclosing his or her investments and his or her interest in real property. Forms must be filed by the final date for filing the Declaration of Candidacy (February 4, 2011). GC §87302.3

An interactive version of this form is available on the Fair Political Practices Commission web site at [www.fppc.ca.gov](http://www.fppc.ca.gov).

### **In-Lieu Petition Written Directive Form (Optional)**

If a candidate submits an in-lieu-filing-fee petition pursuant to Section 8106, any or all signatures appearing on the petition, which would be valid under Section 8041, shall be counted towards the number of voters required to sign a nomination paper. If an in-lieu-filing-fee petition contains a requisite number of valid signatures under Section 8062, the candidate shall not be required to file nomination papers, but may request the elections official to accept the petition instead of filing nomination papers. *Elections Code §8061*

If an in-lieu-filing-fee petition does not contain the requisite number of valid signatures as set forth in Section 8062, the candidate shall be entitled to file, within the time period allowed for filing nomination papers, a nomination paper in order to obtain the requisite number of valid signatures required to be submitted to the elections official on a nomination paper. A candidate who submits a nomination paper pursuant to this paragraph shall only be required to obtain the number of signatures thereon needed to supplement the in-lieu-filing-fee petition so that the combination of signatures appearing on the in-lieu-filing-fee petition and the nomination paper equals or exceeds the requisite number of signatures set forth in Section 8062.

### **Permission to Post Personal Information Form (Required)**

- (a) No state or local agency shall post the home address or telephone number of any elected or appointed official on the Internet without first obtaining the written permission of that individual.
- (b) No person shall knowingly post the home address or telephone number of any elected or appointed official, or of the official's residing spouse or child on the Internet knowing that person is an elected or appointed official and intending to cause imminent great bodily harm that is likely to occur or threatening to cause imminent great bodily harm to that individual. A violation of this subdivision is a misdemeanor. A violation of this subdivision that leads to the bodily injury of the official, or his or her residing spouse or child, is a misdemeanor or a felony.
- (c) For purposes of this section “**elected or appointed official**” includes, but is not limited to, all of the following: (1) State Constitutional Officers; (2) Members of the Legislature;(3) Judges and Court Commissioners; (4) District Attorneys; (5) Public Defenders; (6) Members of a City Council; (7) Members of a Board of Supervisors; (8) Appointees of the Governor; (9) Appointees of the Legislature; (10) Mayors; (11) City Attorneys; (12) Police Chiefs and Sheriffs; (13) A Public Safety Official as defined in Section 6254.24. Government Code §6254.21

## **Candidate & Campaign Resources and Guidelines**

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# Campaign Disclosure Information

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The Political Reform Act requires candidates to file campaign statements disclosing contributions received and expenditures made. The statutory requirements of the Political Reform Act are contained in Sections 81000 through 91015 of the California Government Code. You may contact the Technical Assistance Division of the Fair Political Practices Commission at the following: 428 J Street, Suite 620, Sacramento, CA 95814; phone 916.322.5660 (Toll Free 1-866-ASK-FPPC) or visit their web site at [www.fppc.ca.gov](http://www.fppc.ca.gov).

## **Form 501 - Candidate Intention**

To be filed with the filing officer who will receive your original campaign disclosure statements prior to soliciting or receiving contributions in any election.

## **Form 410 - Statement of Organization**

For use in organizing a committee. A Statement of Organization must be filed within 10 days of receiving \$1,000 in contributions. File the original and one copy with the Secretary of State's Political Reform Division and a copy with the County Clerk. \*Form 410 now includes an area to indicate the campaign bank account information. Form 502 is no longer required.

## **Form 460 - Form/Consolidated Campaign Statement**

Recipient Committee Campaign Statement. For use by 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 an election to office, or holding office.

## **Form 465 – Supplemental Independent Expenditure Statement**

Officeholders, candidates, recipient committees, major donor committees, and independent expenditure committees that make independent expenditures totaling \$1,000 or more in a calendar year to support or oppose a single candidate, a single measure, or the qualification of a single measure. (\*Note: Proposition 34 prohibits a controlled committee of a candidate from making independent expenditures and contribution of funds to another committee for the purpose of supporting or opposing another candidate.)

An "independent expenditure" is an expenditure made in connection with a communication (e.g., a billboard, advertisement, mailing) that expressly advocates the nomination, election, or defeat of a clearly identified candidate, or the qualification, passage, or defeat of a clearly identified measure, or taken as a whole and in context, unambiguously urges a particular result in an election but which is not made to—or at the behest of—the affected candidate or committee.

## **Form 470 - Candidate and Office Holder Campaign Statement - Short Form**

This form is used by candidates who do not have a controlled committee, and do not anticipate receiving contributions or making expenditures totaling \$1,000 or more in a calendar year. If the Form 470 is filed on or before the filing deadline for the first pre-election campaign statement, no additional campaign statement need be filed in connection with the election so long as total receipts/expenditures remain less than \$1,000.

## **Form 470 Supplement**

A candidate who has filed Form 470 in connection with an election and subsequently receives contributions or makes expenditures totaling \$1,000 or more is required to file notification within 48-hours. Form 470 Supplement may be used, and must be sent by telegram, guaranteed overnight service, personal delivery or fax to the Secretary of State, the local filing officer, and to each of his or her opponents seeking the same office.

**Form 496 – Late Independent Expenditure Report**

Any committee that makes independent expenditures totaling \$1,000 or more to support or oppose a single candidate or single ballot measure during the 16 days immediately prior to the election in which the candidate or measure is being voted must file a report within 24 hours of the expenditure.

**Form 497 – Late Contribution Report**

Any committee that makes or receives a late contribution totaling \$1,000 or more from a single source during the 16 days immediately prior to the election in which the candidate or measure is to be voted must file a report within 24 hours of the time the contribution was made or received.

<b>CANDIDATES RECEIVING OR SPENDING <u>OVER</u> \$1,000 MUST FILE FORMS 501 + 410 + 460</b>
<b>CANDIDATES RECEIVING OR SPENDING <u>UNDER</u> \$1,000 MUST FILE FORMS 501 + 470</b>

# Campaign Statements & Filing Schedule

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All candidates with qualified committees are required to file semi-annual campaign statements no later than July 31<sup>st</sup> and January 31<sup>st</sup>. In addition, all committees that have made or received contributions of \$1,000 or more or made expenditures of \$1,000 or more in connection with an election and during the periods specified in the chart to follow must file campaign statements on the required dates.

<b><i>Filing Deadline</i></b>	<b><i>Type of Statement</i></b>	<b><i>Period Covered by Statement<sup>1/</sup></i></b>	<b><i>Method of Delivery</i></b>
January 31, 2011	Semi-Annual	Thru – 12/31/2010	Personal Delivery First Class Mail
March 24, 2011	Pre-Election	1/1/2011-3/19/2011	Personal Delivery First Class Mail
April 21, 2011	Pre-Election	3/20/2011- 4/16/2011	Personal Delivery Guaranteed Overnight Service
Within 24 Hours	Late Contributions and Independent Expenditures of \$1,000 or More	04/17/2011 – 5/2/2011	Personal Delivery Guaranteed Overnight Service Fax
August 1, 2011	Semi-Annual	4/18/2011 - 6/30/2011	Personal Delivery First Class Mail

**Additional Notes:**

- Except for deadlines that fall on a Saturday, Sunday, or an official state holiday, filing deadlines may not be extended. Late statements are subject to a \$10 per day late fine.
- All statements are public documents.
- Local jurisdictions may impose contribution limits and additional filing requirements.
- Refer to the appropriate campaign disclosure manuals for information on where to file statements.

# San Mateo County Ordinance Affecting Campaign Contributions

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## Chapter 2.03 – CAMPAIGN CONTRIBUTIONS

### 2.03.010 - Definitions.

- (a) The definitions and other provisions of the applicable provisions of the California Political Reform Act of 1974 (Government Code sections 81000 et seq.) and any amendments thereto and the regulations of the Fair Political Practices Commission shall govern the interpretation and application of this section to the extent practicable.
- (b) "County office" means the office of member of the Board of Supervisors, Assessor-County Clerk-Recorder, Controller, District Attorney, Sheriff, Coroner, Treasurer-Tax Collector. (*Ord. 4324, 08/15/06*)

### 2.03.020 - Limitation of campaign contributions to candidates in County elections.

- (a) No person or entity shall make to any candidate for County office or the candidate's controlled committee and no candidate or the candidate's controlled committee shall accept from any person or entity a contribution or contributions totaling more than one thousand dollars (\$1,000) for each election in which the candidate is attempting to be on the ballot or is a write in candidate.
- (b) The provisions of this section do not apply to a candidate's contributions of his or her personal funds to his or her own campaign. (*Ord. 4324, 08/15/06*)

# Selected State Laws

## Governing Campaign Practices

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The following are selected laws from Divisions 18 and 20 of the California Elections Code, Title 9 of the Government Code (Political Reform Act) and accompanying regulations regarding campaign activities. For a complete listing of restrictions on campaign practices and accompanying regulations, please refer to the Divisions and Titles in their entirety.

### **Campaign Literature and Simulation of the Ballot**

#### **Candidate Statement of Qualifications**

Elections Code §18351 states, “Any candidate in an election or incumbent in a recall election who knowingly makes a false statement of a material fact in a candidate's statement, prepared pursuant to Section 11327 or 13307, with the intent to mislead the voters in connection with his or her campaign for nomination or election to a nonpartisan office is punishable by a fine not to exceed one thousand dollars (\$1,000).”

#### **Simulated Ballot**

Elections Code §20009 states, “(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 the 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 this notice in any editorial or other statement appearing in a regularly published newspaper or magazine other than a paid political advertisement.

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

#### **Campaign Advertising or Communication**

As defined by election law, means a communication authorized by a candidate or a candidate's controlled committee, . . . or by a committee making independent expenditures, . . . or by a committee formed primarily to support or oppose a ballot measure, . . . for the purpose of advocating the election or defeat of a qualified candidate or ballot measure through any broadcasting station, newspaper, magazine, outdoor advertising facility, direct mailing, or any other type of general, public, political advertising. *EC §304*

## **Mass Mailing**

### *Government Code §84305*

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

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

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

*Mass mailing*, as defined in Government Code §82041.5, 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.

## **Political Advertising**

Elections Code §20008 states, 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.”

## **Libel and Slander**

The provisions of Part 2 (commencing with Section 43) of Division 1 of the Civil Code, relating to libel and slander, are applicable to any campaign advertising or communication. *EC §20500*

(a) A candidate or state measure proponent is liable for any slander or libel committed by a committee that is controlled by that candidate or state measure proponent as defined by Section 82016 of the Government Code if the candidate or state measure proponent willfully and knowingly directs or permits the libel or slander.

(b) A person who is a sponsor of a sponsored committee, as defined by Section 82048.7 of the Government Code, is liable for any slander or libel committed by the sponsored committee if the sponsor willfully and knowingly directs or permits the libel or slander. *EC §20501*

## **Electioneering on Election Day**

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 ballot.
- (c) Place a sign relating to voters' qualifications or speak to a voter on the subject of his qualifications except as provided in Section 14240.
- (d) Do any electioneering.

As used in [this] section (Elections Code §18370) 100 feet of a polling place or an election 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. *EC §§18370*

## Corruption of Voting and Intimidation of Voters

Elections Code §18540 states:

(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 the state prison for 16 months or two or three years.

Elections Code §18541 states:

(a) No person shall, with the intent of dissuading another person from voting, within 100 feet of a polling place:

- (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.
  - (a) 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.
  - (b) 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."

*For purposes of §18541 (a)(3), the photographing, videotaping, or recording of a voter must be in order to dissuade the person from voting. This does not apply to situations where newspaper photographers are photographing a polling place for journalistic purposes.*

Elections Code §18543 states:

(a) Every person who knowingly **challenges a person's right to vote** without probable cause or on fraudulent or spurious grounds, or who engages in mass, indiscriminate, and groundless challenging of voters solely for the purpose of preventing voters from voting or to delay the process of voting, or who fraudulently advises any person that he or she is not eligible to vote or is not registered to vote when in fact that person is eligible or is registered, or who violates Section 14240, is punishable by imprisonment in the county jail for not more than 12 months or in the state prison.

(b) Every person who conspires to violate subdivision (a) is guilty of a felony.

In addition, §18403 also states:

(a) Any person other than an elections official or a member of the precinct board who **receives a voted ballot from a voter or who examines or solicits the voter to show his or her voted ballot** 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 persons returning an Vote by Mail ballot pursuant to Sections 3017 and 3021 or persons assisting a voter pursuant to Section 14282.

# Outreach and Information

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## **Candidate Statements**

Each candidate for nonpartisan elective office has the option to submit a candidate's statement. This statement is incorporated into the sample ballot, generally at the candidate's expense, and will be mailed to all registered voters in the district eligible to vote for that particular candidate. Elections Code §13307 governs the preparation and form of the candidate statement.

Elections Code §13307:

- (a) (1) Each candidate for nonpartisan elective office in any local agency, including any city, county, city and county, or district, may prepare a candidate's statement on an appropriate form provided by the elections official. The statement may include the name, age and occupation of the candidate and a brief description, of no more than 200 words, of the candidate's education and qualifications expressed by the candidate himself or herself. However, the governing body of the local agency may authorize an increase in the limitations on words for the statement from 200 to 400 words. The statement shall not include the party affiliation of the candidate, nor membership or activity in partisan political organizations.
- (2) The statement authorized by this subdivision shall be filed in the office of the elections official when the candidate's nomination papers are returned for filing, if it is for a primary election, or for an election for offices for which there is no primary. The statement shall be filed in the office of the elections official no later than the 88th day before the election, if it is for an election for which nomination papers are not required to be filed. If a runoff election or general election occurs within 88 days of the primary or first election, the statement shall be filed with the elections official by the third day following the governing body's declaration of the results from the primary or first election.
- (3) Except as provided in Section 13309, the statement may be withdrawn, but not changed, during the period for filing nomination papers and until 5 p.m. of the next working day after the close of the nomination period.
  - (b) The elections official shall send to each voter, together with the sample ballot, a voter's pamphlet which contains the written statements of each candidate that is prepared pursuant to this section. The statement of each candidate shall be printed in type of uniform size and darkness, and with uniform spacing. The elections official shall provide a Spanish translation to those candidates who wish to have one, and shall select a person to provide that translation from the list of approved Spanish language translators and interpreters of the superior court of the county or from an institution accredited by the Western Association of Schools and Colleges.
  - (c) The local agency may estimate the total cost of printing, handling, translating, and mailing the candidate's statements filed pursuant to this section, including costs incurred as a result of complying with the federal Voting Rights Act of 1965, as amended. The local agency may require each candidate filing a statement to pay in advance to the local agency his or her estimated pro rata share as a condition of having his or her statement included in the voter's pamphlet. In the event the estimated payment is required, the receipt for the payment shall include a written notice that the estimate is just an approximation of the actual cost that varies from one election to another election and may be significantly more or less than the estimate, depending on the actual number of candidates filing statements. Accordingly, the elections official is not bound by the estimate and may, on a pro rata basis, bill the candidate for additional actual expense or refund any excess paid depending on the final actual cost. In the event of underpayment, the elections official may require the candidate to pay the balance of the cost incurred. In the event of overpayment, the elections official shall prorate the excess amount among the candidates and refund the excess amount paid within 30 days of the election. Nothing in this section shall be deemed to make any statement or the authors thereof

free or exempt from any civil or criminal action or penalty because of any false, slanderous, or libelous statements offered for printing or contained in the voter's pamphlet.

- (e) Before the nominating period opens, the local agency for that election shall determine whether a charge shall be levied against that candidate for the candidate's statement sent to each voter. This decision shall not be revoked or modified after the seventh day prior to the opening of the nominating period. A written statement of the regulations with respect to charges for handling, packaging, and mailing shall be provided to each candidate or his or her representative at the time he or she picks up the nomination papers.
- (f) For purposes of this section and Section 13310, the board of supervisors shall be deemed the governing body of judicial elections.

## **Guidelines for Preparation of Candidate Statements**

The text of the statement shall not exceed 200 words. Word count standards shall be pursuant to Elections Code §9.

### **Elections Code, Division §9. (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, " County of San Mateo" 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 separate word.  
Examples: "mother-in-law", "first-rate", "one-time" will be counted as one word. "one-half", "local-area", "home-page" will be counted as two words.
- (6) Dates consisting of a combination of words and digits (April 22, 2011) shall be counted as two words. Dates consisting only of a combination of digits (4/22/2011 or 1999-2000) 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.
- (a) This section shall not apply to counting words for ballot designations under Section 13107.

### **Additional Practices**

- Characters used in place of a word or number, such as "\$" or "&" shall be counted as one word.
- Name, age, occupation, and punctuation are not counted toward the word limit.
- If the text exceeds the word limit, the author will be asked to rewrite the text in order to bring the total number of words within the required word limit. If the author is not available at the time of filing to bring the total number of words within the required word limit, the elections official will remove words from the end of the document accordingly.

All statements must be submitted on, or attached to, the form provided by the county election official. Statements must be formatted pursuant to the guidelines provided by the county. Statements not submitted in the appropriate format will be reformatted by the county election official. The county election official bears no responsibility for the correct typesetting of statements that must be reformatted.

Statements shall not, in any way, make reference to other candidates for office or to another candidate's qualifications, character or activities. Moreover, no statement shall contain any demonstrably false, slanderous or libelous statements nor any obscene or profane language.

*It is strongly recommended that the statement be filed personally by the candidate.* If the statement is filed by someone other than the candidate, that person should have the authority to make corrections or deletions to the statement in the event that errors or an excess number of words are detected prior to filing the statement. Statements received by mail prior to the deadline will be filed provided that they meet the statutory requirements and county policies regarding candidates' statements. **Statements may not be changed after filing.**

Candidates' statements are available for public examination in the county election official's office during the 10-day calendar review period (commencing at 5 p.m. on Tuesday, February 4, 2011) prior to submission for printing. During this period any voter of the jurisdiction in which the election is to be held, or the county election official, may seek a writ of mandate or an injunction requiring any or all of the material in the statement to be amended or deleted. Venue for such a proceeding shall be the county in which the statement is filed. If the statement is filed in more than one county, the writ or injunction must be sought in each county in which amendments or deletions to the statement are sought.

### **Time Period**

The filing period for local non-partisan candidate's statement is January 10, 2011 to February 4, 2011 at 5 p.m. The statement shall be filed, along with payment, when the candidate's nomination papers are returned for filing. Once filed, statements cannot be changed.

### **Withdrawal**

Any candidate may withdraw his/her statement of qualifications, either in person or by a signed statement of withdrawal, no later than 5 p.m. of the next business day following the close of nominations (February 7, 2011).

### **Confidentiality**

Notwithstanding the California Public Records Act, the statements filed pursuant to Section 13307 of the Elections Code shall remain confidential until expiration of the filing deadline.  
*EC §13311*

### **Public Review**

Candidates' statements are available for public examination in the county election official's office during the 10-day calendar review period (commencing at 5 p.m. on Tuesday, February 4, 2011) prior to submission for printing. During this period any voter of the jurisdiction in which the election is to be held, or the county election official, may seek a writ of mandate or an injunction requiring any or all of the material in the statement to be amended or deleted. *EC §13313*

### **Preparation of Candidate Statement**

In order to insure uniformity of all candidates' statements, each candidate **must** prepare his/her statement according to the following guidelines:

1. Type statement exactly as you wish it to appear. Attach the printed copy to the form provided to you. When prepared in accordance with these standards, *statements are printed exactly as submitted.*
2. Use of typographic marks or styling such as bullets, lists, italicization, and bolding is not permitted.
3. Use of font color other than 100% black is not permitted
4. In addition to hard copy, please provide the statement on a CD or through email in an editable text file such as Microsoft Word, plain text, or similar format. Statements can be emailed to **masmus@smcare.org**. Electronic copies should be submitted on the same day as the filing of the original hard copy.

**Important Note: If there are discrepancies between the hard copy and the electronic copy, the hard copy will prevail.**

Conduct a final proof of your statement by:

1. Checking your statement for spelling, punctuation and grammar errors. Remember, statements cannot be changed once they are filed.
2. Confine the statement to the limitation on the number of words (200).
3. Do not include any party affiliation (applies to non-partisan offices)
4. Do not include membership or activity in partisan political organizations. (applies to non-partisan offices)

### **Format**

All statements, therefore, will be set in a format so as to fit within a 1/4-page space. *If a Candidate's Statement is submitted and found not to be in compliance with these guidelines, the Elections Division will make the necessary changes to bring said statement into compliance.*

Candidate statements are to discuss the education and qualifications of the candidate filing the statement only. The Elections Division will not accept any candidate statement that specifically discusses the education, qualifications, record (or lack thereof) of any opponents.

### **Heading**

The heading includes the candidate's name (required), age (optional), and occupation (optional). All statements will be formatted to begin with the words: "**Education and Qualifications:**" followed by the text filed by the candidate. These words, as well as the heading, are standardized and included in the space provided. The words "**Education and Qualifications,**" however, do not count toward the number of words allowed for the statement.

### **Occupation**

The "**Occupation**" field in the Candidate's Statement is NOT governed by the laws and regulations pertaining to the ballot designation that appears underneath the candidate's name on the ballot. Therefore, it may be different from the candidate's ballot designation. However, if its length exceeds one line, the candidate may be asked to modify words.

## **Candidate Statement Fee Calculations**

The *estimated* fee for candidate statement fees is based on the estimates of actual cost of making statements available to all registered voters in the appropriate jurisdictions, including printing, required translations, and handling charges. Actual costs are shared by all candidates, and estimates are calculated using an average of three (3) 200-word statements per page.

The Elections Office does its best to provide an accurate estimated fee, but this estimate can vary due to a number of factors, including the number of statements submitted appearing on one page in the Sample Ballot & Voter Information Pamphlet, the number of pages required for a particular office, and the number of different pamphlets in which your statement will appear. The estimated fee will be provided during the nomination period, at which time the fees will be based upon the most current voter registration data. Final costs will be determined after the election is certified. Checks for payment of candidate statement fees should be made payable to "San Mateo County Elections."

## Fictitious Samples of Candidate Statements

Fictitious samples of 200 word statements as they would appear in the voter information portion of the sample ballot pamphlet. Statements will appear in the same order as the candidates' names appear on the ballot, except for offices elected throughout the county (rotated on ballot by supervisorial district, but not rotated in sample ballot pamphlet).

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### CANDIDATES FOR THE OFFICE OF CITY COUNCIL

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**Name:** Joseph W. Candidate  
**Occupation:** Businessman/ Community Volunteer

**Education and Qualifications:** I have lived here my entire life and I love this community. I would like to get more involved in our community affairs. I believe that I am the best person for this position and I am willing to work very hard to make our lovely little community the best that it can possibly be. If you elect me I promise that I will dedicate all of my spare time to fulfilling the requirements of this position and pushing forward the special projects that are in desperate need of my time and attention. I believe that by improving our community we can provide a safe and secure environment for our children and families to enjoy a quality of life that is no longer available in the big overgrown metropolis to the west of us.

I have years of experience in planning and organizing, and I am willing to use all of this experience and all of my training and education to do the best job that I can. I will make myself readily available to the public for all needs.

Please support me. [Jcandidate@email.com](mailto:Jcandidate@email.com) or [www.joecandidate.com](http://www.joecandidate.com)  
 /s/

**Name:** Jane Campaigner **Age:** 41  
**Occupation:** Educator

**Education and Qualifications:** I have lived here my entire life and I love this community. I would like to get more involved in our community affairs. I believe that I am the best person for this position and I am willing to work very hard to make our lovely little community the best that it can possibly be.

If you elect me I promise that I will dedicate all of my spare time to fulfilling the requirements of this position and pushing forward the special projects that are in desperate need of my time and attention. I believe that by improving our community we can provide a safe and secure environment for our children and families to enjoy a quality of life that is no longer available in the big overgrown metropolis to the west of us. I have years of experience in planning and organizing, and I am willing to use all of this experience and all of my training and education to do the best job that I can. I will make myself readily available to the public for all needs. Please support me.

[Jcampaigner@email.com](mailto:Jcampaigner@email.com)  
 /s/

**Name:** Fred Businessman **Age:** 38  
**Occupation:** Health Director

**Education and Qualifications:** I have lived here my entire life and I love this community. I would like to get more involved in our community affairs. I believe that I am the best person for this position and I am willing to work very hard to make our lovely little community the best that it can possibly be. If you elect me I promise that I will dedicate all of my spare time to fulfilling the requirements of this position and pushing forward the special projects that are in desperate need of my time and attention. I believe that by improving our community we can provide a safe and secure environment for our children and families to enjoy a quality of life that is no longer available in the big overgrown metropolis to the west of us. I have years of experience in planning and organizing, and I am willing to use all of this experience and all of my training and education to do the best job that I can. I will make myself readily available to the public for all needs. Please support me. You may find more information about my campaign at [www.fredbusinessman.com](http://www.fredbusinessman.com)

/s/

**Name:** Margaret "Peg" Voter **Age:** 45  
**Occupation:** Real Estate Agent/Mother

**Education and Qualifications:** I have lived here my entire life and I love this community. I would like to get more involved in our community affairs. I believe that I am the best person for this position and I am willing to work very hard to make our lovely little community the best that it can possibly be. If you elect me I promise that I will dedicate all of my spare time to fulfilling the requirements of this position and pushing forward the special projects that are in desperate need of my time and attention.

I believe that by improving our community we can provide a safe and secure environment for our children and families to enjoy a quality of life that is no longer available in the big overgrown metropolis to the west of us. I have years of experience in planning and organizing, and I am willing to use all of this experience and all of my training and education to do the best job that I can. I will make myself readily available to the public for all needs. Call me anytime (650.555.5555). Please support me.

/s/

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**COUNTY COUNCIL OF SAN MATEO COUNTY**

*LWV Central San Mateo County*

*LWV North San Mateo County*



Spring 2011

Dear Candidate:

The League of Women Voters has a long history of providing voters with nonpartisan and easily accessible information at election time. In that tradition, we invite you to participate in Smart Voter, the League's comprehensive online guide, for the May 3, 2011 election.

All candidates in San Mateo County are offered space on the Smart Voter web site and the service is **free of charge** to both candidates and the public. Smart Voter allows you to submit material about your candidacy to the voters, including a biography, endorsements, and positions on issues, a photo, and a link to your own website. Smart Voter also provides candidate ballot statements, information about ballot measures, polling place locations, events, and links to online news articles and to other web sites. Using Smart Voter will help you reach the increasing number of voters who use the Internet to aid in their decision making at election time.

You may view the site at [www.smartvoter.org](http://www.smartvoter.org). Candidates will be allowed to begin entering information during the first week in April. A letter confirming the date and complete instructions for accessing the secure candidate input area will be sent to you shortly after we receive the certified list of candidates. Please feel free to contact me if you have questions.

We look forward to working with you to make Smart Voter a success for you and for voters in San Mateo County. Feedback from candidates and the public in past elections has been enthusiastic. Don't miss this opportunity to get your message out!

Sincerely,

/s/

Kathee Tyson, San Mateo County Coordinator  
Smart Voter Project – League of Women Voters  
(650) 728-3850  
e-mail: [katheetyson@yahoo.com](mailto:katheetyson@yahoo.com)

## **Voter Registration Information**

### **Important Information On**

- WHERE forms are available
- WHEN the registration deadline is for the election, and
- HOW to register voters

To vote in any election, a citizen must be properly registered **15 days** prior to the election date. San Mateo County Elections Division encourages all voters to be properly registered well before that 15 day deadline to ensure enough time for our office to mail voters their correct election materials prior to an election.

For the May 3, 2011 election, *voters must be registered at their current residence address not later than Monday, April 18, 2011.*

### **For Your Information**

In order to remain eligible to vote, voters must re-register whenever they:

- Change their residence address
- Change their name (first, middle or last name) and/or signature
- Change their political party affiliation

Postage-paid voter registration forms are available at these locations:

- U.S. Post Offices
- Public libraries and colleges
- City Halls
- Department of Motor Vehicles offices
- County Elections Office in San Mateo
- County Offices in Redwood City

You may also find a link to the Secretary of State's interactive form by visiting us on the web at [www.shapethefuture.org](http://www.shapethefuture.org).

In order to register to vote in California, a person must be:

- A citizen of the United States and a resident of California
- At least 18 years of age by Election Day
- Not in prison or on parole for the conviction of a felony

If you have any questions about voter registration or wish to launch a voter registration drive during the upcoming election season, please call 650.312.5222. Forms for distribution (at no cost) are available at the Elections office.

***For voters who may need assistance and information in Spanish and Chinese, you may provide the information below:***

Nuestra oficina esta equipada para proveer ayuda en español. Para más información favor llamar al TEL 650.312.5222, y oprima 3.

如果你需要聖馬刁縣公室的協助，請致電選務處辦公室 1-888-SMC-VOTE (1-888-762-8683)。

## **Vote by Mail Ballots**

Voted ballots must be personally mailed or returned by the voter to the San Mateo County Elections Division's main office, satellite location (555 County Center, 1<sup>st</sup> Floor), any City Hall (during normal business hours) or on Election Day. Ballots must be **received** by the Elections Office by 8 p.m. on Election Day.

A total of 5 ADA accessible voting centers will be available to voters for this election. These voting centers will include the Registration and Elections Office located at 40 Tower Road, San Mateo and the Assessor-County Clerk-Recorder Office located at 555 County Center, Redwood City open Monday through Friday beginning April 4 through Election Day. In addition, voting centers will be established in Half Moon Bay, Daly City and Millbrae, specific locations are yet to be determined. These locations will be open beginning April 26 through Election Day.

Voted ballots may be delivered by a spouse, child, parent, grandparent, grandchild, brother or sister, or a person residing in the same household only if the absent voter is unable to return the ballot personally because of illness or other physical disability. The name and relationship to the voter of the person returning the voted ballot must be entered on the Vote by Mail ballot return envelope.

*EC §3017 and Calif. Supreme Court*

No person shall solicit the vote of a Vote by Mail voter, or do any electioneering while in the residence of or immediate presence of the voter during the time the Vote by Mail voter is voting. Violations may result in criminal penalties. *EC §18371*

Candidates and committees may not collect, receive or handle voted-by-mail ballots. Electronic applications are available on the Elections Division web site at [www.shapethefuture.org](http://www.shapethefuture.org). Only local elections officials are permitted to provide this application electronically. A person may NOT submit a Vote by Mail ballot application electronically for another registered voter. *EC §§3007.7, 3008*



# Mark Church

Chief Elections Officer & Assessor-County Clerk-Recorder

40 Tower Road  
San Mateo, CA 94402  
phone 650.312.5222 fax 650.312.5348  
email [registr@smcare.org](mailto:registr@smcare.org)  
web [www.shapeothefuture.org](http://www.shapeothefuture.org)

Spring 2011

Dear Candidates:

Every campaign season, our office receives a number of complaint calls regarding the placement of campaign signs on private property. This serves as a reminder of California Penal Code §556.1, which requires prior consent before placing advertising on private property:

“It is a misdemeanor for any person to place or maintain or cause to be placed or maintained upon any property in which he has no estate or right of possession any sign, picture, transparency, advertisement, or mechanical device which is used for the purpose of advertising, or which advertises or brings to notice any person, article of merchandise, business or profession, or anything that is to be or has been sold, bartered, or given away, without the consent of the owner, lessee, or person in lawful possession of such property before such sign, picture, transparency, advertisement, or mechanical device is placed upon the property.”

Also, I am enclosing copies of letters from the Department of Transportation describing current regulations for the placement of political signs. For your convenience, you will also find a listing of City Clerks in San Mateo County, whom you may contact about specific city ordinances.

I request that you review these materials, and that you inform anyone who is posting materials on your behalf of these requirements.

Thank you in advance for your attention to this important matter.

Sincerely,

A handwritten signature in black ink that reads "Mark Church".

Mark Church

**DEPARTMENT OF TRANSPORTATION**  
DIVISION 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 (California Business & Professions Code §§5200) 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 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 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).

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 Outdoor Advertising Office.

**Department of Transportation, District 4**  
Division of Traffic Operations  
Bay Area Outdoor Advertising Branch  
P.O. Box 942874, MS-36  
Sacramento, CA 94274-0001  
(916) 654-6230  
(916) 654-4463 FAX

**DEPARTMENT OF TRANSPORTATION**  
DIVISION OF TRAFFIC OPERATIONS  
OUTDOOR ADVERTISING PROGRAM



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:**

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 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

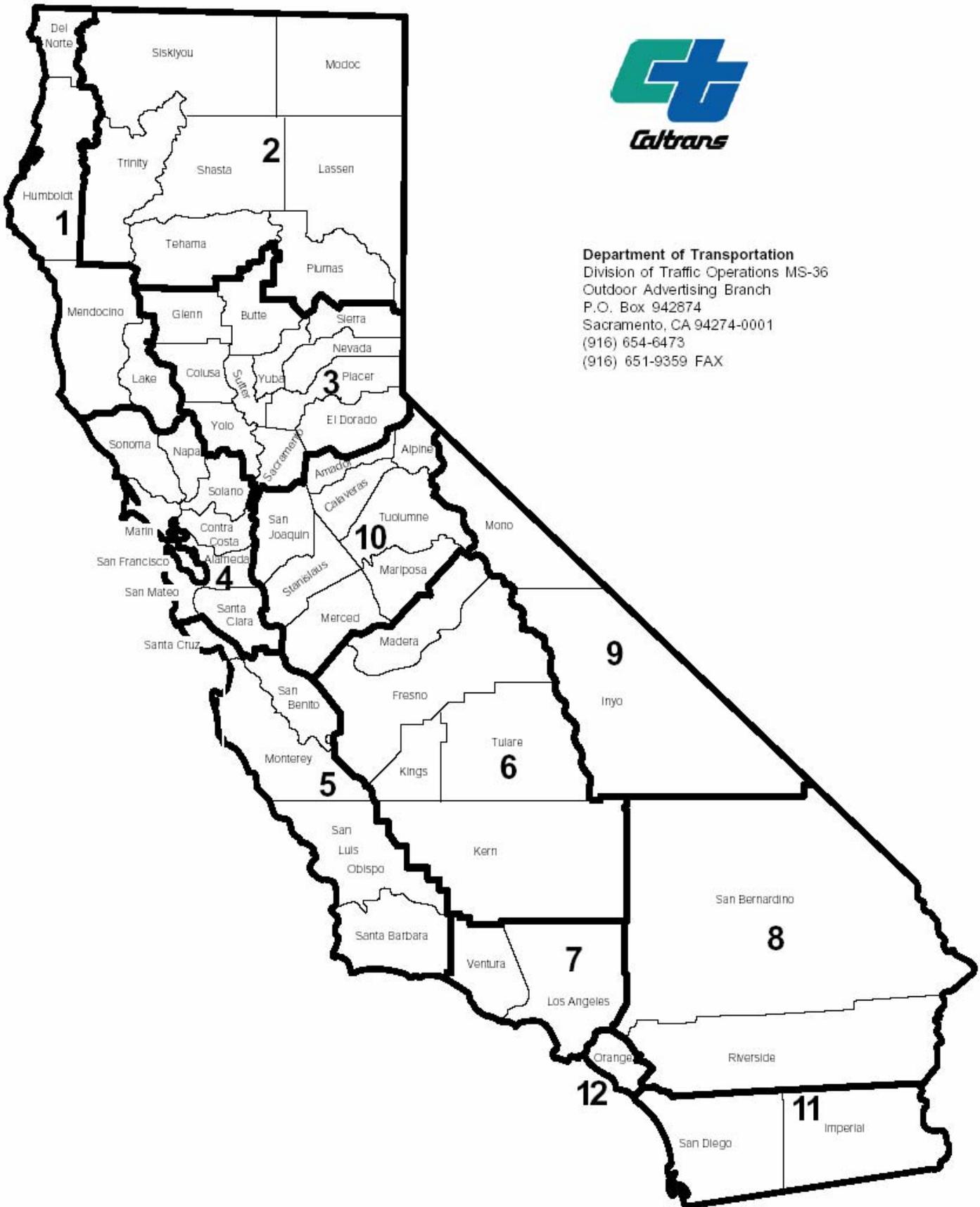
\_\_\_\_\_  
DATE

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

# OUTDOOR ADVERTISING DISPLAY PERMIT APPLICATION



**Department of Transportation**  
Division of Traffic Operations MS-36  
Outdoor Advertising Branch  
P.O. Box 942874  
Sacramento, CA 94274-0001  
(916) 654-6473  
(916) 651-9359 FAX



# City Clerks in San Mateo County

**Each city may have its own ordinances regarding posting political signs and conducting campaign activities.** The Elections Division strongly recommends that you consult with the City Clerk to determine rules and regulations that you must follow.

<p>Atherton Ms. Theresa DellaSanta, Deputy 91 Ashfield Road Atherton, CA 94027 650.752.0529 tdellasanta@ci.atherton.ca.us</p>	<p>Belmont Honorable Terri Cook One Twin Pines Lane, Suite 375 Belmont, CA 94002 650.595.7413 tcook@ci.belmont.ca.us</p>	<p>Brisbane Ms. Sheri Spediacci 50 Park Place Brisbane, CA 94005 415.508.2113 cityhall@ci.brisbane.ca.us</p>
<p>Burlingame Honorable Mary Ellen Kearney 501 Primrose Road Burlingame, CA 94010 650.558.7203 mkearney@burlingame.org</p>	<p>Colma Ms. Laura Allen 1198 El Camino Real Colma, CA 94014 650.997.8309 laura.allen@colma.ca.gov</p>	<p>Daly City Honorable Annette Hipona 333 90<sup>th</sup> Street Daly City, CA 94015 650.991.8091 ahipona@dalycity.org</p>
<p>East Palo Alto Ms. Minnette Warren, Deputy 2415 University Avenue East Palo Alto, CA 94303 650.853.3100 mwarren@cityofepa.com</p>	<p>Foster City Ms. Doris Palmer 610 Foster City Boulevard Foster City, CA 94404 650.286.3250 dpalmer@fostercity.org</p>	<p>Half Moon Bay Ms. Siobhan Smith 501 Main Street Half Moon Bay, CA 94019 650.726.8271 sesmith@ci.half-moon-bay.ca.us</p>
<p>Hillsborough Ms. Miyuki Yokoyama 1600 Floribunda Avenue Hillsborough, CA 94010 650.375.7400 myokoyama@hillsborough.net</p>	<p>Menlo Park Ms. Margaret S. Roberts 701 Laurel Street Menlo Park, CA 94025 650.330.6620 msroberts@menlopark.org</p>	<p>Millbrae Ms. Angela Louis, Acting City Clerk 621 Magnolia Avenue Millbrae, CA 94030 650.259.2333 alouis@ci.millbrae.ca.us</p>
<p>Pacifica Ms. Kathy O'Connell 170 Santa Maria Avenue Pacifica, CA 94044 650.738.7307 o'connellk@ci.pacifica.ca.us</p>	<p>Portola Valley Ms. Sharon Hanlon 765 Portola Road Portola Valley, CA 94028 650.851.1700 shanlon@portolavalley.net</p>	<p>Redwood City Ms. Silvia Vonderlinden 1017 Middlefield Road Redwood City, CA 94063 650.780.7222 svonderlinden@redwoodcity.org</p>
<p>San Bruno Honorable Carol Bonner 567 El Camino Real San Bruno, CA 94066 650.616.7058 cbonner@ci.sanbruno.ca.us</p>	<p>San Carlos Honorable Christine Boland 600 Elm Street San Carlos, CA 94070 650.802.4219 cboland@cityofsancarlos.org</p>	<p>San Mateo Ms. Norma Gomez 330 West 20<sup>th</sup> Avenue San Mateo, CA 94403 650.522.7040 ngomez@cityofsanmateo.org</p>
<p>South San Francisco Honorable Krista Martinelli-Larson 400 Grand Avenue P.O. Box 711 South San Francisco, CA 94083 650.877.8518 krista.martinelli-larson@ssf.net</p>	<p>Woodside Ms. Janet Koelsch 2955 Woodside Road P.O. Box 620005 Woodside, CA 94062 650.851.6790 jkoelsch@woodsidetown.org</p>	

# **Election Day**

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# Election Results

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## **Semi-Official Canvass (Election Night Results)**

The semi-official canvass will commence immediately upon the close of the polls at 8 p.m., May 3, 2011. (EC §15150) The counting of ballots will commence at 8:00p.m. (EC §15152) It is anticipated that the first report of semi-official results will be released at 8:05 p.m., with cumulative updates scheduled every 30 minutes until completion.

Generally, a schedule of election night results is as follows:

8:05 p.m. - Will include all VBM ballots scanned up until 2:30 p.m., Election Day.

8:30 p.m. - Will include Tower Road voting center votes

9:00 p.m. - Will include any other voting center data received to that point

9:30 p.m. - Results releases will continue on the half hour until all voting center data has been received by the Elections Office

Ballots are cumulated at the following central counting location:

Elections Office  
40 Tower Road  
San Mateo, CA 94402

There are two different ways you may inquire about Election Night Semi-Official results:

1. View the results as they are posted on our website [www.shapethefuture.org](http://www.shapethefuture.org).
2. Request an email of the Election Night Report. Please contact our office no later than 7 days prior to the election to make your request.

Upon completion of the regular vote count, we publish a Precinct Turnout Report. This report will provide you with a precinct-by-precinct summary of vote totals. The Election Night Report will NOT provide votes cast for write-in candidates. Those totals are only available in the Statement of the Vote, which is released when the election is certified.

## **Final Official Canvass**

Election results are not final until the canvass is complete (refer to Division 15 of the Elections Code for procedural requirements and timeframes). It typically takes about 28 days to complete the Official Canvass and certify the official results of the election. The official Statement of the Vote, showing the official final results (totals, precinct-by-precinct results, and votes for qualified write-in candidates) is available upon certification. Please call our office for further details. This document will be made available on our website at [www.shapethefuture.org](http://www.shapethefuture.org) once the election is certified.

# **The Official Canvass & Election Certification**

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# After the Election

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## **Official Canvass**

As described by the California Association of Clerks & Election Officials, the purpose of the Official Canvass is to verify the accuracy and validity of the votes counted, to resolve any discrepancies through review of the official election materials and unused ballots, and to complete the official vote count including write-in votes, Vote by Mail ballots, unused paper ballots and provisional ballots not included in the Semifinal Official Vote Count as distributed on Election Night.

During the Official Canvass, interested parties may choose to observe the Elections Office procedures. To observe this process, please feel free to contact 650-312-5222 or visit the office during normal business hours, Monday – Friday, from 8 a.m. to 5 p.m.

A press release detailing the Official Canvass will be available on the Elections website at [www.shapethefuture.org](http://www.shapethefuture.org).

## **Election Certification**

Official results must be certified no later than 28 calendar days following an election. A certified “Statement of the Vote” will be available on the Elections website at [www.shapethefuture.org](http://www.shapethefuture.org) and for purchase or viewing at the Elections Office, located at 40 Tower Road in San Mateo.