

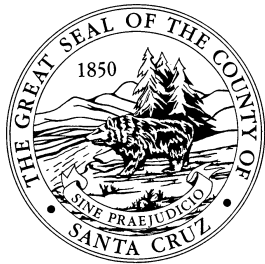
CANDIDATE'S HANDBOOK



Consolidated PRESIDENTIAL GENERAL ELECTION

NOVEMBER 7, 2000

Prepared by:
Santa Cruz County Elections Department
701 Ocean St., Room 210
Santa Cruz, CA 95060
831-454-2060 / FAX: 831-454-2445
WEB Page: www.votescount.com
E-Mail: gail.pellerin@co.santa-cruz.ca.us
April 2000



County of Santa Cruz

ELECTIONS DEPARTMENT

701 OCEAN STREET, ROOM 210, SANTA CRUZ, CA 95060-4076
(831) 454-2060 FAX: (831) 454-2445 TDD: (831) 454-2123
E-MAIL: gail.pellerin@co.santa-cruz.ca.us Web Site: www.votescount.com

RICHARD W. BEDAL, COUNTY CLERK
GAIL L. PELLERIN, ELECTIONS MANAGER

April 2000

Dear Candidate,

Welcome to November 7, 2000 general election cycle. Regardless of who wins, it is hoped that this is a positive experience for you.

The Elections Department is dedicated to helping all qualified candidates get their names printed on the ballot and to ensuring that the election is fair and accurate.

For the uninitiated, the process can be confusing, with resulting errors and misunderstandings. Although this handbook is a guide for candidates, it is for general information only and does not have the force and effect of law, regulation, or rule. In case of conflict, the law, regulation, or rule will apply. Candidates and others using this handbook must bear full responsibility to make their own determinations as to all legal standards and duties.

The best advice I can give to all candidates is FILE EARLY. The filing deadlines are rigid and if one waits until the last moment to file a document containing errors or omissions, one's right to appear on the ballot may be lost. Most errors can be corrected given adequate time.

We hope you find this Candidate's Handbook useful. Should you have any suggestions for improving the manual or have identified corrections to be made, please call Elections Manager Gail Pellerin at 831-454-2419 or e-mail her at gail.pellerin@co.santa-cruz.ca.us

Good luck!

Sincerely,

Richard W. Bedal
County Clerk

TABLE OF CONTENTS

COUNTY ELECTIONS DEPARTMENT	1
STATE AND FEDERAL OFFICES	2
CANDIDATE CHECKLIST	3
CANDIDATE FILING DOCUMENTS	4
DECLARATION OF CANDIDACY.....	4
CANDIDATE'S STATEMENT OF QUALIFICATIONS	4
CANDIDATE INTENTION, BANK ACCOUNT, & CAMPAIGN DISCLOSURE FORMS	5
CODE OF FAIR CAMPAIGN PRACTICES	5
STATEMENT OF ECONOMIC INTERESTS (FORM 700)	5
GENERAL ELECTION CALENDAR	6
CANDIDATE NOMINATION PERIOD.....	8
EXTENSION OF NOMINATION PERIOD.....	10
INSUFFICIENT NUMBER OF NOMINEES.....	10
RANDOMIZED ALPHABET DRAWING.....	11
COUNTIES MAIL SAMPLE BALLOTS / STATE BALLOT PAMPHLET MAILING.....	12
LAST DAY TO REGISTER TO VOTE IN THE NOVEMBER ELECTION	12
VOTE-BY-MAIL BALLOT APPLICATION PERIOD	12
ABSENTEE BALLOTS – LATE CONDITIONS	14
WEEKEND VOTING	14
GENERAL ELECTION DAY.....	14
DECLARATION OF ELECTED CANDIDATES.....	15
BOARD OF SUPERVISORS TO APPOINT CANDIDATES IN-LIEU OF ELECTION	15
ASSUMING OFFICE.....	15
STATEMENT OF VOTE TO BOARD OF SUPERVISORS – CERTIFICATES OF ELECTION PREPARED.....	15
RECOUNT MAY BE REQUESTED.....	15
CONTESTING ELECTION.....	16
STATEMENT OF ECONOMIC INTERESTS – ALL NEWLY ELECTED OFFICIALS.....	16
COUNTY SUPERVISORS & JUDGES ASSUME OFFICE.....	17
OFFICES ON THE NOVEMBER BALLOT	18
BOARD OF EDUCATION & COMMUNITY COLLEGES	19
UNIFIED/HIGH SCHOOL DISTRICTS.....	20
ELEMENTARY SCHOOL DISTRICTS.....	21
FIRE PROTECTION DISTRICTS	23
WATER DISTRICTS	23
PORT DISTRICT	24
RECREATION DISTRICTS.....	24
MISCELLANEOUS DISTRICTS.....	24
CITIES.....	25
RESIDENCE AND DOMICILE	26

NAME & BALLOT DESIGNATION	29
NAME ON BALLOT	29
BALLOT DESIGNATION - LEGISLATIVE REQUIREMENTS	29
TITLES OR DEGREES PROHIBITED	30
UNACCEPTABLE DESIGNATIONS	30
IF BALLOT DESIGNATION IS REJECTED	30
BALLOT DESIGNATION MAY NOT BE CHANGED AFTER FILING	30
BALLOT DESIGNATION IN BOTH PRIMARY AND GENERAL ELECTIONS	30
FORMAT OF BALLOT DESIGNATION	31
NO BALLOT DESIGNATION	31
 SECRETARY OF STATE BALLOT DESIGNATION REGULATIONS.....	 32
 WRITE-IN CANDIDACY.....	 43
WRITE-IN PROCEDURE.....	43
OFFICES OMITTED FROM THE BALLOT.....	43
 INDEPENDENT CANDIDATES	 44
SIGNATURE & FILING FEE REQUIREMENTS	45
 CANDIDATE STATEMENT OF QUALIFICATIONS.....	 46
PERIOD FOR FILING:	46
WHERE:	46
HOW TO WRITE YOUR CANDIDATE'S STATEMENT	46
 THE PRINTED CANDIDATE'S STATEMENT	 49
 COST OF PRINTING CANDIDATE'S STATEMENTS	 50
COUNTY OFFICES.....	51
BOARD OF EDUCATION & COMMUNITY COLLEGES	51
UNIFIED/HIGH SCHOOL DISTRICTS.....	52
ELEMENTARY SCHOOL DISTRICTS.....	53
FIRE PROTECTION DISTRICTS	53
WATER DISTRICTS.....	54
MISCELLANEOUS DISTRICTS.....	54
CITIES.....	55
 HOW TO COUNT WORDS.....	 56
 REGISTRATION AND ELECTION DATA.....	 57
PERMISSIBLE USAGE.....	57
PROHIBITED USAGE.....	58
 ELECTION DATA FOR SALE FROM SANTA CRUZ COUNTY.....	 59
WALKING LISTS.....	59
PRINTED VOTER INDEXES BY STREET OR ALPHA.....	59
VOTER LISTS ON 3 ½" FLOPPY DISK	59
VOTER LISTS ON CD	59
VOTER FILE TAPES.....	60
MAILING LABELS OF VOTERS OR HOUSEHOLDS	60
MAPS	60
DAILY ABSENTEE VOTER PRINTOUT	60
PHOTOCOPYING	61

SECRETARY OF STATE VOTER FILE TAPES.....	61
VOTER REGISTRATION AND VOTE-BY-MAIL DRIVES	62
CAMPAIGN PRACTICES	63
MASS MAILING	63
SLATE MAILERS	63
NOMINATIONS	66
CODE OF FAIR CAMPAIGN PRACTICES	66
MISREPRESENTATION BY CANDIDATES	67
POLITICAL ADVERTISING.....	67
SIMULATED BALLOTS.....	68
POLITICAL SIGNS.....	69
POLLING PLACE INFORMATION.....	71
CAMPAIGN DISCLOSURE REQUIREMENTS.....	72
CAMPAIGN DISCLOSURE INFORMATION MANUALS	72
CANDIDATE INTENTION AND BANK ACCOUNT (501 & 502).....	72
CAMPAIGN DISCLOSURE FORMS.....	73
CAMPAIGN DISCLOSURES FOR FEDERAL CANDIDATES	77
FILING IS THE RESPONSIBILITY OF THE CANDIDATE AND/OR COMMITTEE.....	77
MULTIPLE COMMITTEE FILING REQUIREMENTS	77
CAMPAIGN FILING SCHEDULE FOR NOVEMBER 7, 2000	78
CAMPAIGN FINANCE PROHIBITIONS	79
CAMPAIGN DISCLOSURE REQUIREMENTS OFTEN OVERLOOKED	79
STATEMENT OF ECONOMIC INTERESTS (FORM 700).....	81
WHO MUST FILE.....	81
WHAT MUST BE DISCLOSED.....	81
WHEN AND WHERE TO FILE	81
ELECTIONEERING ON ELECTION DAY.....	82
ELECTION NIGHT RESULTS	83
THE CANVASS.....	84
QUESTIONS FREQUENTLY ASKED BY CANDIDATES	87

COUNTY ELECTIONS DEPARTMENT

COUNTY CLERK RICHARD W. BEDAL

701 Ocean St., Room 210

Santa Cruz, CA 95060

831-454-2060

FAX: 831-454-2445

WEB Page: www.votescount.com

CONTACT PERSONS

Please feel free to contact us at the Elections Department should you have any questions, comments, or concerns. Direct telephone numbers, with voice mail availability, are listed under each person's name.

Elections Manager	Gail Pellerin 454-2419 gail.pellerin@co.santa-cruz.ca.us
Candidate Filings Campaign Reporting Conflict of Interests Reports Central Committee Members	Diane Moore 454-2409
Absentee Statistical Reports Permanent Absentees Absentee Application Distribution Special Absentee Voters Purge	Karla Haack 454-2416
Candidate tapes/disks/reports Precinct Boundaries & Consolidations Street Index Maintenance Computer Programming Initiatives & Petitions	Margaret Morrison 454-2415
Polling Places Poll workers Precinct Maps Precinct Supply Distribution	Crystal Bertheau 454-2408
Department Information Services Manager Website Manager	Martin Peaden 454-3456 ttc060@co.santa-cruz.ca.us
Voter Registration & Outreach Motor Voter	Linda Aron 454-2405

STATE AND FEDERAL OFFICES

IMPORTANT TELEPHONE NUMBERS

Fair Political Practices Commission

P.O. Box 807 (95812-0807)
428 J Street, Suite 450
Sacramento, CA 95814
916-322-5660 / FAX: 916-322-0886
Website: www.fppc.ca.gov

- X Campaign Disclosure
- X State Contribution Limits
- X Conflict of Interest Disclosure
- X Lobbying Disclosure
- X Conflict of Interest Disqualification
- X Proper Use of Campaign Funds

Reporting Enforcement Violations
800-561-1861

Secretary of State

Political Reform Division

1500 11th Street, Room 495
Sacramento, CA 95814
916-653-6224 / FAX: 916-653-5045
Website: www.ss.ca.gov

- X Committee Identification Numbers
- X Termination of Committees

Elections Division

916-657-2166

- X Questions Relating to the Elections Code

Registrar-Recorder of

Los Angeles County

Campaign Reporting Unit
12400 Imperial Highway, Room 2003
Norwalk, CA 90650
562-462-2339 / FAX: 562-651-2548
Website: <http://regrec.co.la.ca.us/>

Department of Elections

City and County of San Francisco

Campaign Statements
1 Dr. Carlton B. Goodlett Pl, #48
San Francisco, CA 94102
415-554-4375 / FAX: 415-554-7344
Website: www.ci.sf.ca.us/election

Federal Election Commission

800-424-9530
Website: www.fec.gov

- X Federal Campaign Disclosure
- X Contributions from National Banks, National Corporations, and Foreign Nationals

State Franchise Tax Board

800-338-0505
Website: www.ftb.ca.gov

- X Committee Tax Status
- X Tax Deductible Contributions
- X Charitable Non-Profit Groups
- X Any Other Tax-Related Questions

Internal Revenue Service

800-829-1040
Website: www.irs.gov

- X Federal Taxpayer I.D. Numbers
- X Any other Tax-related questions

Attorney General

800-952-5225
Website: www.caag.state.ca.us

- X Brown Act requirements

CANDIDATE CHECKLIST

Listed below is a description of the various mandatory and optional forms to be filed for candidacy in the November 7, 2000 Election. It is the obligation of the candidate to ensure that filing requirements and deadlines have been met. All candidates are urged to file the required documents as early as possible to avoid a last minute rush, confusion or misunderstanding. Additionally, it is recommended that the candidate file all documents personally.

DOCUMENT	APPLIES TO	FILING PERIOD	FILED
Declaration of Candidacy	All candidates	July 17 – Aug. 11 (E-113 to E-88)	
Candidate's Statement of Qualifications	Optional for all candidates plus Nominees for Supervisor and District Attorney.	Must be filed & paid for with Dec. of Candidacy or for nominees by 5 p.m. Aug. 11	
Campaign Disclosure Statements	All candidates	See filing schedule on Page 78	
Code of Fair Campaign Practices	Optional for All Candidates	File with Dec. of Candidacy	
Statement of Economic Interests (Form 700)	Candidates elected	File within 30 days of assuming office.	

CANDIDATE FILING DOCUMENTS

Document	<p>Declaration of Candidacy</p> <p>The Declaration of Candidacy is the official nomination document, wherein the candidate indicates how his/her name and ballot designation is to appear on the ballot. Additionally, the candidate declares that he/she meets the statutory and/or constitutional qualifications for the office sought, and that if nominated, the candidate will accept the nomination and not withdraw.</p> <p>The Oath of Office on the Declaration of Candidacy form must be taken and signed by the candidate before a person authorized to administer oaths. The election officials and notaries public are so authorized.</p> <p>The candidate is required to execute the Declaration of Candidacy in the office of the elections official, unless a written statement is signed and dated by the candidate designating a person to receive the Declaration of Candidacy form from the elections official and deliver it to the candidate. The written statement from the candidate shall include language indicating that the candidate is aware that the Declaration of Candidacy must be properly executed and delivered to the elections official in the county of the candidate's residence by the 88th day prior to the general election. (Elections Code ' 8020, 8028, 8101, 8105)</p>
Who files	All Candidates
Deadline	<ul style="list-style-type: none"> ◆ July 17 to August 11 ◆ Extended to August 16 if the incumbent does not file.

Document	<p>Candidate's Statement of Qualifications</p> <p>A statement by the candidate describing his or her education and qualifications to be printed in the Voter Pamphlet section of the county Sample Ballot. The statement must be paid for at the time of filing unless the district has agreed to pay for the statement. The statement may be withdrawn by 5 p.m. on the day following the filing deadline. See detailed instructions beginning on page 46. (Elections Code ' 13307)</p>
Who files	Optional for city, school & special district candidates and nominees for Board of Supervisor & District Attorney
Deadline	<ul style="list-style-type: none"> ◆ August 11 ◆ Extended to August 16 if the incumbent does not file

Document	<p>Candidate Intention, Bank Account, & Campaign Disclosure Forms</p> <p>Periodic statements disclosing contributions made to and expenditures made by the candidate or committee. Must be filed at least once and possibly several times during an election cycle if more than \$1,000 is being raised or spent including personal funds. See pages 72-77. (Government Code ' 84200, 84218)</p>
Who files	All candidates must file either a short form or a long form depending on how much money will be raised or spent.
Deadline	♦ See filing schedule on page 78

Document	<p>Code of Fair Campaign Practices</p> <p>May be voluntarily subscribed to by candidates for public office. See page 66. (Elections Code §20400-20444)</p>
Who files	Optional for all candidates
Deadline	<ul style="list-style-type: none"> ♦ August 11 ♦ Extended to August 16 if the incumbent does not file

Document	<p>Statement of Economic Interests (Form 700)</p> <p>Candidates for school and special district must disclose their interests in real property and income within the past 12 months in a Form 700 to be filed within 30 days of assuming office. Candidates appointed to an office must file 10 days after assuming office.</p> <p>Candidates for city council are required to file a Form 700 with their Declaration of Candidacy.</p> <p>The statement is not required if the candidate has filed such a statement within the past 60 days for the same jurisdiction. See page 81. (Gov. Code ' 87200, 87201, 87500)</p>
Who files	Candidates elected to school and special districts and candidates seeking election to city council
Deadline	<p>File by January 8, 2001 for school and special districts</p> <p>File by August 11, 2000 for city council candidates</p>

NOVEMBER 7, 2000 GENERAL ELECTION CALENDAR

Calendar Notes: All Code Sections are Elections Code unless otherwise noted. Below the dates, "E" stands for Election, followed by the number of days prior to (-) or after (+) the election.

<p>April 28 – July 27 (E-193 to E-103)</p>	<p>Signatures In-Lieu of Filing Fees – Independent Candidates Running for U.S. Senate and Congress</p> <p>During this period, a candidate for U.S. Senate and Congress may obtain his or her forms from the county elections official or the Secretary of State for circulating petitions to secure signatures in lieu of all or part of their filing fee.</p> <p style="text-align: right;">§8061, 8106</p>
<p>June 12 – Aug. 11 (E-148 to E-88)</p>	<p>Nomination Papers — Independent Candidates</p> <p>Between these dates, independent candidates for partisan office shall circulate their Nomination petitions to obtain signatures and submit them to the Elections Department for examination. If the district falls within two or more counties, the Elections Department shall report within two working days to the Secretary of State the total number of signatures submitted.</p> <p style="text-align: right;">§8106</p> <p>Independent candidates must pay the nonrefundable filing fee or present a sufficient number of valid in-lieu signatures at the time they receive their Nomination Paper from the county Elections Department.</p> <p>Independent candidates for legislative offices must have filed Declarations of Intention and satisfied their filing fee (with signatures or money, or a combination) during the pre-primary filing period or they may not file Nomination Papers. Supplemental signatures-in-lieu or the balance due on the filing fee must be paid before Nomination Papers can be filed.</p> <p style="text-align: right;">§8350, 8403, 8454</p> <p>The Elections Department shall forward the nomination papers to the Secretary of State between July 6 – Sept. 4.</p>
<p>June 12 – Aug. 11 (E-148 to E-88)</p>	<p>Statement of Economic Interests</p> <p>Between these dates, specified non incumbent candidates in an election shall file Statements of Economic Interests (Form 700) disclosing their investments, interests in real property, and any income received during the preceding 12 months. Such statement shall not be required if the candidate has filed such a statement within the past 60 days for the same jurisdiction.</p> <p style="text-align: right;">Gov. Code §87200, 87201, 87500</p>

<p>July 3 - July 17 (E-127 to E-113)</p>	<p>Cities Publish Election Notice Between these dates, cities will publish a Notice of Election one time in a newspaper of general circulation stating: X the date and polling hours of the election X the offices to be filled and any measure to be voted on, including a synopsis of each measure.</p> <p style="text-align: right;">' 12101, 12111</p>
<p>July 5 (E-125)</p>	<p>Special Districts & Cities Deliver Notice of Election to County Clerk Last day for district secretaries and City Clerks to deliver a Notice of Election to the Elections Department listing the elective offices to be filled and any measure to be voted on in November. A map of the district or city must accompany the Notice.</p> <p style="text-align: right;">' 10509, 10522, 10524</p>
<p>July 7 (E-123)</p>	<p>Schools to Deliver Specifications of the Election Order Last day for a school board to deliver a resolution known as the "Specifications of the Election Order" and file it with the county Superintendent of Schools and county elections official, stating the date and purpose of the election.</p> <p style="text-align: right;">Ed. Code ' 5322</p>
<p>July 10 (E-120)</p>	<p>Tie Vote Procedures A suggested date by which schools, cities, and special districts determine how a tie vote will be resolved.</p> <p style="text-align: right;">Ed. Code ' 5016; ' 15651, 10551</p>
<p>July 10 - Aug. 9 (E-120 to E-90)</p>	<p>Notice of Election Between these dates the County Clerk will publish a Notice of Election containing the date of the election, the offices to be filled, qualifications for candidacy required by the principal act, where nomination papers are available, deadline for filing Declarations of Candidacy, and a notice that appointment will be made in lieu of election in accordance with state law. ' 12112, 10515; Ed. Code ' 5326, 5328, 5328.5</p> <p>The County Clerk is responsible for publishing information pertaining only to special districts; however, if authorized to do so by City Clerks and the Superintendent of Schools, the county may publish on behalf of all jurisdictions holding elections in November.</p> <p>Notice of central counting place may be combined with this notice. §12109</p> <p>The county elections official will forward copies of all published notices to each school and special district.</p> <p style="text-align: right;">' 12113</p>

<p>July 17 - Aug. 11 (E-113 to E-88)</p>	<p>Candidate Nomination Period Candidates for school and special district boards obtain and file their Declarations of Candidacy along with their Candidate’s Statement of Qualifications if they choose to submit one. Forms are obtained from and filed with the county Elections Department. ' 10510, 13307, 13311</p> <p>Candidates for city office must be nominated by not less than 20 nor more than 30 voters in cities with 1,000 or more registered voters. The nomination papers shall be accompanied by an affidavit of the nominee that he or she will accept the office if elected. Nomination documents shall be obtained from and filed with the City Clerk. ' 10220-10224, 10227; Gov. Code ' 36503.7</p>
<p>Aug. 3* (E-100)</p>	<p>Increase in Governing Board Members C Elementary Schools Deadline for an elementary school district with a three-member board to ask the county Superintendent of Schools to submit to the voters a question whether to raise the membership to five board members. Elementary school boards have the option of deciding on their own to increase the board to five members or asking the county Superintendent to submit the question to the voters. Ed. Code ' 5018</p>
<p>Aug. 1 (E-98)</p>	<p>Change of Candidate’s Ballot Designation Last day for candidates to request in writing to both the Secretary of State and Elections Department that a different ballot designation be used for the November election than the designation used at the March primary election. §13107</p>
<p>July 31 (E-99)</p>	<p>Semiannual Campaign Statement Last day to file semiannual campaign statements, if required, by all candidates and committees. Gov. Code ' 84200, 84218</p>
<p>July 31 (E-99)</p>	<p>Supplemental Independent Expenditure Reports Candidates or committees making independent expenditures of \$500 or more in a calendar year to support or oppose a candidate or measure shall file independent expenditure reports as if it were formed or existing primarily to support or oppose the candidate or measure. Gov. Code §84203.5</p>
<p>* Since the actual deadline falls on a weekend, the deadline date is moved to the next business day.</p>	

<p>Aug. 7* (E-93)</p>	<p>Signatures-In-Lieu Sufficiency – Independent Candidates Last day for the county elections official to determine the sufficiency of the in-lieu signatures submitted by independent candidates for U.S. Senate and Congress. Within 10 days after receipt of the petition, the county elections official shall notify the candidate of any deficiency. Such candidates shall before the close of nominations on August 11 either submit a supplemental petition or pay a prorated fee to cover the deficiency.</p> <p style="text-align: right;">§8106(b)(3)</p>
<p>Aug. 11 (E-88)</p>	<p>Notification of Mail Ballot Precinct Last day for the county elections official to determine that there are 250 or fewer persons registered to vote in any precinct. The county elections official may then mail to each voter a vote-by-mail ballot along with a statement that there will be no polling place for the general election.</p> <p style="text-align: right;">§3005</p>
<p>Aug. 11 (E-88)</p>	<p>Last day for Candidates to File to Run for Office Deadline for candidates for school board or special district boards to obtain and file their Declaration of Candidacy. Forms are obtained from and filed with the county Elections Department.</p> <p>If the candidate wants to file a Candidate’s Statement of Qualifications, it must be filed and paid for at the same time that the Declaration of Candidacy is being filed. The two documents may not be filed independent of one another.</p> <p>This is also the last day for County Supervisor and District Attorney nominees to file and pay for a Candidate’s Statement to appear in the November Voter’s Information Pamphlet.</p> <p style="text-align: right;">' 10510, 13307, 13311</p> <p>Deadline for candidates for city office to submit nomination papers and their Declaration of Candidacy. Nomination documents are obtained from and filed with the City Clerk.</p> <p style="text-align: right;">' 10220-10224, 10227; Gov. Code ' 36503.7</p> <p>Any candidate who has filed a Declaration of Candidacy may withdraw that declaration up until 5 p.m. on Aug. 11. Candidates may not withdraw after that time.</p> <p>If the incumbent does not file, there will be a five-day extension for anyone other than the incumbent to file.</p>
<p>* Since the actual deadline falls on a weekend the deadline date is moved to the next business day.</p>	

<p>Aug. 11 (E-88)</p>	<p>Last Day to Submit Resolutions of Consolidation Final deadline for the governing body of a district, city, school or other political subdivision which requests consolidation of a local election for candidates or measures to file the request with the county Elections Department.</p> <p style="text-align: right;">' 10401, 10402</p> <p>Earlier filing dates are encouraged in order to meet printing schedules.</p>
<p>Aug. 12 - 16 (E-87 to E-83)</p>	<p>Extension of Nomination Period If an incumbent member of a school board, special district board, or city council does not file a Declaration of Candidacy by 5 p.m. on Aug. 11, any person other than the incumbent may file a Declaration of Candidacy by 5 p.m. on Aug. 16. This provision does not apply if there is no incumbent eligible to be elected. Any candidate who has filed may withdraw his or her Declaration of Candidacy up until 5 p.m. on the last day to file.</p> <p style="text-align: right;">' 10225, 10407, 10516(b), 10603</p>
<p>Aug. 16 (E-83)</p>	<p>Insufficient Number of Nominees</p> <p><u>Special Districts:</u> If by 5 p.m. on this day, no one has been nominated or an insufficient number of persons has been nominated to fill an office or offices, and a petition signed by 10% or 50 voters (whichever is the smaller number) has not been submitted, the elections official shall certify this fact to the Board of Supervisors. A person who has filed a Declaration of Candidacy shall be appointed by the Board of Supervisors at a regular or special meeting held prior to the first Monday before the first Friday in December. If no one filed, another qualified person shall be appointed by the Board of Supervisors on or before November 7 and shall take office and serve as if elected.</p> <p style="text-align: right;">' 10515</p> <p><u>Schools/County Boards of Education:</u> If by 5 p.m. on this day, only one person has filed or there are no nominees for the office(s) to be filed or in the case of members elected at large or by trustee areas, there are fewer than the number to be elected, and no petition is signed by 10% or 50 voters (whichever is the smaller number) an appointment will be made. The qualified person nominated shall be seated at the organizational meeting of the board, or, if an insufficient number is nominated, the governing board shall appoint as necessary at a meeting held prior to Election Day. Persons so appointed shall be seated at the organizational meeting and serve as if they had been elected.</p> <p>In the event no one is nominated, the governing board shall publish a notice one time in a newspaper of general circulation in the district stating the board intends to make an appointment and informing the public how to apply for the office.</p> <p style="text-align: right;">Ed. Code ' 5326, 5328, 5328.5</p>

<p>Aug. 16 (E-83)</p>	<p>Insufficient Number of Nominees (continued) <u>Cities:</u> If by 5 p.m. on this day (or the 88th day if there is no extension) there are no nominees or only one nominee for an elective city office, the city council may decide to fill the office by appointment or proceed with the election.</p> <p>Prior to the council's action, the City Clerk must publish a one-time notice of the facts and options under Elec. Code ' 10229. The council may not make an appointment until five days after this publication.</p> <p>If no appointment is made by the 75th day, the election is held. If any citywide office or measure is on the ballot, the election is held regardless of an insufficient number of nominees.</p> <p style="text-align: right;">' 10229</p>
<p>Aug. 17, 11 a.m. (E-82)</p>	<p>Randomized Alphabet Drawing Secretary of State shall conduct the randomized alphabet drawing to determine the order in which the candidates will appear on the ballot.</p> <p>On this same day, the county Elections Department shall conduct a randomized alphabet drawing for the offices of State Senate and Assembly.</p> <p style="text-align: right;">' 13112</p>
<p>Aug. 31 (E-68)</p>	<p>Certified List of Candidates – Federal and State Offices Last day for the Secretary of State to send to each elections official a list showing the name, party affiliation, and ballot designation of every person who has been nominated as a candidate for public office and is entitled to receive votes within the county at the General Election.</p> <p style="text-align: right;">§8148</p>
<p>Sept. 3 (E-60)</p>	<p>Special Absent Voters' Ballot Applications The first day county election officials may process applications for special absent voters' ballots. The application must include the statement that the voter cannot vote an absentee ballot during the normal absentee voting period of October 10 to October 31, 2000 because of military or other contingencies that preclude normal mail delivery.</p> <p style="text-align: right;">§300(b), 3103</p>
<p>Sept. 11 – Oct. 24 (E-57 to E-14)</p>	<p>Statement of Write-in Candidacy and Nomination Papers During this period write-in candidates must file their Statement of Write-in Candidacy and Nomination Papers with the county elections official.</p> <p style="text-align: right;">§8601</p>
<p>Sept. 14 (E-54)</p>	<p>54-Day Walking Lists Prepared The County Elections Official will prepare the 54-day voter index that is available for purchase upon written application at a cost of 50 cents per 1,000 names.</p> <p style="text-align: right;">§2184</p>

<p>Sept. 28 – Oct. 17 (E-40 to E-21)</p>	<p>Counties Mail Sample Ballots / State Ballot Pamphlet Mailing Between these dates the county elections official shall mail a Sample Ballot and polling place notice to each registered voter.</p> <p>Between these dates the Secretary of State shall mail state ballot pamphlets to all households in which voters were registered by Friday, Sept. 8 (E-60) The county will do a supplemental mailing of state pamphlets to voters who register after Sept. 8.</p> <p style="text-align: right;">§9094, 13303, 13304</p>
<p>Oct. 5 (E-33)</p>	<p>First Pre-Election Statement Last day to file campaign statements for candidates and committees covering the period ending Sept. 30 (E-38). Gov. Code §84200.5, 84200.7b</p>
<p>Oct. 5 (E-33)</p>	<p>Supplemental Independent Expenditure Reports Candidates or committees making independent expenditures of \$500 or more in a calendar year to support or oppose a candidate or measure shall file independent expenditure reports as if it were formed or existing primarily to support or oppose the candidate or measure. Gov. Code §84203.5, 82031</p>
<p>Oct. 10* (E-29)</p>	<p>Establish Precinct Boards and Polling Places Last day for the county Elections Department to appoint board members and polling places and provide a copy to each county central committee and make a copy available to the public. §12286, 12318</p>
<p>Oct. 10* (E-29)</p>	<p>Last Day to Register to Vote in the November Election Voter registration cards signed and executed on or before this day will be added to the voter registration rolls for the November election, if the affidavit is received by the county elections official by mail by October 13 (E-25) or postmarked on or before the 29th day prior to the election, or submitted to the DMV or NVRA agency on or before the 29th day prior to the election. §2102, 2107</p>
<p>Oct. 10* - Oct. 31 (E-29 to E-7)</p>	<p>Vote-by-Mail Ballot Application Period Between these dates voters may apply for a vote-by-mail ballot from the Elections Department. Under certain conditions voters may obtain an absentee ballot after Oct. 31. §3001, 3003</p>
<p>* Since the actual deadline falls on a holiday, the deadline date is moved to the next business day.</p>	

<p>Oct. 10 - Oct. 31 (E-28 to E-7)</p>	<p>New Residents and New Citizens Registration Period Registration for new residents shall begin the 28th day prior to an election and end on the seventh day prior to election day. This registration must be executed in the county elections office and the new resident shall vote a new resident's ballot containing the contest of President and Vice President only. The ballot shall be voted in the election official's office. §332, 3400</p> <p>A new citizen registering to vote after the close of registration shall provide the county elections official with proof of citizenship prior to voting, and shall declare that he or she has established residency in California. New citizens vote a regular ballot. §331, 3500, 3501</p>
<p>Oct. 10* (E-29)</p>	<p>29-Day Walking Lists Prepared The County Elections Official will prepare the 29-day voter index available for purchase upon written application at a cost of 50 cents per 1,000 names. §2184</p>
<p>Oct. 22 – Nov. 6 (E-16 to E-1)</p>	<p>Late Contribution/Independent Expenditure Report During this time late contribution/independent expenditure reports must be filed by FAX, telegram, mailgram, guaranteed overnight mail or deliver in person. Gov. Code §84203, 84204</p>
<p>Oct. 22 – Nov. 6 (E-16 to E-1)</p>	<p>24-Hour Statement of Organization Filing Requirement – Recipient Committees & Slate Mailer Organizations During the 16 days immediately preceding an election, any person or entity which qualifies as a recipient committee or slate mailer organization must file a Form 410 within 24 hours by telegram or personal delivery. Gov. Code §84101, 84108</p>
<p>Oct. 26 (E-12)</p>	<p>Second Pre-Election Statement The last day to file campaign statements for candidates and committees covering the period from 10-1-00 to 10-21-00. Gov. Code §84200.5, 84200.8</p>
<p>Oct. 26 (E-12)</p>	<p>Supplemental Independent Expenditure Reports Candidates or committees making independent expenditures of \$500 or more in a calendar year to support or oppose a candidate or measure shall file independent expenditure reports as if it were formed or existing primarily to support or oppose the candidate or measure. Gov. Code §84203.5, 82031</p>
<p>Oct. 28 (E-10)</p>	<p>Notice of Central Counting Place Last day for county elections official to publish the notice that the general election ballots will be counted at a specified public place. The notice shall be published one time in a newspaper of general circulation in the county. §12109</p>
<p>* Since the actual deadline falls on a holiday, the deadline date is moved to the next business day.</p>	

<p>No later than Oct. 31 (E-7)</p>	<p>Publish Polling Places and Precinct Board Members Not less than one week before the election, the elections official shall publish the list of polling places and precinct board members. §12105-12108, Gov. Code §6061</p>
<p>Oct. 31 (E-7)</p>	<p>Quarterly Statements by Ballot Measure Committees All committees primarily formed to support or oppose the qualification, passage or defeat of a ballot measure must file quarterly campaign statements for the period July 1 through Sept. 30 during any semiannual period in which the measure is not being voted upon. Following the election, such committees are only required to file semiannual statements unless they make contributions or expenditures to qualify, support or oppose other measures, in which case they would have an ongoing duty to file quarterly statements. Gov. Code §84202.3</p>
<p>Nov. 1 – Nov. 7 (E-6 to E)</p>	<p>Absentee Ballots – Late Conditions Voters unable to go to the polls because of illness or disability or because they will be absent from their precinct on election day, may come to the Elections Department and receive an absentee ballot over the counter. Voters may designate in writing a representative to bring the absentee ballot to them. The voter may either personally or through the authorized representative return the ballot to the Elections Department or polling place in the county. §3021</p>
<p>Nov. 3 (E-4)</p>	<p>County Campaign Disclosure Statement – 3rd Pre-Election Statement The last day for county candidates to file their disclosure statement for the period ending Nov 2. Santa Cruz County Code §8.04.080(2)c</p>
<p>Nov. 4 – 5 (E-3 to E-2)</p>	<p>Weekend Voting The Santa Cruz County Elections Department and Watsonville City Hall will be open from 9 a.m. to 5 p.m. for weekend voting.</p>
<p>Nov. 7 (E)</p>	<p>General Election Day Polls open at 7 a.m. and close at 8 p.m. §1000, 14212</p>
<p>Nov. 7 (E)</p>	<p>Unopposed Judge: Superior Court On this date, the County Clerk declares elected any incumbent superior court judge who has filed for office but whose name did not appear on either the primary or general election ballots because he or she was unopposed. §8203</p>
<p>Nov. 9 – Dec. 5 (E+2 to E+28)</p>	<p>Official Canvass The official canvass of precinct returns is to be completed during this time. §15301</p>

<p>Nov. 27 (E+20)</p>	<p>Declaration of Elected Candidates No later than the Monday before the first Friday in December, the county elections official shall declare the elected candidate or candidates to all school and special districts holding elections in November. As soon as the canvass is completed, the elections official shall prepare a Statement of Vote and send it to the secretary of each participating district. The elections official shall immediately make and deliver to each person elected a certificate of election. <p style="text-align: right;">§10551 - 10553</p></p>
<p>Nov. 28 (E+21)</p>	<p>Board of Supervisors to Appoint Candidates In-Lieu of Election Candidates who filed a Declaration of Candidacy shall be appointed by the Board of Supervisors at a regular or special meeting held prior to the first Monday before the first Friday in December. This is the last regularly scheduled board meeting before this statutory deadline. <p style="text-align: right;">§10515</p></p>
<p>Dec. 1 (E+24)</p>	<p>Assuming Office <u>Special Districts</u> – Candidates declared elected or appointed (i.e. as provided in §10515) take office this date at noon after having taken the oath and posted any bond required by the principal act. <p style="text-align: right;">§10554</p> <u>School/Community College Districts:</u> Candidates elected to school board take office on this date pursuant to Ed. Code §5017, though no reference is made to “noon” as is the case in Elec. Code §10554.</p>
<p>Dec. 5 (E+28)</p>	<p>Statement of Vote to Board of Supervisors – Certificates of Election Prepared The elections official shall prepare a certified statement of the results of the election and submit it to the Board of Supervisors. The Board of Supervisors shall declare the winners for each office and the results of each measure under its jurisdiction. The county elections official shall make and deliver to each person elected a certificate of election. <p style="text-align: right;">§15372, 15400, 15401</p></p>
<p>5 days after canvass</p>	<p>Recount May Be Requested Within five (5) days after the completion of the official canvass, any voter may request a recount by filing a written request with the Elections official and specifying which candidates and/or measures are to be recounted. The request may specify the order of the precincts for the recount, and the petitioning voter shall, before commencement of each day's recount, deposit such sum as the official requires to cover costs (approximately \$500 per day). "Completion of the canvass" shall be presumed to be the time when the elections official signs the certified Statement of Vote. <p style="text-align: right;">§15620 – 15634</p></p>

<p>Varies between 10 days to 6 months following the certification of the vote</p>	<p>Contesting Election</p> <p>Any elector of a county, city, or of any political subdivision of either may contest any election held therein for any of the following grounds:</p> <ul style="list-style-type: none"> a) That the precinct board or any member thereof was guilty of malconduct. b) That the person who has been declared elected to an office was not, at the time of the election, eligible to that office. c) That the defendant has given to any elector or member of a precinct board any bribe or reward, or has offered any bribe or reward for the purpose of procuring his election, or has committed any other offense against the elective franchise defined in Division 18 (commencing with §18000). d) That illegal votes were cast. e) That the precinct board in conducting the election or in canvassing the returns, made errors sufficient to change the result of the election as to any person who has been declared elected. f) That there was an error in the vote-counting programs or summation of ballot counts. §16100 <p>The contestant shall verify the statement of contest, as provided by Section 446 of the Code of Civil Procedure, and shall file it within the following times after the declaration of the result of the election by the body canvassing the returns thereof:</p> <ul style="list-style-type: none"> a) In cases other than cases of a tie, where the contest is brought on any of the grounds mentioned in subdivision (c) of §6100, six months. b) In all cases of tie, 20 days. c) In cases involving presidential electors, 10 days. d) In all other cases, 30 days. §16401
<p>Dec. 12 (E+35)</p>	<p>Statement of Vote to Secretary of State</p> <p>No later than this date the elections official shall send one copy of the Statement of Vote to the Secretary of State. §15375</p>
<p>Dec. 15 (E+39)</p>	<p>Certificates of Election</p> <p>The Secretary of State shall issue certificates of election to persons elected to U.S. Senate, Congress, and legislative offices. §15503-15504</p>
<p>Jan. 2* (30 days after assuming office)</p>	<p>Statement of Economic Interests – All newly elected officials</p> <p>Candidates elected to special districts and school districts must file a Form 700 within 30 days of assuming office.</p> <p>Such statement shall not be required if the candidate has filed, within 60 days prior to assuming office, a statement for the same jurisdiction. §87200, 87203</p>
<p>* Since the actual deadline falls on a holiday, the deadline date is moved to the next business day.</p>	

<p>Jan. 8, 2001 (E+62)</p>	<p>County Supervisors & Judges Assume Office Terms begin at noon on the first Monday after January 1 succeeding their election. Gov. Code §24200</p>
<p>Period Following Election</p>	<p>Document Retention Nomination documents and signatures in-lieu of filing fee petitions (if applicable) shall be held during the term of office for which they were filed and for four years after the expiration of the term. They may be destroyed as soon as practicable thereafter provided no legal action or proceeding is pending.</p> <p>Since the November 2000 election has federal offices on the ballot, precinct supplies and voted ballots must be preserved for 22 months following the election. If no legal action is pending at the time, the documents may be destroyed or recycled. Unused ballots may be destroyed or recycled after the November 2000 election.</p> <p>Initiative, referendum and recall petitions must be preserved for eight months following certification of the election for which the petition qualified or eight months after final examination of the petition by the clerk. If no legal action or proceeding is then pending, the petitions may be destroyed as soon as practicable. Elections Code Division 17, commencing with §17000</p>
<p>Jan. 31, 2001</p>	<p>Semiannual Campaign Statement Last day to file semiannual campaign statements, if required, by all candidates and committees. Gov. Code §84200, 84218</p>
<p>Jan. 31, 2001</p>	<p>Supplemental Independent Expenditure Reports Candidates or committees making independent expenditures of \$500 or more in a calendar year to support or oppose a candidate or measure shall file independent expenditure reports as if it were formed or existing primarily to support or oppose the candidate or measure. Gov. Code §84203.5, 82031</p>

OFFICES ON THE NOVEMBER BALLOT

Candidates were nominated to the following offices in the March 7, 2000 Primary (the names of the nominees are on file at the Elections Department or on the website at www.votescount.com):

OFFICE	JURISDICTION	TERM	BEGINS
President	Federal	4 years	Jan. 20, 2001 (noon)
U.S. Senator	Federal	6 years	Jan. 3, 2001 (noon)
U.S. Representative in Congress	17 th District	2 years	Jan. 3, 2001 (noon)
U.S. Representative in Congress	15 th District	2 years	Jan. 3, 2001 (noon)
State Senate	15 th District	4 years	Dec. 4, 2000
State Assembly	27 th District	2 years	Dec. 4, 2000
State Assembly	28 th District	2 years	Dec. 4, 2000
County Supervisor	2 nd District	4 years	Jan. 8, 2001
District Attorney – Public Administrator	County	2 years (to fill remainder of 4-year term)	Upon certification of the votes cast

Candidates to be elected from the following jurisdictions:

(The names of incumbents are on file at the County Elections Department or on the website at www.votescount.com)

BOARD OF EDUCATION & COMMUNITY COLLEGES			
DISTRICT	OFFICES UP FOR ELECTION	HOW ELECTED	QUALIFICATIONS
Santa Cruz County Board of Education	5 Governing Board Members X Trustee Areas: 2 ¹ , 3, 4, 5, 6	By trustee area	Registered voter of the district residing within the trustee area (Ed. Code ' 5012, 5030, 35107)
Cabrillo Community College District	4 Governing Board Members X Trustee Areas: 3, 4, 5, 7 ²	By trustee area	Registered voter of the district residing within the trustee area (Ed. Code ' 5012, 5030, 72103)
West Valley-Mission Community College District	4 Governing Board Members X 1 in Trustee Area 2 ³ X 3 in Trustee Area 3	File by TA Elected at large	Registered voter of the district residing within the trustee area (Ed. Code ' 5012, 5030, 72103)

¹ Incumbent appointed in 1999, seat up for short-term until 2002.

² Includes San Benito and Monterey counties.

³ Trustee Areas are in Santa Clara County ONLY. Trustee Area 1 is in Santa Cruz County. But all are elected at large.

UNIFIED/HIGH SCHOOL DISTRICTS

DISTRICT	OFFICES UP FOR ELECTION	HOW ELECTED	QUALIFICATIONS
Aromas-San Juan Unified School District	3 Governing Board Members ¹	At large	Registered voter of the district (Ed. Code ' 5012, 5030, 35107)
Los Gatos-Saratoga Joint Union High School District	2 Governing Board Members ²	At large	Registered voter of the district (Ed. Code ' 5012, 5030, 35107)
Pajaro Valley Unified School District	4 Governing Board Members Trustee Areas: 2, 3 ³ , 6	By trustee area	Registered voter of the district residing within the trustee area (Ed. Code ' 5012, 5030, 35107)
San Lorenzo Valley Unified School District	2 Governing Board Members Trustee Areas: 3 and 5	File by TA Elected at large	Registered voter of the district residing within the trustee area (Ed. Code ' 5012, 5030, 35107)
Santa Cruz City School District	3 Governing Board Members X 1 in Trustee Area 1 (inside city) X 2 in Trustee Area 2 (outside city)	File by TA Elected at large	Registered voter of the district residing within the trustee area (Ed. Code ' 5012, 5030, 35107)
Scotts Valley Unified School District	3 Governing Board Members	Elected at large	Registered voter of the district (Ed. Code ' 5012, 5030, 35107)

¹ Includes San Benito and Monterey counties.

² Includes Santa Clara County.

³ Includes Monterey County.

ELEMENTARY SCHOOL DISTRICTS

DISTRICT	OFFICES UP FOR ELECTION	HOW ELECTED	QUALIFICATIONS
Bonny Doon Union Elementary School District	2 Governing Board Members	At large	Registered voter of the district (Ed. Code ' 5012, 5030, 35107)
Happy Valley Elementary School District	3 Governing Board Members		
Lakeside Joint Elementary District	2 Governing Board Members ¹		
Live Oak School District	2 Governing Board Members		
Loma Prieta Joint Union Elementary School District	3 Governing Board Members ¹ • 2 full term; 1 short term		
Mountain Elementary School District	4 Governing Board Members • 3 full term; 1 short term		
Pacific School District	1 Governing Board Members		
Soquel Union Elementary School District	3 Governing Board Members		

¹ Includes Santa Clara County.

FIRE PROTECTION DISTRICTS

DISTRICT	OFFICES UP FOR ELECTION	HOW ELECTED	QUALIFICATIONS
Aptos/La Selva Fire	3 Directors	At large	Registered voter of the district. (Health & Safety Code ' 13841)
Ben Lomond Fire	2 Directors		
Boulder Creek Fire	2 Directors		
Branciforte Fire	4 Directors • 3 full term; 1 short term		
Central Fire	4 Directors		
Felton Fire	4 Directors • 3 full term; 1 short term		
Pajaro Valley Fire	3 Directors		
Scotts Valley Fire	3 Directors		
Zayante Fire	3 Directors		

Santa Cruz County has approved Aromas Tri-County Fire Protection District's request to move its election from odd years to November of even years. The request is pending approval from Monterey County.

WATER DISTRICTS

DISTRICT	OFFICES UP FOR ELECTION	HOW ELECTED	QUALIFICATIONS
Central Water	2 Directors	At large	Registered voter of the District. (Water Code ' 30500)
Lompico County Water	3 Directors	At large	
Pajaro Valley Water Management Agency	2 Directors • Divisions B & D ¹	By Division	Registered voter of the Division. (Water Code ' 30735)
San Lorenzo Valley Water	3 Directors	At large	Registered voter of the District. (Water Code ' 30500)
Scotts Valley Water	2 Directors	At large	
Soquel Creek Water	2 Directors	At large	

¹ Includes Monterey County.

PORT DISTRICT

DISTRICT	OFFICES UP FOR ELECTION	HOW ELECTED	QUALIFICATIONS
Santa Cruz Port District	3 Commissioners	At large	Registered voter of the district. (Harbors & Navigation Code ' 6240.5)

RECREATION DISTRICTS

DISTRICT	OFFICES UP FOR ELECTION	HOW ELECTED	QUALIFICATIONS
Boulder Creek Recreation & Park District	3 Directors	At large	Registered voter of the district or a registered voter of the state who owns property in the district. (Public Resources Code ' 5783.3)
La Selva Beach Recreation District	4 Directors <ul style="list-style-type: none"> • 3 full term; 1 short term 	At large	

MISCELLANEOUS DISTRICTS

DISTRICT	OFFICES UP FOR ELECTION	HOW ELECTED	QUALIFICATIONS
Pajaro Dunes Geologic Hazard Abatement	2 Directors	At large by property owners	Owner of real property in district. Public Resources Code §5783.3
Santa Cruz County Resource Conservation District	4 Directors	Appointed by Board of Supervisors. Resolution No. 96-05-01	Registered voter of the state and 1) reside in the district and either own real property or have served two years or more as an associate director providing advisory assistance to the board, or 2) be a designated agent of a resident landowner within the district. Public Resources Code §9352

CITIES

CITY	OFFICE	INCUMBENT	TERM	HOW ELECTED	QUALIFICATIONS
Capitola (General Law)	2 Councilmembers	Tony Gualtieri	4 year	At large	Registered voter of the city.
		Gayle Ortiz			
	Treasurer	Glenn Hanna	4 year		
Santa Cruz (Charter)	4 Councilmembers	Katherine Beiers (termed out in 2000)	4 year	At large	Registered voter of the city.
		Cynthia Mathews (termed out in 2000)			
		Michael Rotkin (termed out in 2000)			
		Michael Hernandez			
Scotts Valley (General Law)	4 Councilmembers	Randy Johnson	4 year	At large	Registered voter of the city.
		Sheryl Ainsworth			
		Chuck Walker			
		Clifford Barrett	2 year		
Watsonville (Charter)	Councilmember: Dist. 1	Rafael Lopez	4 year	File & elected by district.	Registered voter of the city residing within the council district.
	Councilmember: Dist. 2	Oscar Rios (termed out in 2000)			
	Councilmember: Dist. 6	Judith Doering Nielsen			

Residence and Domicile

In order to qualify for most offices, a candidate must be a registered voter of the district or division thereof. The following code sections will assist in determining residence.

Elections Code §349. Residence and Domicile

“Residence” for voting purposes means a person’s domicile. The domicile of a person is that place in which his or her habitation is fixed, wherein the person has the intention of remaining, and to which, whenever he or she is absent, the person has the intention of returning. At a given time, a person may have only one domicile. The residence of a person is that place in which the person’s habitation is fixed for some period of time, but wherein he or she does not have the intention of remaining. At a given time, a person may have more than one residence. (Added by Stats. 1994)

Elections Code §2020. Term of domicile

The term of domicile is computed by including the day on which the person's domicile commenced and by excluding the day of the election. (Added by Stats. 1994)

Elections Code §2021. Person away for temporary purposes

(a) A person who leaves his or her home to go into another state or precinct in this state for temporary purposes merely, with the intention of returning, does not lose his or her domicile.

A person does not gain a domicile in any precinct into which he or she comes for temporary purposes merely, without the intention of making that precinct his or her home. (Added by Stats. 1994)

Elections Code §2022. Move to another state

If a person moves to another state with the intention of making it his or her domicile, the voter loses his or her domicile in this state. (Added by Stats. 1994)

Elections Code §2023. Move to another state

If a person moves to another state as a place of permanent residence, with the intention of remaining there for an indefinite time, he or she loses his or her domicile in this state, notwithstanding that he or she intends to return at some future time. (Added by Stats. 1994)

Elections Code §2024. Intention and fact or removal

The mere intention to acquire a new domicile, without the fact of removal avails nothing, neither does the fact of removal without the intention. (Added by Stats. 1994)

Elections Code §2025. Employment in the service of the United States; Navigation; Institution

A person does not gain or lose a domicile solely by reason of his or her presence or absence from a place while employed in the service of the United States or of this state, nor while engaged in navigation, nor while a student of any institution of learning, nor while kept in an almshouse, asylum or prison. This section shall not be construed to prevent a student at an institution of learning from qualifying as an elector in the locality where he or she domiciles while attending that institution, when in fact the student has abandoned his or her former domicile. (Added by Stats. 1994)

Elections Code §2026. Domicile of Legislative Member or Congressional Representative

The domicile of a Member of the Legislature or a Representative in the Congress of the United States

shall be conclusively presumed to be at the residence address indicated on that person's currently filed affidavit of registration. (Added by Stats. 1994)

Elections Code §2027. Domicile of family; residence in trailer

The place where a person's family is domiciled is his or her domicile unless it is a place for temporary establishment for his or her family or for transient objects. Residence in a trailer or vehicle or at any public camp or camping ground may constitute a domicile for voting purposes if the registrant complies with the other requirements of this article. (Added by Stats. 1994)

Elections Code §2028. Place of family and business

If a person has a family fixed in one place, and he or she does business in another, the former is his or her place of domicile, but any person having a family, who has taken up an abode with the intention of remaining and whose family does not so reside with him or her, is a domiciliary where he or she has so taken up the abode. (Added by Stats. 1994)

Elections Code §2029. Domicile of spouse

The domicile of one spouse shall not be presumed to be that of the other, but shall be determined independently in accordance with this article. (Added by Stats. 1994)

Elections Code §2030. Marriage to a person employed in the service of the United States

A domiciliary of this state who marries a person employed temporarily in this state in the service of the United States government, may elect to retain his or her domicile for the purpose of qualifying as an elector only, except that his or her domicile in this state shall terminate if the domiciliary qualifies as an elector in any other state or any territory. (Added by Stats. 1994)

Elections Code §2031. Homeowner's property tax exemption; renter's tax credit; driver's license

If a person has more than one residence and that person maintains a homeowner's property tax exemption on the dwelling of one of the residences pursuant to Section 218 of the Revenue and Taxation Code, there shall be a rebuttable presumption that the residence subject to the homeowner's property tax exemption is that person's domicile. However, this presumption shall not apply in the event any other residence is listed as the person's current residence address on any driver's license, identification card or vehicle registration issued to that person by, and on file with, the Department of Motor Vehicles.

If a person has more than one residence and that person claims a renter's tax credit for one of the residences pursuant to Section 17053.5 of the Revenue and Taxation Code, there shall be a rebuttable presumption that the residence subject to the renter's tax credit is that person's domicile. However, this presumption shall not apply in the event any other residence is listed as the person's current residence address on any driver's license, identification card, or vehicle registration issued to that person by, and on file with, the Department of Motor Vehicles. This section shall not be applicable to state or federal elected officials. (Added by Stats. 1994)

Elections Code §2032. More than one residence

Except as provided in this article, if a person has more than one residence and that person has not physically resided at any one of the residences within the immediate preceding year, there shall be a rebuttable presumption that those residences in which he or she has not so resided within the immediate preceding year are merely residences as defined in subdivision (c) of Section 349 and not his or her domicile. (Added by Stats. 1994)

Elections Code §2033. Change of house number

Whenever the house number or the mailing address of a voter has been changed and the voter's domicile is the same, the public agency authorizing the change shall notify the county elections official in writing of the change and the county elections official shall make the change on the voter's affidavit of registration and a new affidavit shall not be required. (Added by Stats. 1994)

Elections Code §2034. Domicile in more than one precinct

A person domiciled in a house or apartment lying in more than one precinct shall be registered as domiciled in the precinct designated by the county elections official on the basis of the street address or other precinct the county elections official considers appropriate unless the person requests, either by letter or in person at the office of the county elections official, that he or she wishes to be domiciled for registration purposes in another precinct in which his or her house or apartment lies. In order to fulfill the requirements of this section, the letter of request shall include the name, signature, and residence address of the requester. (Added by Stats. 1994)

Elections Code §2035. Voter residence change 28 days prior to an election

A person duly registered as a voter in any precinct in California who removes therefrom within 28 days prior to an election shall, for the purpose of that election, be entitled to vote in the precinct from which the person so removed until the close of the polls on the date of that election. (Added by Stats. 1994)

Voter Registration and Establishment of Domicile. Walters v. Weed (1988) AKA "UCSC Student Voting Case." 45 Cal.3rd.1

In this California Supreme Court decision, the court held that voters who have moved, but have not established a new domicile, may vote in the precinct of their former domicile even though they have not intention of returning to live there.

Homeless Person's Right to Register to Vote. Collier v. Menzel (1985). AKA "Fig Tree Case." 176 Cal. App.3d 24

In this Court of Appeal decision, the court held that a homeless person may register at a location deemed by the voter to be a dwelling place or place of habitation for that voter. A mailing address needs to be provided in order for the voter to receive election materials.

NAME & BALLOT DESIGNATION

Name on Ballot

The candidate states on the Declaration of Candidacy how his/her name should appear on the ballot. This should be recognizable as the name under which the candidate is registered, though the two need not be identical. (Example: A candidate registered as "Jonathan William Smith" may use such variations as "John W. Smith," "John Smith," or "J. William (Bud) Smith.")

Ballot Designation - Legislative Requirements

The ballot designation is the word or group of words that will appear on the ballot under the candidate's name, designating the principal profession, vocation, or occupation of the candidate.

The ballot designation that a candidate may use is governed by Elections Code Section 13107. All candidates (except candidates for Justice of the State Supreme Court or Court of Appeal) may choose a ballot designation to appear immediately under their name on the ballot. The ballot designation must be chosen from one of the four categories below:

- 1) **Elective Office:** 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 a vote of the people, or to which he or she was appointed, in the case of a superior court, municipal, or justice court judge.
- 2) **Incumbent:** The word "incumbent" may be used if the candidate is a candidate for the same office which he or she holds at the time of filing the nomination papers, and was elected to that office by a vote of the people, or, in the case of a superior, municipal, or justice court judge, was appointed to that office.
- 3) **3-word Profession/Occupation/Vocation:** No more than three words designating either the current principal professions, vocations, or occupations of the candidate. If there is no current position, the candidate may use 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. If more than one profession, vocation or occupation is listed, it shall be separated by a slash ("/").
- 4) **Appointed Incumbent:** The phrase "appointed incumbent" may be used if :
 - a) the candidate holds an office other than a judicial office by virtue of appointment, and the candidate is a candidate for the election to the same office, or,
 - b) if the candidate is a candidate for election to the same office or to some other office, the word "appointed" and the title of the office.

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.

Titles or Degrees Prohibited

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. (Elections Code ' 13106)

Unacceptable Designations

Pursuant to Elections Code §13107(b), neither the Secretary of State nor any other election official shall accept a designation of which any of the following would be true:

- 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 which is prohibited by law.

If Ballot Designation is Rejected

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

The candidate shall, within three (3) 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.

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

Ballot Designation May Not be Changed After Filing

No designation given by a candidate shall be changed by the candidate after the final date for filing nomination papers, except as specifically requested by the election official.

Ballot Designation in Both Primary and General Elections

The designation shall remain the same for all purposes of both primary and general elections, unless the candidate, at least 83 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.

Format of Ballot Designation

In all cases, ballot designations shall be printed in 8-point uppercase and lowercase type.

If the designation selected is so long that it would conflict with the space requirements of Elections Code ' 13207 and 13211, the election official shall use a type size for the designation for each candidate for office sufficiently smaller to meet these requirements.

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

No Ballot Designation

A candidate who does not want a ballot designation should indicate this in the space provided for ballot designation on the Declaration of Candidacy, or the space may be left blank. If no designation is given, it will be assumed that none is desired.

SECRETARY OF STATE

Ballot Designation Regulations

The following are regulations proposed by the Secretary of State and approved by the Office of Administrative Law that went into effect in January 1998. The regulations apply only to state and federal candidates. In order to be consistent with the state regulations, however, the Santa Cruz County Elections Department will apply these same regulations to candidates running for county, special district and school district offices.

Chapter 7. Ballot Designations

' 20710. General Provisions.

- (a) The regulatory purpose of this Chapter is to ensure the accurate designation of the candidate upon the ballot in order that an informed electorate may intelligently elect one of the candidates.
- (b) The Secretary of State shall, at all times, apply and interpret the provisions of Elections Code ' 13107 and the regulations included in this Chapter in a manner consistent with the regulatory purpose of this Chapter.
- (c) Candidates are not required to use a ballot designation pursuant to Elections Code ' 13107, subdivision (a), and may opt to leave the space for such a designation on the ballot blank. In order to notify the elections official as to whether he or she will use a ballot designation or will opt to leave the ballot designation space blank, the candidate must initial the appropriate box on the Declaration of Candidacy or otherwise so indicate on the Declaration of Candidacy.
- (d) Pursuant to Elections Code ' 13107, subdivision (a), a candidate may submit a proposed ballot designation pursuant to any one of the four provisions specified in Elections Code ' 13107, subdivision (a), subparts (1) through (4), applicable to that candidate. The candidate shall be free to select from which of the applicable four subparts he or she is submitting his or her proposed ballot designation.
- (e) The regulations set forth in this Chapter shall apply only to elections held for offices for which elections returns are certified by the Secretary of State of the State of California.
- (f) Whenever, the word "should" is used in this Chapter, it is recommended, not mandatory.

Note: Authority: Section 12172.5, Government Code
Reference: Section 13107, Elections Code

' 20711. Ballot Designation Worksheet.

(a) In order to facilitate review of a candidate's proposed ballot designation by the Secretary of State pursuant to Elections Code ' 13107, the candidate may submit, at the time of filing his or her proposed ballot designation on the Declaration of Candidacy, a completed Ballot Designation Worksheet on a form provided by the Secretary of State.

(b) All Ballot Designation Worksheets filed with the Office of the Secretary of State or the county elections officials pursuant to this section shall be public records and shall be available for inspection and copying at the public counter of the Elections Division of the Office of the Secretary of State, Fifth Floor, 1500 11th Street, Sacramento, California 95814, or at the office of the applicable county elections official.

(c) The Secretary of State shall provide a master copy or copies of the Ballot Designation Worksheet to all elections officials responsible for providing and accepting the nomination documents for candidates in elections for offices certified by the Secretary of State. The Ballot Designation Worksheet shall request that the candidate proposing the ballot designation provide the following information:

- (1) The candidate's name, home, business and mailing addresses, telephone numbers, e-mail address, if available, and fax number;
- (2) A designation of the office for which the candidate is seeking election;
- (3) The name, home, business and mailing addresses, telephone numbers, e-mail address, if available, and fax number of the attorney representing the candidate or for any other person to be contacted in the event the Secretary of State requires further information regarding the proposed ballot designation;
- (4) The proposed ballot designation submitted by the candidate;
- (5) At the option of the candidate, the candidate may submit one or more proposed alternate ballot designations ranked in order of the candidate's preference;
- (6) A brief statement identifying the factual basis upon which the candidate claims the proposed ballot designation and each proposed alternate ballot designation, including the following:

(A) If the candidate holds elected office and is submitting his or her proposed ballot designation pursuant to Elections Code ' 13107, subdivisions (a)(1) or (a)(2), the candidate should indicate the elective office he or she currently occupies and may attach a copy of his or her Certificate of Election;

(B) If the candidate is a judicial officer and is submitting his or her proposed ballot designation pursuant to Elections Code ' 13107, subdivisions (a)(1) or (a)(2), the candidate should indicate the elective office he or she currently holds and may attach either (A) a copy of his or her Certificate of Election or (B) a copy of his or her commission or certificate of appointment, issued at the time the candidate was appointed to the judicial office which he or she currently occupies;

(C) If the candidate submits a ballot designation pursuant to Elections Code ' 13107, subdivision (a)(3), the candidate should indicate:

- (i) The title of the position or positions which he or she claims supports the proposed ballot designation;
- (ii) The dates during which the candidate held such position;
- (iii) A description of the work he or she performs in the position;
- (iv) The name of the candidate's business or employer;
- (v) The name and telephone number of a person or persons who could verify such information; and
- (vi) A statement that the professions, vocations or occupations relied upon to support the proposed ballot designation constitute the primary, main or leading professions, vocations or occupations of the candidate, in accordance with the definition of the term "principal" as set forth at ' 20714, subdivision (b).

(D) If the candidate submits a ballot designation pursuant to Elections Code ' 13107, subdivision (a)(4), the candidate should indicate the date on which he or she was appointed to the office for which he or she is an appointed incumbent.

(d) The candidate may attach or append any supporting documents or other exhibits to his or her Ballot Designation Worksheet which he or she believes support his or her proposed ballot designation. Such attached documents or other exhibits shall be deemed to be incorporated by reference as part of the candidate's Ballot Designation Worksheet and shall be considered as such by the Secretary of State.

Note: Authority: Section 12172.5, Government Code
Reference: Section 13107, Elections Code

' 20712. Proposed Ballot Designations – Elected Officials

Proposed ballot designations submitted pursuant to Elections Code ' 13107, subdivision (a)(1), shall be subject to the following provisions:

(a) In the case of candidates holding elective city, county, district, state, or federal office, the candidate's ballot designation shall be the elective office which the candidate holds at the time of filing the nomination documents.

(b) In the case of judicial officers, the candidate's ballot designation shall be the elective office which the candidate holds at the time of filing the nomination documents.

(c) There shall be no word count limitation applicable to ballot designations submitted pursuant to Elections Code **13107, subdivision (a)(1)**.

(d) Proposed ballot designations indicating a position of legislative leadership, such as "Majority Leader of the California Senate," "Minority Leader of the California State Assembly," "Speaker of the California State Assembly," "President Pro Tempore of the California State Senate," and the like, are not elective offices described in Elections Code **13107, subdivision (a)(1)**. Such ballot designations are improper, pursuant to Elections Code **13107, subdivision (a)(1)**. They may, however, be considered under the provisions of ' 13107(a)(3).

(e) Proposed ballot designations indicating that the candidate is a member of the state or county central committee of a political party, or an officer of a state or county central committee of a political party, are improper, as such positions do not constitute elective county or state offices as specified in Elections Code ' 13107, subdivision (a)(1).

Note: Authority: Section 12172.5, Government Code
Reference: Section 13107, Elections Code

' 20713. Proposed Ballot Designations – Incumbents

Proposed ballot designations submitted pursuant to Elections Code ' 13107, subdivision (a)(2), shall be subject to the following provisions:

(a) A proposed ballot designation submitted pursuant to Elections Code ' 13107, subdivision (a)(2), is limited “incumbent,” as that term is defined in Elections Code **13107, subdivision (a)(2).**

(b) The term “incumbent” must be used as a noun. It shall not be used in conjunction with any other words, including any accompanying adjectives or modifiers, and must stand alone. A candidate qualified to use this designation pursuant to Elections Code **13107, subdivision (a)(2),** shall be entitled to use the ballot designation “Incumbent.”

(c) The word “incumbent” is strictly limited for use in ballot designations submitted pursuant to Elections Code **13107, subdivision (a)(2), and may not be used as an adjective in any other ballot designation.**

Note: Authority: Section 12172.5, Government Code
Reference: Section 13107, Elections Code

' 20714. Proposed Ballot Designations – Profession/Vocation/Occupation

Proposed ballot designations submitted pursuant to Elections Code ' 13107, subdivision (a)(3), shall be subject to the following provisions:

(a) The terms “profession,” “vocation,” or “occupation,” as those terms are used in Elections Code **13107, subdivision (a)(3), are defined as follows:**

(1) “Profession” means a field of employment requiring special education or skill and requiring specific knowledge of a particular discipline of learning or science. The labor and skill involved in a profession is predominantly mental or intellectual, rather than physical or manual. Recognized professions generally include, but are not limited to, law, medicine, education, engineering, accountancy, and journalism. Examples of an acceptable designation of a “profession,” as defined in Elections Code §13107, subdivision (a)(3), include, but are not limited to, “attorney,” “physician,” “accountant,” “architect,” and “teacher.”

(2) "Vocation" means a trade, a religious calling, or the work upon which a person, in most but not all cases, relies for his or her livelihood and spends a major portion of his or her time. As defined, vocations may include, but are not limited to, religious ministry, child rearing, homemaking, elderly and dependent care, and engaging in trades such as carpentry, cabinetmaking, plumbing, and the like. Examples of an acceptable designation of a "vocation," as defined in Elections Code §13107, subdivision (a)(3), include, but are not limited to, "minister," "priest," "mother," "father," "homemaker," "dependent care provider," "carpenter," "plumber," "electrician," and "cabinetmaker."

(3) "Occupation" means the employment in which one regularly engages or follows as the means of making a livelihood. Examples of an acceptable designation of an "occupation," as defined in Elections Code §13107, subdivision (a)(3), include, but are not limited to, "rancher," "restaurateur," "retail salesperson," "manual laborer," "construction worker," "computer manufacturing executive," "military pilot," "secretary," and "police officer."

(b) "Principal," as that term is used in Elections Code **13107, subdivision (a)(3), means a** substantial involvement of time and effort such that the activity is one of the primary, main or leading professional, vocational or occupational endeavors of the candidate. The term "principal" precludes any activity which does not entail a significant involvement on the part of the candidate. Involvement which is only nominal, pro forma, or titular in character does not meet the requirements of the statute.

(1) If a candidate is licensed by the State of California to engage in a profession, vocation or occupation, the candidate is entitled to consider it one of his or her "principal" professions, vocations or occupations if (i) the candidate has maintained his or her license current as of the date he or she filed his or her nomination documents by complying with all applicable requirements of the respective licensure, including the payment of all applicable license fees and (ii) the status of the candidate's license is active at the time he or she filed his or her nomination documents.

(2) A candidate who holds a professional, vocational or occupational license issued by the State of California may not claim such profession, vocation or occupation as one of his or her "principal" professions, vocations or occupations if (i) the candidate's licensure status is "inactive" at the time the candidate files his or her nomination document, or (ii) the candidate's license has been suspended or revoked by the agency issuing the license at the time the candidate files his or her nomination documents.

(c) In order for a ballot designation submitted pursuant to Elections Code ' 13107, subdivision (a)(3), to be deemed acceptable by the Secretary of State, it must accurately state the candidate's principal professions, vocations or occupations, as those terms are defined in subdivisions (a) and (b) herein. Each proposed principal profession, vocation or occupation submitted by the candidate must be factually accurate, descriptive of the candidate's principal profession, vocation or occupation, must be neither confusing nor misleading, and must be in full and complete compliance with Elections Code ' 13107 and the regulations included in this Chapter.

(d) If the candidate is engaged in a profession, vocation or occupation at the time he or she files his or her nomination documents, the candidate's proposed ballot designation is entitled to consist of the candidate's current principal professions, vocations and occupations. In the event the candidate does not have a current principal profession, vocation or occupation at the time he or she files his or her nomination documents, the

candidate may use a ballot designation consisting of his or her principal professions, vocations or occupations, which the candidate was principally engaged in during the calendar year immediately preceding the filing of the candidate's nomination papers.

(e) A candidate may engage in multiple principal professions, vocations or occupations. Accordingly, the candidate may designate multiple principal professions, vocations or occupations. If a candidate proposes a ballot designation including multiple principal professions, vocations or occupations, the proposed ballot designation must comply with the following provisions:

(1) The proposed ballot designation must comply with the three-word limitation specified in Elections Code ' 13107, subdivision (a)(3), and as implemented pursuant to subdivision (f) herein.

(2) Each such proposed profession, vocation or occupation shall be separately considered by the Secretary of State and must independently qualify as a "principal" profession, vocation or occupation, as that term is defined pursuant to subdivision (b) herein.

(3) When multiple professions, vocations or occupations are proposed as a ballot designation, they shall be separated by a slash ("/"). An example of an acceptable designation would be "Legislator/Rancher/Physician."

(f) Pursuant to Elections Code **13107, subdivision (a)(3), the candidate's ballot** designation shall be limited to not more than three (3) words. The following rules shall govern the application of the three word limitation:

(1) The proposed ballot designation shall be grammatically correct, generic, and all words must be spelled correctly.

(2) Punctuation shall be limited to the use of a comma (e.g., District Attorney, Los Angeles County) and a slash (e.g., Legislator/Rancher/Physician), pursuant to subdivision (e) of this section. A hyphen may be used if, and only if, the use of a hyphen is called for in the spelling of a word as it appears in a standard reference dictionary of the English language.

(3) All California geographical names shall be considered to be one word and shall be limited to the names of cities, counties and states. The names of special districts and political subdivisions are not "geographical names," as the term is used in Elections Code **13107, subdivision (a)(3). If the candidate desires, the geographical name may** be used in the form of "City of . . .," "County of . . .," or "City and County of . . ." Examples of geographical names considered to be one word include Tehama County, Los Angeles County and County of Sacramento.(4) An acronym shall be counted as one word.

Note: Authority: Section 12172.5, Government Code
Reference: Section 13107, Elections Code

' 20715. Proposed Ballot Designations – Using the Word “Appointed”

(a) Pursuant to Elections Code ' 13107, subdivision (a)(4), a candidate may propose a ballot designation consisting of 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. The candidate may not use the unmodified word “incumbent” or any words designating the office unmodified by the word “appointed.”

(b) Pursuant to Elections Code **13107, subdivision (a)(4), a candidate may propose a** ballot designation consisting of the word “appointed” in conjunction with the elective office, if the candidate is a candidate for election to the same office or to some other office. The candidate may not use any words designating the office unmodified by the word “appointed.”

(c) There shall be no word count limitation applicable to ballot designations submitted pursuant to Elections Code ' 13107, subdivision (a)(4).

Note: Authority: Section 12172.5, Government Code
Reference: Section 13107, Elections Code

' 20716. Unacceptable Ballot Designations.

(a) The Secretary of State shall reject as unacceptable any proposed ballot designation which fails to comply with, or is otherwise inappropriate pursuant to, Elections Code ' 13107, subdivision (a); is prohibited pursuant to Elections Code ' 13107, subdivision (b); is misleading; or is otherwise improper pursuant to the regulations set forth in this Chapter.

(b) The following types of activities are distinguished from professions, vocations and occupations and are not acceptable as ballot designations pursuant to Elections Code ' 13107, subdivision (a)(3):

(1) Avocations: An avocation is a casual or occasional activity, diversion or hobby pursued principally for enjoyment and in addition to the candidate’s principal profession, vocation or occupation. Avocations may include, but are not limited to, hobbies, social activities, volunteer work, and matters pursued as an amateur.

(2) Pro Forma Professions, Vocations and Occupations: Pro forma professions, vocations or occupations are positions held by the candidate which consume little or none of the candidate's time and which, by their nature, are voluntary or for which the candidate is not compensated. Pro forma professions, vocations and occupations may include, but are not limited to, such pursuits as honorary peace officer, volunteer firefighter, honorary chairperson, honorary professor, goodwill ambassador, official host or hostess and the like.

(3) Statuses: A status is a state, condition, social position or legal relation of the candidate to another person, persons or the community as a whole. A status is generic in nature and generally fails to identify with any particular specificity the manner by which the candidate earns his or her livelihood or spends the substantial majority of his or her time. Examples of a status include, but are not limited to, philanthropist, activist, patriot, taxpayer, concerned citizen, husband, wife, and the like.

(c) Pursuant to Elections Code ' 13107, subdivision (b)(1), the Secretary of State shall reject as unacceptable any proposed ballot designation which would mislead voters. In

making this determination, the Secretary of State shall determine whether there is a substantial likelihood that a reasonably prudent voter would be misled as to the candidate's principal profession, vocation or occupation by the candidate's proposed ballot designation. The determination shall take into account the plain meaning of the words constituting the proposed ballot designation and the factual accuracy of the proposed ballot designation based upon supporting documents or other evidence submitted by the candidate in support of the proposed ballot designation, pursuant to **20711 and 20717** of this Chapter.

(d) A ballot designation may not comprise or include commercial identification information, such as a trademark, service mark, trade name, or the specific name of a business, partnership, corporation, company, foundation, or organization. Examples of an improper use of commercial identification information include, but are not limited to, "Acme Company President," "Universal Widget Inventor," "Director, Smith Foundation," "UCLA Professor," and the like.

(e) Pursuant to Elections Code **13107, subdivision (b)(2)**, the Secretary of State shall reject as unacceptable any proposed ballot designation which would suggest an evaluation of the candidate's qualifications, honesty, integrity, leadership abilities or character. Any laudatory or derogatory adjectives which would suggest an evaluation of the candidate's qualifications shall not be permitted. Such impermissible adjectives include, but are not limited to, "outstanding," "leading," "expert," "virtuous," "eminent," "best," "exalted," "prominent," "famous," "respected," "honored," "honest," "dishonest," "corrupt," "lazy," and the like.

(f) Pursuant to Elections Code ' 13107, subdivision (b)(3), the Secretary of State shall reject as unacceptable any proposed ballot designation which abbreviates the word Retired or places it following any word or words which it modifies. Examples of impermissible designations include Ret. Army General, Major USAF, Retired and City Attorney, Retired.

(g) Pursuant to Elections Code ' 13107, subdivision (b)(4), the Secretary of State shall reject as unacceptable any proposed ballot designation which uses a word or prefix to indicate a prior profession, vocation, occupation or elected, appointed or judicial office previously held by the candidate. Such impermissible words or prefixes include, but are not limited to, Ex-, former, past, and erstwhile. Examples of impermissible designations include Former Congressman, Ex-Senator, and Former Educator.

(h) Subject to the provisions of Elections Code ' 13107, subdivision (b)(4), use of the word Retired in a ballot designation is generally limited for use by individuals who have permanently given up their chosen principal profession, vocation or occupation. In evaluating a proposed ballot designation including the word Retired, the Secretary of State will consider the following factors in making a determination as to the propriety of the use of the term Retired:

- (1) Prior to retiring from his or her principal profession, vocation or occupation, the candidate worked in such profession, vocation or occupation for more than 5 years;
- (2) The candidate is collecting, or eligible to collect, retirement benefits or other type of vested pension;
- (3) The candidate has reached at least the age of 55 years;

- (4) The candidate voluntarily left his or her last professional, vocational or occupational position;
- (5) If the candidate is requesting a ballot designation indicating that he or she is a retired public official, the candidate must have previously voluntarily retired from public office, not have been involuntarily removed from office, not have been recalled by voters, and not have surrendered the office to seek another office or failed to win reelection to the office;
- (6) The candidate has not had another more recent, intervening principal profession, vocation or occupation; and,
- (7) The candidate's retirement benefits are providing him or her with a principal source of income.

(i) Pursuant to Elections Code ' 13107, subdivision (b)(5), the Secretary of State shall reject as unacceptable any proposed ballot designation which uses the name of any political party, whether or not it has qualified for recognized ballot status.

(j) Pursuant to Elections Code ' 13107, subdivision (b)(6), the Secretary of State shall reject as unacceptable any proposed ballot designation which uses a word or words referring to a racial, religious, or ethnic group.

(1) The Secretary of State shall reject as unacceptable any ballot designation which expressly contains or implies any ethnic or racial slurs or ethnically or racially derogatory language.

(2) If the candidate is a member of the clergy, the candidate may not make reference to his or her specific denomination. However, the candidate may use his or her clerical title as a ballot designation (e.g., ARabbi,@APastor,@AMinister,@APriest,@ABishop,@ADeacon,@AMonk,@ANun,@Almam,@ etc.) (k) Pursuant to Elections Code ' 13107, subdivision (b)(6), the Secretary of State shall reject as unacceptable any proposed ballot designation which refers to any activity prohibited by law. Unlawful activity includes any activities, conduct, professions, vocations, or occupations prohibited by state or federal law.

Note: Authority: Section 12172.5, Government Code
Reference: Section 13107, Elections Code

' 20717. Requests for Supporting Documentation.

In addition to the Ballot Designation Worksheet requested to be filed with the Secretary of State pursuant to ' 20711 of this Chapter, the Secretary of State may request that a candidate submit additional supporting documentation or other evidence to support the proposed ballot designation.

(a) Time is of the essence regarding all matters pertaining to the review of proposed ballot designations submitted by candidates for public office. Failure to promptly submit requested supporting materials will preclude consideration of such materials and the rendering of a summary, final decision on the candidate's proposed ballot designation.

(b) The Secretary of State will communicate, whenever possible, with the candidate in the most expeditious manner, including, but not limited to, telephone, facsimile transmission and electronic mail at the number or address provided by the candidate. When the candidate does not have reasonable access to a facsimile machine or electronic mail, the

Secretary of State will transmit written communication to the candidate by means of overnight express delivery to the address provided by the candidate.

(c) The candidate shall have the burden of establishing that the proposed ballot designation that he or she has submitted is accurate and complies with all provisions of Elections Code ' 13107 and this Chapter.

Note: Authority: Section 12172.5, Government Code

Reference: Section 13107, Elections Code

' 20718. Communication of Decisions Regarding Ballot Designations.

(a) An official copy of the decision of the Secretary of State regarding a candidate's ballot designation will be made in writing and transmitted directly to the candidate by registered or certified mail, return receipt requested, to the address provided by the candidate. The Secretary of State shall also provide a copy to the elections official in the candidate's county of residence and to the elections official of each county within the political subdivision. Copies may also be made available to all other candidates in the race.

(b) At the request of the candidate, the Secretary of State will transmit an unofficial copy of the decision of the Secretary of State regarding the candidate's proposed ballot designation by facsimile transmission sent to the facsimile number listed on the candidate's Ballot Designation Worksheet. When the candidate does not have reasonable access to a facsimile machine, the Secretary of State will transmit to the candidate, at the candidate's request, an unofficial copy of the decision by means of overnight express delivery to the address listed on the candidate's Ballot Designation Worksheet provided. If the candidate has not submitted a Ballot Designation Worksheet, the Secretary of State will transmit an official copy to the facsimile number provided by the candidate or, if the candidate does not have reasonable access to a facsimile machine, by overnight express mail to the address provided by the candidate.

(c) All written decisions of the Secretary of State regarding ballot designations are public records and are available for inspection and copying at the public counter of the Elections Division of the Office of the Secretary of State, 1500 11th Street, Fifth Floor, Sacramento, California 95814.

Note: Authority: Section 12172.5, Government Code

Reference: Section 13107, Elections Code

' 20719. Service of Legal Process Regarding Ballot Designations.

(a) In the event a candidate or other interested party files a petition for the issuance of an extraordinary writ with the court or other legal action pertaining to a candidate's ballot designation, the summons and any other legal process should be served upon the Chief Counsel to the Secretary of State, Legal Affairs Unit, Executive Office of the Secretary, 1500 11th Street, Sixth Floor, Sacramento, California 95814. The Chief Counsel may designate a Deputy Secretary of State in the Legal Affairs Unit to accept service of process on behalf of the Secretary of State.

(b) Telephone notice pertaining to any ex parte applications filed with the court by any candidate or other interested party should be directed to the attention of the Chief Counsel

to the Secretary of State at (916) 653-7244. Counsel for all parties to such ex parte matters are admonished that waivers of the Secretary of State's right to timely notice and the right to personally appear at the ex parte hearing will be granted in writing and only in limited instances.

(c) The Secretary of State shall provide a copy of any legal actions in subdivision (a) or (b) above to the elections official in the county of the candidate's residence and any other county in the district.

Note: Authority: Section 12172.5, Government Code
Reference: Section 13107, Elections Code

WRITE-IN CANDIDACY

Filing Period – September 11 – October 24

Write-In Procedure

Persons who did not file a Declaration of Candidacy and fulfill their nomination requirements to place their name on the ballot may run for office as a write-in candidate. Write-in votes will be counted and certified in the Statement of Vote only for **qualified write-in candidates** who file the required forms with the Elections Department no later than 14 days prior to Election Day. The Elections Department will forward the forms to the Secretary of State in the case of offices that must be certified by the Secretary of State.

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

To qualify as a write-in candidate, a person must file with the Elections Department the following documents:

- ♦ A "Statement of Write-in Candidacy" which shall contain the candidate's name, residence address, a declaration stating that he or she is a write-in candidate, the title of the office for which he or she is running and the date of the election.

Write-in candidates are subject to the same requirements as other candidates with regard to disclosure of economic interests and campaign disclosure. (Gov. Code ' 82007; Elections Code ' 305)

The Elections Department will provide polling places with a list of **qualified write-in candidates**.

Offices Omitted From the Ballot

Prospective write-in candidates should note that write-in candidacy is possible only if the office appears on the ballot. The following offices will be omitted from the ballot if the number of persons qualifying for the ballot does not exceed the number of places to be filled: County Board of Education, school districts, special districts and city councils under certain circumstances. There is provision in the law, however, to require that the office be placed on the ballot by means of a petition procedure. (Elections Code ' 7228, 7423, 7673, 8203; Ed. Code ' 5326)

INDEPENDENT CANDIDATES

The March primary included several partisan offices where voters nominated a candidate from qualified political parties to appear on the general election run-off ballot. Thus, the party nominating process contains no provision for members of non-qualified parties or non-partisan candidates to participate in the primary nomination process.

The Independent Nomination provisions of Part 2 of Division 8 of the Elections Code, beginning at Section 8300, provide a method for the nomination of non-partisan candidates to partisan public offices. There is no limitation to the number of independent candidates who can be nominated and placed on the ballot at the general election, provided each meets the legal requirements.

General Information

To be eligible as an independent candidate at the general election, the candidate:

1. Cannot have filed as a partisan candidate at the primary election and have been defeated for the party's nomination at that primary election; and
2. Cannot have been registered to vote in California since October 7, 1999, as being affiliated with a qualified political party.

The number of signatures of qualified registered voters that must appear on the Nomination Papers of persons seeking an independent candidacy is based on the previous general election's registration figures. Depending on the office sought, Nomination Papers require either one or three percent of the number of registered voters in the election jurisdiction as of October 7, 1999. On the following page the signature requirements for U.S. Senate and Congressional offices voted upon in Santa Cruz County are provided. The Nomination Papers must be filed between June 8 and August 7.

Independent candidates who wanted to run for offices that require them to file a Declaration of Intention – State Senate and State Assembly, were required to file during the pre-primary filing schedule. However, independent candidates for U.S. Senate and/or Congressional offices have different filing dates due to the fact that they do not file the Declaration of Intention.

Filing periods for independent candidates running for U.S. Senate and Congress are:

- ◆ April 28 to July 27, 2000 – Signatures-in-lieu (see following page)
- ◆ August 7, 2000 – Elections official to notify the candidate of the number of signatures-in-lieu submitted that were invalid.
- ◆ June 12 to August 11, 2000 – Declaration of Candidacy and Nomination Papers. Candidates who filed signatures-in-lieu and are eligible to file supplemental signatures to cover the deficiency must do so before the close of the nomination period. Candidates may either submit signatures or pay a prorated fee to cover the deficiency.

Signature & Filing Fee Requirements

Number of Nomination Signatures Required to Place Independent Candidate on the November 7, 2000 General Election Ballot

Office	Oct. 1999 Voter Registration	Required Signatures (% of previous general election registration total)
U.S. Senate	14,969,185	149,692 (1%)
15 th Congressional	318,071	9,543 (3%)
17 th Congressional	272,978	8,190 (3%)

Filing Fee or Number of Signatures-In-Lieu of Paying the Filing Fee Required to Place Independent Candidate on the November 7, 2000 General Election Ballot

Office	Salary	Filing Fee ^a	Sig-In-Lieu	Value/Sig
U.S. Senator	\$136,700	\$2,734 (2%)	10,000	\$0.273400
U.S. Congress	\$136,700	\$1,367 (1%)	3,000	\$0.455667

^a Based on either 2 or 1 percent of salary as indicated.

CANDIDATE STATEMENT OF QUALIFICATIONS

OVERVIEW (Elections Code ' 13307)

- ◆ Each candidate for nonpartisan elective office in any local agency, including any city, county, or district may prepare a Candidate's Statement. All must file a Candidate's Statement Agreement indicating if a statement will be filed or not.
- ◆ The Candidate's Statement is designed to acquaint voters with candidates' qualifications for the office they are seeking.
- ◆ The Statement is printed in the Voter's Information Pamphlet section of the county Sample Ballot mailed to all registered voters in the district eligible to vote on that particular office.

PERIOD FOR FILING: July 17 to August 11 by 5 p.m. The statement must be paid for and filed with the Declaration of Candidacy. (§13307)

EXTENDED PERIOD: If the Nomination filing period is extended, then all persons, other than the incumbent, have until **August 16**, 5 p.m. in which to file their Candidate's Statement along with their Declaration of Candidacy.

WHERE: Elections Department, 701 Ocean Street, Room 210, Santa Cruz, CA 95060-4076, 831-454-2060. Regular office hours - 8 a.m. to 5 p.m., Monday through Friday. Candidate's Statements cannot be filed by FAX.

CONTENTS: The statement contains the candidate's:

- ◆ name
- ◆ age (optional)
- ◆ occupation (optional), and
- ◆ a brief description of no more than 200 words (unless 400 has been authorized by the governing board) of the candidate's education and qualifications expressed by the candidate.

RESTRICTIONS: The candidate's statement shall not include the party affiliation of the candidate nor membership or activity in partisan political organizations.

CONFIDENTIALITY: Statements are confidential until 5 p.m. on the last day to file. (§13311)

WITHDRAWAL: Statements may not be changed but may be withdrawn no later than 5 p.m. on **August 14**. If there is an extended filing time, no later than 5 p.m. on **August 17**.

PAYMENT: Cost for printing a candidate's statement in the Voter's Information Pamphlet shall be paid at the time of filing the statement with the Declaration of Candidacy. Checks are made payable to the County Clerk.

HOW TO WRITE YOUR

CANDIDATE'S STATEMENT

C ONTENT

- ◆ Be accurate. Documents will be printed as submitted. **SPELLING, PUNCTUATION, AND GRAMMATICAL ERRORS WILL NOT BE CORRECTED BY THE ELECTIONS DEPARTMENT.**
- ◆ Please **TYPE** your candidate statement **DO NOT USE ALL CAPS.** Statements will be rejected if they are typed in all capital letters or if the statement is not readable. Candidates may type their statement on the form provided by the Elections Department; type it on their own paper, double-spaced only; or submit the statement on a disk along with a hard copy. Statements submitted in a readable electronic format will receive a \$25 discount. If there is a discrepancy between the content of the hard copy and the content in the electronic format, the hard copy content will prevail.
- ◆ Do not include party affiliation.
- ◆ Statements for judicial offices may not make reference to other candidates for judicial office or to another candidate's qualifications, character, or activities. (Elections Code ' 13308)
- ◆ Do not use profanity or other objectionable language.
- ◆ The heading includes the candidate's name and office sought. The Candidate's Statement will 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 quarter page space provided. The words, however, do not count toward the number of words allowed for the statement.
- ◆ Subheadings and deviations from the standardized heading will not be accepted.
- ◆ 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 extends the statement beyond the space provided, the candidate will be charged double to print the statement.

SIZE

- ◆ Confine statement to 200 words unless otherwise authorized. See guidelines on “How to Count Words” on page 56.
- ◆ The candidate’s statement must fit inside a quarter page square of the Voter’s Information Pamphlet measuring 3.75" wide by 4.5" tall. If the statement exceeds this space, the candidate will be charged double for using an additional square. Please see example on page 49.

FORMAT

- ◆ All text will be formatted flush left – no indents will be allowed, except for bullets.
- ◆ Statements are printed in the Voter’s Information Pamphlet in type of uniform size, darkness and spacing. Santa Cruz County uses 9.5 point Arial or Arial Narrow type - no exceptions.
- ◆ **Bolding**, CAPITALIZING, underlining, and centering text are not permitted. If the statement contains any bolding, capitalizing (other than abbreviations or acronyms), underlining, and centering of text, the text will be converted to normal text without these attributes.
- ◆ Limited use of *italics* is permitted.
- ◆ Bullets, using a solid circle **ONLY**, are permitted and will be indented like the bullets on this page. If the bulleted text extends the statement beyond the space allowed, candidates will be charged double, or bullets will be removed and the text will run together, separated by a semi-colon.
- ◆ Notwithstanding the above guidelines, nothing shall be deemed to make any statement or author of the statement free or exempt from any civil or criminal action or penalty because of any false, slanderous, or libelous statements offered for printing.

THE PRINTED CANDIDATE'S STATEMENT

Below is a sample of a Candidate's Statement of Qualifications as it will appear in the Voter's Information Pamphlet.

<p>Statement of CHRIS CANDIDATE, Candidate for County Supervisor, 6th District County of Santa Cruz</p> <p>Occupation: Teacher Age: 42</p> <p>Education and Qualifications: I can bring to the office a diversity of viewpoints and experience. Born and raised in the Monterey Bay Area, with my family still farming, I can appreciate the concerns of the environmentalist. On the other hand, having been in business since my undergraduate days at UCSC, and with my experience in the rental and real estate fields, I appreciate the practical housing requirements of our community.</p> <p>My credentials include:</p> <ul style="list-style-type: none"> • Graduate of local high schools, UCSC graduate with a B.S. and MBA; • US Air Force sergeant; • Married and parent of 2; • Small Business owner; • Homeowner; <p>In addition, I have either served or am serving in the following clubs and organizations: Rotary; Chamber of Commerce; Sierra Club; PTA; Arts Council; Rock the Vote; and League of Women Voters.</p> <p>If elected to this office, I will do my best to continue to serve as a leader and role model for our community and children.</p>	<p>The Spanish translation would appear here for candidates who request and purchase a Spanish translation of their Candidate's Statement.</p> <p>Or, this space would be used for other candidates running for the same office.</p> <p>Candidate statements will appear in the same order as the candidates' names appear on the ballot.</p>
---	--

NOTE: If, due to excessive bulleting or any other reason, your candidate's statement exceeds the 3.75" wide by 4.5" tall quarter page provided for each statement, you will be charged double for the additional space.

Or, the elections official may delete the bullets, and instead run the text together, separating the bulleted sections by semi-colons. Both bullets and a listing using semi-colons have been used in the sample above to illustrate this formatting.

Candidate's who submit 400-word statements (if authorized by the jurisdiction) will be charged double for statements with 201 to 400 words.

COST OF PRINTING CANDIDATE'S STATEMENTS

SUBMIT CANDIDATE'S STATEMENT IN AN ELECTRONIC FORMAT AND RECEIVE A \$25 DISCOUNT!!

The Elections Department encourages candidates to submit their statements on a 3 ½ " computer diskette or sent via e-mail to gail.pellerin@co.santa-cruz.ca.us

- ONE signed hard copy must be filed by the deadline.
- Format all text flush left and execute and save italics and bullets within the file.
- Discounts will only be provided to those candidates whose files can be read by the Elections Department's computers. If elections staff have to type the statement, the discount will not apply.

PAYMENT: The statement may be paid for by check made payable to the County Clerk or cash if the candidate is using personal funds and will not be reimbursed through the committee. The fee shall be paid at the time candidates file their Declarations of Candidacy if the candidate wants to have a statement printed in the Voter's Information Pamphlet.

If the Candidate's Statement is withdrawn by 5 p.m. on August 14 (or by August 17, if there is an extension) the fee will be refunded in full.

PRINTING IN SPANISH: Santa Cruz County is not required to print statements in a second language; therefore, any candidate wishing their statement be printed in a second language in Santa Cruz County's Voter Information Pamphlet will be required to pay double the amount listed. A facsimile copy of the ballot with the ballot measures and ballot instructions printed in Spanish will be available at each polling place on election day and upon request by voters at no expense to the candidate. (' 14201)

OVERLAPPING DISTRICTS: When a district overlaps into another county, the candidate's statement shall be printed in each and every county in which the district lies. The candidate must write a separate check made payable to the appropriate county in the amount provided below to cover the cost of printing, handling and mailing the statement within the respective counties.

COST FORMULA: The cost of the Candidate's Statement is based on 200 words. It includes a flat fee of \$108 for typesetting and page setup, plus \$.005 per voter in the district for printing and \$.005 per voter in the district for postage. Registration figures are based on the February 2000 report of registration. If the district has authorized a 400-word statement, candidates will be charged double for statements with 201 to 400 words. **Candidates who submit their statement in a readable electronic format will receive a \$25 discount.**

The difference between the estimated costs and the actual costs will either be refunded or billed to the candidate following the election.

COUNTY OFFICES

DISTRICT	REGISTERED VOTERS (2/00)	COST OF STATEMENT (200 WORDS)
County Board of Supervisors, 2 nd District	27,740	\$385
District Attorney – Public Administrator	134,997	\$1,458

BOARD OF EDUCATION & COMMUNITY COLLEGES

DISTRICT	REGISTERED VOTERS (2/00)	COST OF STATEMENT (200 WORDS)
Santa Cruz County Board of Ed., TA 2	21,145	\$319
Santa Cruz County Board of Ed., TA 3	26,866	\$377
Santa Cruz County Board of Ed., TA 4	19,444	\$302
Santa Cruz County Board of Ed., TA 5	19,773	\$306
Santa Cruz County Board of Ed., TA 6	10,808	\$216
Cabrillo Community College District, TA 3	20,648	\$314
Cabrillo Community College District, TA 4	28,247	\$390
Cabrillo Community College District, TA 5	11,281	\$221
Cabrillo Community College District, TA 7	4,574	\$154 MC = \$218
West Valley-Mission Com. College District, TA 2-3	3,085	\$138 SCLRA = \$1690

UNIFIED/HIGH SCHOOL DISTRICTS

DISTRICT	REGISTERED VOTERS (2/00)	COST OF STATEMENT (200 WORDS)
Aromas-San Juan Unified School District	46	\$108 MC = \$189 SB = \$___
Los Gatos-Saratoga Jt. Union School District	3,085	\$139 SCLRA = \$___
Pajaro Valley Unified School District, TA 2	6,483	\$173
Pajaro Valley Unified School District, TA 3	790	\$116 MC = \$202
Pajaro Valley Unified School District, TA 6	5,082	\$159
San Lorenzo Valley Unified School District, TA 3	15,210	\$260
San Lorenzo Valley Unified School District, TA 5	15,210	\$260
Santa Cruz City School District, TA 1	69,283	\$801
Santa Cruz City School District, TA 2	69,283	\$801
Scotts Valley Unified School District	10,281	\$211

ELEMENTARY SCHOOL DISTRICTS

DISTRICT	REGISTERED VOTERS (2/00)	COST OF STATEMENT (200 WORDS)
Bonny Doon Union Elementary School District	1,980	\$128
Happy Valley Elementary School District	960	\$118
Lakeside Joint School District	762	\$116 SCLRA = \$___
Live Oak School District	11,724	\$225
Loma Prieta Jt Union Elementary School District*	2,323	\$131 SCLRA = \$___
Mountain Elementary School District	884	\$117
Pacific School District	437	\$112
Soquel Union School District	15,525	\$263

*In the past, the district has paid the cost of Candidates' Statements – check district's resolution.

FIRE PROTECTION DISTRICTS

DISTRICT	REGISTERED VOTERS (2/00)	COST OF STATEMENT (200 WORDS)
Aptos/La Selva Fire	15,289	\$261
Ben Lomond Fire	3,295	\$141
Boulder Creek Fire	5,656	\$165
Branciforte Fire	1,240	\$120
Central Fire	27,896	\$387
Felton Fire	3,868	\$145
Pajaro Valley Fire	6,412	\$172
Scotts Valley Fire	10,723	\$215
Zayante Fire	2,134	\$129

WATER DISTRICTS

DISTRICT	REGISTERED VOTERS (2/00)	COST OF STATEMENT (200 WORDS)
Central Water	1,937	\$127
Lompico County Water	657	\$115
Pajaro Valley Water Management Agency, Div. B	6,171	\$170
Pajaro Valley Water Management Agency, Div. D	1,798	\$126 MC = \$219
San Lorenzo Valley Water	11,545	\$223
Scotts Valley Water	10,281	\$211
Soquel Creek Water	23,851	\$347

MISCELLANEOUS DISTRICTS

DISTRICT	REGISTERED VOTERS (2/00)	COST OF STATEMENT (200 WORDS)
Port District	54,976	\$658
Boulder Creek Recreation & Park District	5,657	\$165
La Selva Beach Recreation District	1,076	\$119
Pajaro Dunes Geologic Hazard Abatement	256 property owners	\$111

CITIES

DISTRICT	REGISTERED VOTERS (2/00)	COST OF STATEMENT (200 WORDS)
Capitola	5,808	\$166
Santa Cruz	36,358	\$472
Scotts Valley	6,532	\$173
Watsonville, District 1	806	\$116
Watsonville, District 2	822	\$116
Watsonville, District 6	2,060	\$129

HOW TO COUNT WORDS

(Pursuant to Elections Code Section 9)

This section shall not apply to counting words for ballot designations.

Each word is counted as one word except:

- PUNCTUATION:** Punctuation is not counted.
- TITLES:** Words used in the title of the document, such as "Argument in Favor of Measure A" are not counted.
- CITIES/COUNTIES:** All geographical names shall be counted as one word. Areas that have boundaries and can be mapped are considered geographic areas. For example, "County of Santa Cruz" and "Pajaro Valley Unified School District" shall each be counted as one word.
- ABBREVIATIONS:** Each abbreviation for a word, phrase, or expression shall be counted as one word.
- HYPHENATIONS:** Hyphenated words that appear in any generally available dictionary shall be considered as one word. Each part of all other hyphenated words shall be counted as a separate word.
- DATES:** Dates consisting of a combination of words and digits shall be counted as two words. Dates consisting of only a combination of digits shall be counted as one word. January 1, 2000 shall be counted as two words, whereas 1/1/00 shall be counted as one word.
- NUMBERS:** Any number consisting of a digit or digits shall be considered as one word. Any number which is spelled, shall be considered as a separate word. "100" shall be counted as one word, whereas "one hundred" shall be counted as two words.
- PHONE & INTERNET:** Website addresses and telephone numbers are one word.
- PERCENT, ETC.:** It is department policy to count numbers consisting of a digit or digits used with a dollar sign (\$), cent sign (¢), percentage sign (%), or number sign (#) as one word.

REGISTRATION AND ELECTION DATA

Confidential Voter File

Pursuant to Elections Code Sections 2187(g), 2188 and 2194, voter registration information is available to persons or groups for election, scholarly, journalistic or political purposes, or governmental purposes, as determined by the Secretary of State. Each written request to view, purchase, or use voter registration information must be submitted in person and with identification on an application available at the Santa Cruz County Elections Department.

Permissible Usage

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

Permissible usage includes, but is not limited to:

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

Prohibited Usage


Prohibited usage includes:

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

California Elections Code ' 18109 states:

- A(a) It is a misdemeanor for any person in possession of information obtained pursuant to Article 5 (commencing with Section 2180) of Chapter 2 of Division 2, or Section 6254.4 of the Government Code, knowingly to use or permit the use of all or any part of that information for any purpose other than as permitted by law.
- (b) It is a misdemeanor for any person knowingly to acquire possession or use of voter registration information referred to in subdivision (a) without first complying with Section 2188.

Election Data For Sale From Santa Cruz County

 **YOU WANT IT WHEN?** Orders placed by 3:30 p.m. may be picked up at 11:30 a.m. the following business day under normal conditions (excludes labels). If the job cannot be completed by 11:30 a.m. the following business day, customers will be notified.

\$\$PAYMENT MUST BE MADE IN ADVANCE OF ANY PURCHASE. Candidates may set up an account with the Elections Department by writing a check “Not to Exceed” a certain dollar amount. Purchases will then be subtracted from that amount until the cap is reached. At that time the check will be cashed. If total purchases are less than the amount of the original check, candidates will be asked to write a check for the specific amount due and the original check will be returned.

Walking Lists

These lists are by consolidated voting precinct, in alphabetical order by street, and are available sometime after the 54th day prior to the election and after the 29th day prior to the election. (Elections Code §2184)

- Per thousand names 50¢

Printed Voter Indexes by Street or Alpha

Special order computer jobs (other than the 54 or 29-day indexes) can be requested at any time. Indexes can be sorted by street or alphabetical by voter’s name.

- First 15,000 names \$25
- Each additional 1,000 names \$1.50

All Other Computer Generated Print Jobs

Any other request for a computer generated print-out, such as a list of streets by district costs:

- Per computer job \$25
- per page over 100 50¢

Voter Lists on 3 1/2 Floppy Disk

Voter lists, including names and addresses of voters and voter history, names of voters who have requested absentee ballots, are available on 3 1/2” floppy disk.

- 1 disk \$40
- Each additional disk \$25
- Absentee voter lists on disk for five consecutive days \$175

Voter Lists on CD

The voter lists described above may be purchased on CD.

- Under 50,000 records \$50
- 50,000 to 100,000 records \$75
- 100,000 records or more \$100

Voter File Tapes

Voter information from our voter registration file or absentee database is also available on magnetic tape.

- X Per tape provided by Department \$50.00
- X Per tape provided by the customer \$40.00
- X (Plus postage and handling if applicable.)

Mailing Labels of Voters or Households

Labels can be produced upon request for each voter or household within a district. Orders may select voters registered with one particular party. Labels cost \$50 for the first 1,000 voters and \$10 for each additional 1,000 voters. **IMPORTANT NOTE: LABELS ARE READY 48 HOURS AFTER THE REQUEST IS MADE.**

List of Polling Places / List of Candidates on the Ballot (primary & general elections)

A list of the polling places in an election (ranges from 163 to 170) and a list of candidates names and addresses is available for purchase.

- Each list..... \$10

Maps

The county Planning Department produces computer-generated maps. Maps are available for purchase or viewing in the Elections Department during regular office hours.

Individual precinct maps: These maps are 8 1/2" x 11" with one general registration precinct per page. Maps cost \$.50 each and 369 maps comprise Santa Cruz County.

- Each map..... 50¢

Supervisory maps: 11" x 17" map of each supervisory district.

- Each map..... \$2

Countywide and district maps: Various other wall-size maps of districts and the county are also available. Maps measure approximately 33" x 43" .

- Each map..... \$13

Daily Absentee Voter Printout

A list of who has requested, issued and then returned a vote-by-mail ballot may be purchased daily.

- First page \$5
- Each additional page..... 50¢

Photocopying

Copies of candidate's campaign reporting documents (Forms 410, 460, etc.) are available.

- Each page 10¢

An additional \$5 retrieval fee is charged if the item requested is more than five (5) years old. (Gov. Code §81008)

Photocopying of all other items:

- Each of the first five (5) pages 50¢
- Each additional page..... 10¢

Secretary of State Voter File Tapes

The Secretary of State has voter file tapes available containing names and addresses of registered voters for the State of California. Tapes are available for election purposes only. Contact the Secretary of State at (916) 657-2166 to determine cost and availability.

Voter Registration and Vote-by-Mail Drives

Voter Registration: Candidates and/or committees wishing to distribute voter registration cards may obtain cards in English or English/Spanish from the Elections Department during regular office hours.

For any quantity of 50 or more, the individual requesting the cards must fill out an application and obtain a "Guide to Registering Voters" from elections staff in the Elections Department. For quantities of 2,000 or more, the distribution form is transmitted to the Secretary of State's Office. (California Administrative Code §20001g)

Citizens or organizations which distribute voter registration cards shall give a voter registration card to any person requesting it.

Completed cards must be returned to the Elections Department within 3 business days or by the close of registration. Failure to do so is a misdemeanor.

October 10, 2000 is the last date to register to vote in the November 7, 2000 general election. (The actual deadline is October 9, but since it is a holiday, the deadline moves to the next business day)

Vote-by-Mail Ballots: Any organization or citizen wishing to distribute more than 10 absentee applications may obtain camera-ready copy of a state-approved, uniform application and have the application printed in any quantity.

Camera-ready forms are available in English and Spanish. The Elections Department also provides a guide on how to duplicate the form. It is extremely important that candidates and/or committees adhere to the format and to include the committee's name, address and telephone number at the bottom of the vote-by-mail application. (Elections Code ' 3006 and 3007)

Any individual, organization, or group that distributes absentee voter applications shall return the forms to the appropriate elections official within 36 hours of receiving the completed form, or before the deadline for application, whichever is sooner. (Elections Code ' 3008)

October 10, 2000 is the first day absent voter ballots may be issued for the November 7, 2000 election. Any application received prior to that date will be kept on file and processed during the application period.

A written request/application sent by mail for an absent voter ballot must be received by the Elections Department by 5 p.m. on October 29, 2000. Ballots are available at the Elections Department from November 1 to November 7 upon filing a Late Absentee Ballot application.

Applications for absentee ballots received in the mail after October 29 will not be processed. A letter of explanation will be sent to the applicant advising the voter that the application was received after the deadline.

CAMPAIGN PRACTICES

MASS MAILING

Mass mailing; requirements (Gov. Code ' 84305)

Each candidate filing a Declaration of Candidacy is to be apprised of Government Code ' 84305, which is produced here for your information:

(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 such mailing in no less than 6-point type which shall be in a color or print which contrasts with the background 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 definition (Gov. Code ' 82041.5)

"Mass Mailing" means over two hundred substantially similar pieces of mail, but does not include a form letter or other mail which is sent in response to an unsolicited request, letter or other inquiry.

Mass mailing by incumbents (Gov. Code ' 89001)

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

SLATE MAILERS

Slate mailer definition (Gov. Code §82048.3)

"Slate Mailer" means a mass mailing which supports or opposes a total of four or more candidates or ballot measures.

Slate mailer organization (Gov. Code §82048.4)

(a) "Slate mailer organization" means, except as provided in subdivision (b), any person who, directly or indirectly, does all of the following:

(1) Is involved in the production of one or more slate mailers and exercises control over the selection of the candidates and measures to be supported or opposed in slate mailers.

(2) Receives or is promised payments totaling \$500 or more in a calendar year for the production of one or more slate mailers.

(b) Notwithstanding subdivision (a), a slate mailer organization shall not include any of the following:

(1) A candidate or officeholder or a candidate's or officeholder's controlled committee.

(2) An official committee of any political party.

(3) A legislative caucus committee.

(4) A committee primarily formed to support or oppose a candidate, officeholder, or ballot measure.

(c) The production and distribution of slate mailers by a slate mailer organization shall not be considered making contributions or expenditures for purposes of subdivision (b) or (c) of ' 82013. If a slate mailer organization makes contributions or expenditures other than by producing or distributing slate mailers, and it reports those contributions and expenditures pursuant to ' 84218 and 84219, no additional campaign reports shall be required of the slate mailer organization pursuant to ' 84200 or 84200.5.

Slate mailer requirements (Gov. Code ' 84305.5)

(a) No slate mailer organization or committee primarily formed to support or oppose one or more ballot measures shall send a slate mailer unless:

(1) The name, street address, and city of the slate mailer organization or committee primarily formed to support or oppose one or more ballot measures are shown on the outside of each piece of slate mail and on at least one of the inserts included with each piece of slate mail in no less than 8-point Roman type which shall be in 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 street address of the slate mailer organization or committee primarily formed to support or oppose one or more ballot measures is a matter of public record with the Secretary of State's Political Reform Division.

(2) At the top or bottom of the front side or surface of at least one insert or at the top or bottom of one side or surface of a postcard or other self-mailer, there is a notice in at least 8-point Roman, boldface type, which shall be in a color or print which contrasts with the background so as to be easily legible, and in a printed or drawn box and set apart from any other printed matter. The notice shall consist of the following statement:

NOTICE TO VOTERS

This document was prepared by (insert name of slate mailer organization or committee primarily formed to support or oppose one or more ballot measures), not an official political party organization. Appearance in this mailer does not necessarily imply endorsement of, or opposition to, any issues set forth with this mailer. Appearance is paid for and authorized by each candidate and ballot measure which is designated by an *.

(3) The name, street address, and city of the slate mailer organization or committee primarily formed to support or oppose one or more ballot measures as required by paragraph (1) and the notice required by paragraph (2) may appear on the same side or surface of an insert.

(4) Each candidate and each ballot measure that has paid to appear in the slate mailer is designated by *. Any candidate or ballot measure that has not paid to appear in the slate mail is not designated by *.

The * required by this subdivision shall be of the same type size, type style, color or contrast, and legibility as is used for the name of the candidate or the ballot measure name or number and position advocated to which the * designation applies except that in no case shall the * be required to be larger than 10-point boldface type. The designation shall immediately follow the name of the candidate, or the name or number and position advocated on the ballot measure where the designation appears in the slate of candidates and measures. If there is no slate listing, the designation shall appear at least once in at least 8-point boldface type, immediately following the name of the candidate, or the name or number and position advocated on the ballot measure.

(5) The name of any candidate appearing in the slate mailer who is a member of a political party differing from the political party which the mailer appears by representation or indicia to represent is accompanied, immediately below the name, by the party designation of the candidate, in no less than 9-point Roman type which shall be a color or print that contrasts with the background so as to be easily legible. The designation shall not be required in the case of candidates for nonpartisan office.

(b) For purposes of the designations required by paragraph (4) of subdivision (a), the payment of any sum made reportable by subdivision (c) of ' 84219 by or at the behest of a candidate or committee, whose name or position appears in the mailer, to the slate mailer organization or committee primarily formed to support or oppose one or more ballot measures, shall constitute a payment to appear, requiring the * designation. The payment shall also be deemed to constitute authorization to appear in the mailer.

(c) A slate mailer that complies with this section shall be deemed to satisfy the requirements of ' 20003 and 20004 of the Elections Code. [Sections were repealed in Ch. 1189, 1994)

(See the Information Manual issued by the Fair Political Practices Commission for campaign disclosure reporting requirements in connection with slate mailers.)

NOMINATIONS

Fictitious name to nomination petition (Elections Code ' 18200)

Every person who subscribes to any nomination petition a fictitious name, or who intentionally subscribes thereto the name of another, or who causes another to subscribe a fictitious name to a nomination petition, is guilty of a felony and is punishable by imprisonment in the state prison for 16 months or two or three years.

Defacing or destroying a nomination paper (Elections Code ' 18201)

Any person who falsely makes or fraudulently defaces or destroys all or any part of a nomination paper, is punishable by a fine not exceeding \$1,000 or by imprisonment in the state prison for 16 months or two or three years or by both the fine and imprisonment.

Deliberate failure to file nomination paper (Elections Code ' 18202)

Every person acting on behalf of a candidate is guilty of a misdemeanor who deliberately fails to file at the proper time and the proper place any nomination paper or declaration of candidacy in his or her possession that is entitled to be filed under the provisions of this code.

False declaration of candidacy (Elections Code ' 18203)

Any person who files or submits for filing a nomination paper or declaration of candidacy knowing that it or any part of it has been made falsely is punishable by a fine not exceeding \$1,000 or by imprisonment in the state prison for 16 months or two or three years or by both such fine and imprisonment.

Suppression of nomination paper. (Elections Code ' 18204)

Any person who willfully suppresses all or any part of a nomination paper or declaration of candidacy either before or after filing is punishable by a fine not exceeding \$1,000 or by imprisonment in the state prison for 16 months or two or three years or by both the fine and imprisonment.

Paying candidates to withdraw (Elections Code ' 18205)

A person shall not directly or through any other person advance, pay, solicit, or receive or cause to be advanced, paid, solicited, or received any money or other valuable consideration to or for the use of any person in order to induce a person not to become or to withdraw as a candidate for public office. Violation of this section shall be punishable by imprisonment in the state prison for 16 months or two or three years.

CODE OF FAIR CAMPAIGN PRACTICES

Chapter 855, Statutes of 1982, established a Code of Fair Campaign Practices which could be voluntarily subscribed to by candidates for public office.

The County Clerk is required to provide each individual who files nomination papers or other papers evidencing intentions to become a candidate for public office with a copy of the provisions of the Chapter and a form on which to subscribe to the code.

Subscription to the code is voluntary. Completed forms are to be filed with the County Clerk and shall be retained for public inspection until 30 days after the election. (Elections Code ' 20400 - 20444)

MISREPRESENTATION BY CANDIDATES

Misleading of voters; incumbency; public officer (Elections Code ' 18350)

Every person is guilty of a misdemeanor who, with intent to mislead the voters in connection with his or her campaign for nomination or election to a public office or in connection with the campaign or another person for nomination or election to a public office, shall do either of the following acts:

- (a) Assume, pretend, or imply, by his or her statements or conduct, that he or she is the incumbent of a public office when that is not the case.
- (b) Assume, pretend, or imply, by his or her statements or conduct, that he or she has been acting in the capacity of a public officer when that is not the case.

Any violation of this section may be enjoined in a civil action brought by any candidate for the public office involved.

False statements in candidate statement; fine (Elections Code ' 18351)

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 ' 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 \$1,000.

Representation requirements (Elections Code ' 20007)

No candidate or committee in his or her behalf shall represent in connection with an election campaign either orally or in campaign material, that the candidate has the support of a committee or organization that includes as part of its name the name or any variation upon the name of a qualified political party with which the candidate is not affiliated, together with the words "county committee," "central committee," "county," or any other term that might tend to mislead the voters into believing that the candidate has the support of that party's county central committee or state central committee, when that is not the case.

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

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

POLITICAL ADVERTISING

Political advertisement requirements (Elections Code ' 20008)

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 of lettering of the advertisement or in 10-point Roman type, whichever is larger, the words "Paid Political Advertisement." Such words shall be set apart from any other printed matter.

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

False or forged campaign materials (Penal Code ' 115.2)

No person shall publish or cause to be published, with actual knowledge, and intent to deceive, any campaign advertisement containing false or fraudulent depictions, or false or fraudulent representations, of official public documents or purported official public documents.

For purposes of this section, a campaign advertisement means any communication directed to voters by means of a mass mailing as defined in ' 82041.5 of the Government Code, a paid newspaper advertisement, an outdoor advertisement, or any other printed matter, if the expenditures for that communication are required to be reported by Chapter 4 (commencing with ' 84100) of Title 9 of the Government Code.

Any violation of this section is a misdemeanor punishable by imprisonment in the county jail, or by a fine not to exceed \$50,000, or both.

SIMULATED BALLOTS

Printing of Simulated Sample Ballots(Elections Code ' 18301)

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

Simulated ballot requirements (Elections Code ' 20009)

(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 any such notice in any editorial or other statement appearing in a regularly published newspaper or magazine other than a paid political advertisement.

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

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

POLITICAL SIGNS

Outdoor Political Advertising – State Law

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

Temporary political signs are signs that meet the following criteria:

- X Encourages a particular vote in a scheduled election;
- X Is placed not sooner than 90 days prior to the scheduled election and is removed within 10 days after the election;
- X Is no larger than 32 square feet;
- X Has had a “Statement of Responsibility” filed with the State Department of Transportation, Division of Right of Way, Outdoor Advertising, 2208 N. Hayston, Fresno, CA 93703-2623, certifying a person who will be responsible for removing the signs. Forms are available at the Santa Cruz County Elections Department. Call (916) 654-4790 for more information.

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

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

Pursuant to a County Counsel opinion dated April 18, 1994, utility poles are the property of

the private utility company and the posting of political signs on them may be prosecuted as a misdemeanor. Furthermore, the Public Utility Commission may impose a fine for such unauthorized posting.

Outdoor Political Advertising C Santa Cruz County Code

Santa Cruz County Code, Section 13.10.583 states that temporary or political signs shall not be placed so as to constitute a traffic hazard. On January 12, 1993, the Board of Supervisors approved the following Public Works criteria for removal of signs as they might effect roadside safety:

Signs may be removed by authorized Public Works staff if they:

1. Block the sight distance on county roads at intersections of county roads, private roads or driveways.
2. Restrict the use of the highway or otherwise clearly cause problems for the traveling public.
3. Obscure fire hydrants, traffic signs, traffic signals or other traffic control devices.
4. Are attached to or distract the attention of drivers from any traffic control device.
5. Interfere with normal maintenance efforts.
6. Are identified as other traffic hazards by the Director of Public Works consistent with the content of this policy.

Action to remove signs under categories 1 through 4 above, generally requires immediate attention. For those matters covered under categories 5 and 6, Public Works staff will make reasonable effort to contact the responsible party, to relocate or remove the signs within 24 hours.

Pursuant to Section 1480.5 of the Streets and Highways Code, the Director of Public Works may immediately remove an encroachment which constitutes a traffic hazard or an encroachment which is an advertising sign or device of any description. In keeping with the provisions of Section 1480.5(d) any such sign removed by the Public Works Department which is of more than nominal value shall be held at a County maintenance yard for a reasonable period of time to allow the owner of the sign to retrieve it. The return of the sign may be conditioned upon payment of an amount sufficient to reimburse the Public Works Department for the expense of removal.

Outdoor Political Advertising - City Ordinances

Each city in Santa Cruz County has rules and regulations regarding outdoor political advertising. Contact the city clerk in Santa Cruz (420-5030), Capitola (475-7300), Scotts Valley (440-5602) or Watsonville (728-6005) for more information.

Removal of Political Signs

If the political signs are not removed within 10 days after the election, an enforcement action could be pursued in accordance with the enforcement provisions of Chapter 13.10 of

the Santa Cruz County Code (County Counsel opinion dated April 18, 1994)

POLLING PLACE INFORMATION

Campaign Literature Containing Polling Place (Elections Code ' 18302)

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

CAMPAIGN DISCLOSURE REQUIREMENTS

All candidates for state and local office are required to file campaign disclosure statements. Additionally, any committee formed to support or oppose a candidate or ballot measure is required to file campaign disclosure statements.

Campaign Disclosure Information Manuals

The Fair Political Practices Committee (FPPC) prepares campaign disclosure information manuals that provide information on who must file, when campaign statements must be filed, where statements are to be filed, etc. Current manuals are available at the Elections Department. Candidates or committees must check to be sure they are using the correct manual and addendum, if any.

- X **Manual A** is for elected officers or candidates for state and local elective offices (including judges) and their controlled campaign committees.
- X **Manual B** is for non-controlled committees primarily formed to support or oppose specific state or local candidates.
- X **Manual C** is for general purpose committees including political committees and broad based political committees.
- X **Manual D** is for recipient committees formed to support or oppose the qualification or passage of a state or local ballot measure.

Candidate Intention and Bank Account (501 & 502)

FPPC Forms 501 and 502 apply only to candidates who want to raise or spend money. They do not apply to Political Action Committees (PACS), Independent Political Committees, or Broad Based Political Committees. The forms are available from the County Elections Department and are public information once filed with the Secretary of State.

FORM	DESCRIPTION	WHERE TO FILE
501	Candidate Intention. A candidate must file this form prior to the solicitation or receipt of any contribution, including the solicitation or receipt of contributions to pay off debts from a previous election, or to pay the current office holder expenses. A form 501 must be filed for each election, including runoff elections.	Secretary of State
502	Campaign Bank Account. This form must be filed within 10 days of establishing a campaign bank account. A candidate does not need to open a campaign account when only using personal funds to pay for the filing fee and/or candidate's statement fee. Otherwise, all contributions and expenditures must go through the campaign bank account.	Secretary of State. Candidates for county offices must also file with the Elections Department within 24 hours of opening the campaign account. 8.04.060(c)

CAMPAIGN DISCLOSURE FORMS

Below is a partial list of the most commonly used Fair Political Practices Commission campaign disclosure forms and a brief explanation of the appropriate usage.

FORM	DESCRIPTION	WHO FILES	NUMBER NEEDED & WHERE TO FILE
410	<p>Statement of Organization & Termination. For use by all recipient committees which receive contributions of \$1,000 or more. Must be filed within 10 days of receiving \$1,000 or more and may be filed prior to receiving \$1,000. Upon receipt, the Secretary of State will issue an identification number that must be included on all campaign disclosure forms.</p> <p>Candidates for county offices (excludes judges, school boards and special district boards) must file a Form 410 prior to the acceptance of any campaign contribution totaling \$50 or more or the making of any expenditure intended to influence the outcome of any election.</p>	Supervisors, District Attorney, Judges	File original and 1 copy with SOS & 1 copy with Elections.
		Legislative	File original and 1 copy with SOS;
450	<p>Recipient Committee Campaign Disclosure Statement C Short Form. For use by non-controlled recipient committees formed to support or oppose candidates or measures. File if you have not received a contribution of \$100 or more from a single source; have not received any other payment of \$100 or more; have no outstanding loans made or received and have no unpaid bills.</p>	Supervisors, District Attorney, Judges	File original & 1 copy with Elections; 2 copies with home county if different.
		Legislative	File original and 1 copy with SOS; 2 copies w/county w/most voters; and 2 copies with home county if different.

FORM	DESCRIPTION	WHO FILES	NUMBER NEEDED & WHERE TO FILE
470	Officeholder & Candidate Campaign Statement C Short Form. Officeholders & candidates who do not have a controlled committee and do not anticipate spending or receiving \$1,000 or more (including personal funds).	Supervisors, District Attorney, Judges	File original & 1 copy with Elections; 2 copies w/home county if different.
		Legislative	File original and 1 copy with SOS; 2 copies w/county w/most voters; 2 copies w/home county if different.
470 Supplement	Officeholder, Candidate & Controlled Committee Campaign Statement C Supplement. An officeholder or candidate who has filed Form 470 in connection with an election and subsequently receives contributions totaling \$1,000 or more is required to send written notification. The Form 470 Supplement may be used or personal written notification following similar format.	Applies to all candidates	Must be filed within 48 hours of reaching \$1,000 limit with: <ul style="list-style-type: none"> x the Secretary of State, x the local filing officer with whom the candidate is required to file originals of his/her campaign statements, and x each candidate seeking the same office. Must be sent by telegram, guaranteed overnight mail, FAX or personal delivery. <u>Regular mail may not be used.</u>
405	Amendment to Campaign Disclosure Statement. Used to amend campaign disclosure statements 425, 450, 465, 470, 495, 496 and 497. A revised Summary Page should accompany any amendment that changes the cash position for each statement period affected. There is no deadline for filing; however, all amendments should be filed as soon as practical.	Supervisors, District Attorney, Judges	File original & 1 copy with Elections; 2 copies w/home county if different.
		Legislative	File original and 1 copy with SOS; 2 copies w/county w/most voters; 2 copies w/home county if different.

FORM	DESCRIPTION	WHO FILES	NUMBER NEEDED & WHERE TO FILE
460	<p>California Long Form. The three former “long form” campaign reports (Form 419, Form, and Form 490) have been combined into one form for use by all candidates and committees. An amendment box is provided to identify amended filings. Form 405 is not need to amend the Form 460.</p> <p>Form 460 is used by state and local recipient committees that have filed a Form 410 and have raised or spent \$1,000 or more, including personal funds, in a calendar year.</p>	Supervisors, District Attorney, Judges	File original & 1 copy with Elections; 2 copies w/home county if different.
		Legislative	File original and 1 copy with SOS; 2 copies w/county w/most voters; 2 copies w/home county if different.
465	<p>Supplemental Independent Expenditure Report. Used to provide supplemental disclosure information in the jurisdiction of an election in which the filer has made independent expenditures totaling \$500 or more to support or oppose a single candidate, a single measure, or the qualification of a single measure.</p>	All	File original and 1 copy with SOS; 2 copies w/county w/most voters; 2 copies w/home county if different.
496	<p>Late Independent Expenditure Report (Revised in 1999). Includes any independent expenditure that totals in the aggregate \$1,000 or more, and supports or opposes a single candidate or measure; and is made during the 16 days immediately preceding the election in which the candidate or measure supported or opposed is to be voted upon. Revision adds a requirement that each report include the date and a report number, as well as an amendment identifier.</p> <p>File within 24 hours of making expenditure.</p>	Supervisors, District Attorney, Judges	File original & 1 copy with Elections; 2 copies w/home county if different.
		Legislative	File original and 1 copy with SOS; 2 copies w/county w/most voters; 2 copies w/home county if different.

FORM	DESCRIPTION	WHO FILES	NUMBER NEEDED & WHERE TO FILE
497	<p>Late Contribution Report (Revised 1999). Includes any contribution, including a loan, which totals in the aggregate from a single source \$1,000 or more and is made for or against any specific candidate or measure involved in an election before the date of the election but after the closing date of the last campaign statement required to be filed prior to the election by the candidate or by a committee primarily formed to support or oppose the measure. Revision adds a requirement that each report include the date and a report number, as well as an amendment identifier.</p> <p>File within 24 hours of making contribution.</p>	Supervisors, District Attorney, Judges	File original & 1 copy with Elections; 2 copies w/home county if different.
		Legislative	File original and 1 copy with SOS; 2 copies w/county w/most voters; 2 copies w/home county if different.

Major Donors / Independent Expenditure Committees / Slate Mailer Organizations

The Fair Political Practices Commission also provides the following information Manuals:

- **Manual E** is for Major Donor Committees and Independent Expenditure Committees
- **Manual F** is for Slate Mailer Organizations

There are additional forms and requirements for these committees and organizations. Please see the Elections Department for more information.

Campaign Disclosures for Federal Candidates

Provisions of the Political Reform Act do not apply to elections for federal offices, including U.S. Senate and U.S. Representative in Congress. Candidates for federal offices and committees that participate in federal campaigns are subject to federal disclosure requirements. Assistance for federal candidates and committees may be obtained from the:

Federal Election Commission
999 E Street, N.W.
Washington, D.C. 20463
800-424-9530

Filing is the Responsibility of the Candidate and/or Committee

It is the responsibility of candidates and/or committees to be aware of and to file the required campaign disclosure statements in a correct and timely manner.

Failure to file appropriate statements and reports in compliance with the Political Reform Act can result in substantial criminal, civil and administrative penalties. Failure to file within the prescribed deadlines can lead to late filing penalties of \$10 for each day the statement is late.

Multiple Committee Filing Requirements

Whenever a candidate or officeholder has more than one committee, whether the committees are formed for the same office, or a different office in the same jurisdiction, all committees must file statements each time a committee statement is due.

Whenever an elected officeholder in one jurisdiction runs for an elected office in another jurisdiction, the officeholder and all committees he/she controls must file campaign disclosure statements with the filing officer in the jurisdiction in which the officeholder holds office **AND** in which the officeholder is seeking office.

CAMPAIGN FILING SCHEDULE FOR NOVEMBER 7, 2000

Filing Deadline	Type of Statement	Period Covered	Method of Delivery
July 31, 2000	Semi-Annual	Date of last statement filed to 6/30/00	X Personal Delivery X First Class Mail
October 5, 2000	1st Pre-Election	Date of last statement filed to 9/30/00	X Personal Delivery X First Class Mail
October 26, 2000	2nd Pre-Election	10/1/00 to 10/21/00	X Personal Delivery X Guaranteed Overnight Service
November 3, 2000	3rd Pre-Election Statement for County Candidates ONLY	10/22/00 to 11/2/00	X Personal Delivery
24 Hours	Late Contributions* and Late Independent Expenditures of \$1,000 or more	10/22/00 to 11/6/00	X Personal Delivery X Telegram X Guaranteed Overnight Service X FAX
January 31, 2001	Semi-Annual	10/22/00 or 11/2/00 to 12/31/00	X Personal Delivery X First Class Mail

Method of Delivery	Considered Received
Personal Delivery	On date delivered
Guaranteed Overnight Delivery	On date delivery service receives materials
First Class Mail	On date of postmark. If not received, sender must possess post office receipt with date of deposit and filing officer's name and address.

CAMPAIGN FINANCE PROHIBITIONS

Federal and State law provide for the following prohibitions regarding campaign funds:

- X Transfers to candidates subject to contribution limits and to committees which make contributions to candidates and officeholders. (Govt. Code ' 85304)
- X Cash contributions/expenditures of \$100 or more. (Govt. Code ' 84300)
- X Anonymous contributions of \$100 or more. (Govt. Code ' 84304)
- X Contributions made in the name of another person. (Govt. Code ' 84301)
- X Commingling contributions with personal funds. (Govt. Code ' 84307)
- X Newsletters sent at public expense. (Govt. Code ' 89001)
- X Personal use of campaign funds. (Govt. Code ' 85800, et. seq.)
- X Contributions from national banks, national corporations, foreign nationals. (Federal Election Campaign Act, 2 U.S.C. ' 441b and e)
- X Raffles (Penal Code ' 319)

CAMPAIGN DISCLOSURE REQUIREMENTS OFTEN OVERLOOKED

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

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

- ♦ Even unopposed candidates are subject to the campaign disclosure provisions of the Political Reform Act. (Gov. Code ' 82007)
- ♦ Prior to soliciting or receiving any contribution (including a loan or use of personal funds), all elected officeholders and all candidates must file Form 501 (candidate intention).
- ♦ Officeholders and candidates who receive contributions or make expenditures, including personal funds, must establish a campaign checking account in California and, within 10 days, file Form 502 (Campaign Bank Account). Candidates for county office must file a copy of the Form 502 with the County Clerk within 24 hours, or prior to the close of business on the first working day following the establishment of the account.
- ♦ A Statement of Organization (Form 410) must be filed within 10 days by any person who receives contributions totaling \$1,000 (\$50 for county office candidates) or more during a calendar year.
- ♦ Loans to a candidate are considered contributions unless the loan is from a financial

institution. Personal funds are also considered contributions; however, contribution limits do not apply to a candidate's personal funds used to support his/her own election. There is no cap of how much a candidate may spend on his/her own election. If, however, the funds are considered a loan to the candidate's committee, there is a cap of \$20,000.

- ◆ Filing fees and candidate statement fees may be paid in cash if the candidate is using personal funds and will not be reimbursed through the committee. (Gov. Code ' 85200) Otherwise, campaign disclosure laws require that expenditures of \$100 or more be made by written instrument containing the names of both the payee and payer. (Gov. Code ' 84300)
- ◆ Cash contributions or expenditures of \$100 or more are prohibited.
- ◆ Candidates for County Offices are prohibited from receiving contributions from business entities or labor unions. However, if the business or labor committee is created for or sponsored by a corporation, partnership or labor union or other business entity for the sole purpose of using voluntary donations of its individual members or employees for political purposes may make contributions up to \$600 in support of or in opposition to a candidate or recall. (County Ordinance Section 8.05.050)
- ◆ Maintain invoices and receipts for all expenditures, even if you are spending less than \$1,000.
- ◆ Make copies of all contributor checks.
- ◆ Candidates must disclose employer information for all contributors and keep all records of occupation and employer information.
- ◆ The source for each loan must be disclosed.
- ◆ All expenditures of \$100 or more must be itemized on the campaign statements, and then summarized on the Campaign Disclosure Statement Summary Page.
- ◆ As long as a committee is in existence, a Semi-Annual Campaign Statement must be filed. If the candidate has filed a long form (460) previously in the calendar year, a 460 must be filed as the Semi-Annual Statement even if there is no activity. If a 470 has been filed previously in the year, another 470 must be filed as the Semi-Annual Statement.
- ◆ Payee addresses must be disclosed on the campaign statements for expenditures made.
- ◆ If the committee changes its treasurer, an amendment to the Statement of Organization must be filed.

STATEMENT OF ECONOMIC INTERESTS (FORM 700)

Who Must File

State law (the Political Reform Act of 1974) requires candidates for school and special districts to disclose their interests in real property and income within the past 12 months in a Statement of Economic Interests (Form 700) to be filed within 30 days of assuming office and candidates appointed to an office file 10 days after assuming office. (Gov. Code ' 87200, et. seq.)

Candidates for city council are required to file a Statement of Economic Interests (Form 700) with their Declaration of Candidacy.

EXCEPTION: This statement is not required of a candidate who has filed a statement for the same jurisdiction as an officeholder within sixty (60) days prior to assuming office or filing the Declaration of Candidacy. (Gov. Code ' 87201, 87202) Persons elected to school and special districts who must file a Statement of Economic Interests within 30 days of assuming office will be required to file a second statement for their annual statement due on April 1, 2000.

Candidates for federal offices file under federal rather than state disclosure laws. For information, candidates for U.S. Representatives should write to: Office of the Clerk of the House of Representatives, 1036 Longworth House Office Building, Washington D.C., 202-225-1300.

What Must be Disclosed

Under state law, persons filing economic interests statements as candidates are required to disclose investments and interests in real property and income within the past 12 months. (Gov. Code ' 87201, 87203)

When and Where to File

Candidates who must file may obtain forms and instructions from the Santa Cruz County Elections Department. The Form 700 must be filed with the Elections Department within 30 days of assuming office. **If the statement is filed after the deadline, candidates may be penalized up to \$10 per day up to a maximum of \$100.** Late filing penalties can be reduced or waived under certain circumstances. (Gov. Code ' 87201, 87500)

Statements Are a Public Record

Statements of Economic Interests are a public record. They may be inspected by anyone and copies may be purchased from the filing officer for 10 cents per page. (Gov. Code ' 81008)

ELECTIONEERING ON ELECTION DAY

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

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

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

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

ELECTION NIGHT RESULTS

WHERE:

Ballots are counted at the Elections Department:

701 Ocean St., Room 210
Santa Cruz, CA

CONTACTS:

Richard W. Bedal, County Clerk
Gail L. Pellerin, Elections Manager

WEBSITE:

Please visit our web site at
www.votescount.com
for information on the November election.

VOTE-BY-MAIL RESULTS:

Released soon after 8 p.m.

ELECTION RETURNS:

Telephones will be staffed until all the ballots are counted election night for callers to phone in and obtain results.

CALL 831-454-2060.

Results will also be posted on our web site at www.votescount.com

Election results by contest are simple to provide over the phone. However, if you are interested in obtaining more specific voting result information, we encourage you to be present at the Elections Department.

SEMI-OFFICIAL RESULTS:

Once the last ballot is counted, a Semi-Official Election Summary Report will be available from the Elections Department. It will also be posted on our web site.

FINAL RESULTS:

The official canvass of ballots will begin no later than Thursday, November 9. It typically takes three to four weeks to complete the canvass. Please call to verify when the final count will occur.

THE CANVASS

The official canvass of votes cast at the November 7, 2000 primary election may begin no later than Thursday, November 9, 2000 pursuant to Elections Code ' 15301, 15372.

PERIODIC UPDATE OF RESULTS BEFORE FINAL CERTIFICATION: In a large election, the Elections Department will do an update of the vote-by-mail ballots once they are prepared for counting. A final count will occur once all provisional ballots, damaged ballots and precinct supplies have been processed and all ballots are accounted for. The time and date of any update and the final count will be provided to interested persons.

VOTE-BY-MAIL BALLOT NUMBERS PROVIDED BY DISTRICT: Vote-by-mail ballots may be dropped off at any polling place on election day. Therefore, on election night, the Elections Department will be able to provide the total number of vote-by-mail ballots returned to Santa Cruz County polling places, but we cannot report how many were returned by district. We can also provide an estimate of the number of vote-by-mail ballots left to be processed. Depending on the workload, there will be some amount of vote-by-mail ballots that have come through the mail or voted at the Elections Department prior to election day that were not processed in time to be counted election night.

Once all of the vote-by-mail ballots are keyed into the computer system and flagged as returned, we will be able to provide a count of vote-by-mail ballots left to be processed by district.

Usually, this report is available a week to 10 days after the election.

CANVASS PROCESS INCLUDES:

VOTE-BY-MAIL BALLOT PROCESSING: On Election night all the vote-by-mail ballots that have been received and processed are counted. For a vote-by-mail ballot to be ready to be counted, the following has to occur:

- a) flag returned vote-by-mail ballots on computer system;
- b) compare signature of voter on vote-by-mail ballot envelope to the signature on computer from the voter's registration affidavit, if there is a discrepancy, the ballot is separated for review by a supervisor;
- c) sort vote-by-mail ballots by consolidated voting precinct;
- d) open vote-by-mail ballot identification envelopes. Identification envelopes are placed signature side down and the voted ballot cards inside the secrecy envelope are removed. Envelopes returned with no voted ballot cards are so noted. Empty identification envelopes are removed from the table. The number of opened vote-by-mail identification envelopes are counted and the number of gray secrecy envelopes with voted ballots are counted. If numbers do not match, research is done until the numbers do match;

e) voted ballot cards are then removed from the secrecy envelopes. Voted ballot cards are inspected for damage, tape, marks that would affect the accuracy of counting the ballot, and ballots marked with ballpoint ink. Ballot cards are corrected pursuant to Elections Code ' 15270 or duplicated if necessary by the canvassing board.

f) vote-by-mail ballots issued on the day before or the day of the election are verified against the precinct rosters prior to processing to ensure against voting twice. Lists of absentee voters who are issued ballots prior to the day before the election are delivered to the precinct inspectors who mark the names in the Alpha Index as having already received a ballot.

g) ballots are then prepared for tallying final election results.

Vote-by-mail ballots are processed in 2 to 3 weeks.

PROVISIONAL BALLOT NUMBERS & PROCESSING: The number of provisional ballots voted at each precinct is available election night. The Elections Department does not provide a breakdown of the numbers of provisional ballots by district, but can provide the list of those turned in by precinct and a list of precincts in each district.

Provisional voters include:

- X registered voters who move within the same county but fail to re-register to vote, who vote at their new polling place or the Elections Department;
- X voters who are not listed on the Alpha Index at the polling place;
- X voters who have been issued an absentee ballot, show up at the polling place to vote, but fail to surrender their absentee ballot;
- X any other voter whose eligibility to vote was questioned by the precinct officer.

Provisional ballots are investigated by the Canvass Board once all of the absentees have been keyed in as returned. Where there is a question of the voter's right to vote, the supervisor investigates. All valid provisional ballots are then prepared for the official count.

The provisional ballot process takes 1 to 2 weeks.

RECONCILIATION - PRECINCT BALLOTS: The canvass board reviews Ballot Statements for accuracy and compares numbers of ballots counted by the computer to the number recorded by the Precinct Board. The Canvass Board verifies the number of Absentee and Provisional ballots reported turned in by the Precinct Board with the number received by the Receiving Board on Election night. Differences are computed and discrepancies are investigated. Ballot cards which were not tallied election night because they were damaged or rejected by the card reader are remade for the final ballot count. The Canvass Board also examines each roster for completion of all Certificates, Oaths and Declarations. Irregularities are noted and investigated. Payroll forms are forwarded to the Precinct Recruitment Officer who enters in the appropriate information on the computer data base and forwards the payroll tape to the Auditor.

This procedure takes 10 to 15 days.

WRITE-IN VOTES: Votes for qualified write-in candidates are manually counted by precinct. A summary of the votes cast for qualified write-in candidates is printed in the certified statement of vote. A copy is available upon the final tally of the votes cast. Votes are not tallied for write-in candidates that did not file as a qualified write-in candidate.

This procedure takes 3 to 5 days depending on the number of write-in candidates.

1% MANUAL RECOUNT (' 15645): The procedure for randomly selecting precincts to be counted in the 1 percent manual recount consists of identifying three polling places and one mailed ballot precinct which obtain the most races with the least amount of overlap. All races are to be tallied for these precincts. In addition to the 1 percent recount, one precinct is counted for each race not covered in the 1 percent. The manual recount is then applied to only the race/s not previously counted. Results of the manual recount are compared to the election night tally results. Discrepancies are investigated and if necessary the race is manually re-tallied.

The 1 percent recount procedure takes approximately 8 to 10 days.

FINAL OFFICIAL COUNT: The Logic and Accuracy Test is run, reviewed and approved to ensure the card readers are operating correctly. The vote-by-mail, provisional and any remade ballot cards are then counted by the card readers. A final computer print-out summarizing the votes in all races is then made available. Any irregularities and/or discrepancies are investigated and reconciled.

A Statement of the Votes cast includes:

- X The total number of ballots cast;
- X The number of votes cast at each precinct for each candidate and for and against each measure;
- X The total number of votes cast for each candidate and for and against each measure;
- X The total number of votes cast in each city, Assembly district, Congressional district, Senatorial district, State Board of Equalization district, supervisorial district for each candidate for the offices of presidential elector and all statewide offices and on each statewide ballot proposition.

A certified copy of the Statement of Vote is available for purchase within 7 days of the final count.

QUESTIONS FREQUENTLY ASKED BY CANDIDATES

Candidates running for public office must satisfy many requirements set forth in law and regulation. Over the years, certain aspects of the nomination process have been identified as areas where prospective candidates seem to encounter problems. In order to assist candidates in avoiding these pitfalls the following questions and answers have been prepared.

Is your office open during the lunch hour?

Yes. Office hours are 8 a.m. to 5 p.m., Monday through Friday, excluding holidays, and we do remain open between the hours of noon to 1 p.m. On election day we are open from 6:00 a.m. until the last ballot is counted.

What if I change my mind about being a candidate after filing a Declaration of Candidacy?

Candidates may withdraw their Declaration of Candidacy prior to the final date for filing. According to Elections Code ' 10510, No candidate shall withdraw his or her declaration of candidacy after 5 p.m. on the 88th day prior to the general election.

May a second party pick up my Declaration of Candidacy for me?

All forms must be either picked up in person by the candidate or a letter of specific authorization, signed by the candidate, must be presented by the candidate's representative.

May a second party file my Declaration of Candidacy or mail them to you?

Election law does not specifically prohibit another person filing a Declaration of Candidacy for a candidate. However, candidates are urged to file in person. The reasons are twofold:

The oath or affirmation must be administered by a member of the Elections Department or a notary. It is easier for a candidate to file the Declaration of Candidacy in person and have the oath administered at the time the candidate files; and

The signature of the candidate, as well as other data, is required on the Declaration of Candidacy. If through an oversight the candidate's papers are incomplete, the problem can be easily rectified when a candidate files in person.