



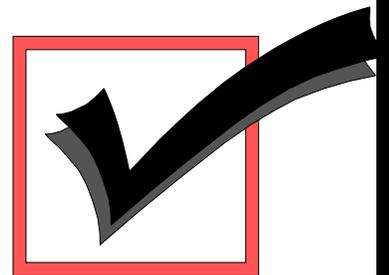
# COUNTY of SAN LUIS OBISPO

## CANDIDATE INFORMATION BOOKLET

UDEL GENERAL DISTRICTS ELECTION

NOVEMBER 3, 2009

# VOTE



PREPARED BY:  
JULIE L. RODEWALD, County Clerk-Recorder  
County of San Luis Obispo  
Elections Division  
1055 Monterey Street, Rm D120  
San Luis Obispo, CA 93408  
805-781-5080

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# **\*\*ATTENTION CANDIDATES\*\***

**THE COUNTY CLERK-RECORDER'S OFFICE WOULD LIKE TO MAKE CANDIDATE FILING MORE EFFICIENT AND LESS HECTIC BY SETTING UP APPOINTMENTS FOR CANDIDATES TO TAKE OUT AND FILE NOMINATION DOCUMENTS.**

**PLEASE GIVE OUR OFFICE A CALL AT 781-5228 TO SET UP YOUR APPOINTMENT. AT THAT TIME WE WILL ASK YOU THE FOLLOWING QUESTIONS REGARDING YOUR CANDIDACY WHICH WILL ALLOW US TO HAVE MOST OF YOUR PAPERWORK COMPLETED WHEN YOU ARRIVE:**

Name as Registered

Name to Appear on Ballot-  
see page 6

Residence Address

Mailing Address

Confidential Phone #

Daytime Phone #

Evening Phone #

Fax #

Email Address

Occupational Designation-  
see page 6-11 for information

Office Sought

## **THANK YOU!**

# NOVEMBER 3, 2009 GENERAL DISTRICTS ELECTION IMPORTANT DATES

DATE	EVENT
July 13 - August 7, 2009	Nomination Period. Incumbents must file by August 7th at 5:00 PM. (EC 10510) <b>Please call the Elections Division at 781-5228 for an appointment.</b>
July 31, 2009	Semi-Annual Campaign Disclosure Statement Filing Period
August 10, 2009	Last day to withdraw Candidate Statement of Qualifications EC13307(a)(3)
Aug 10- Aug 12, 2009*	Extension of Nomination Period. <b>Non-Incumbents Only</b> (EC10516)
August 13, 2009*	Last Day to withdraw Candidate Statement of Qualifications by 5:00PM if filing period was extended* (EC13307a(3))
September 4, 2009	60 day close of registration
Sept. 7** - Oct 20, 2009	Official Write-in Period. (EC8601)
September 24, 2009	Pre-Election Campaign Statement filing period. Covers through 9-19-09. (Gov Code 84200.5, 84200.5(a), 84200.7(b))
October 5, 2009	29 Day Close of Registration. Vote by Mail Period begins – First day Vote by mail Ballots are available. Last day to register to vote in order to receive a Sample Ballot & State Ballot Pamphlet. (EC 3001, 3003)
October 19, 2009	15 Day Close of Registration. <b>Last day to register to vote.</b> Voters registering between October 5 <sup>th</sup> & 19 <sup>th</sup> will receive notification of their polling place, but will <b>not</b> receive any other voter information. (EC2107).
October 20,2009	Official Write-in Period Ends
October 22, 2009	Pre-Election Campaign Statement filing period. Covers 9-20-09 through 10-17-09. (Gov Code 84200.5, 84200.5(a), 84200.7(b))
October 27, 2009	Last day to mail Vote by Mail Ballots to voter. (EC 3001)
November 3, 2009	<b>ELECTION DAY</b> , Polls open at 7:00 AM and close at 8:00 PM
January 31, 2010**	Semi-Annual Campaign Statement due. Covers period from 10-18-09 to 12-31-09. (Gov Code 84200.5, 84200.5(a), 84200.7(b))

\* If an eligible incumbent fails to file by the deadline, a five day extension period is allowed for any person other than the incumbent to file.

\*\* If deadline falls on a weekend or holiday, the deadline extends to the next business day.

**CANDIDATE REQUIREMENTS AND QUALIFICATIONS**  
**COMMUNITY SERVICES DISTRICTS**  
**FIRE PROTECTION DISTRICTS**  
**COUNTY WATER DISTRICTS**

Candidates must file a Declaration of Candidacy and take the required oath or affirmation with the County Clerk-Recorder's Office, Elections Division, between the dates of **July 13, 2009 and August 7, 2009**.

No candidate shall withdraw his or her Declaration of Candidacy after 5:00 PM, Friday, August 7, 2009, unless there is an extension of the filing period in which case a candidate shall have until 5:00 PM, Wednesday, August 12, 2009 to withdraw.

If by 5:00 PM, Friday, August 7, 2009, the incumbent elective officer of a district has not filed a Declaration of Candidacy, any person other than the incumbent, shall have until 5:00 PM on August 12, 2009, to file a Declaration of Candidacy for the office. This is not applicable where there is no incumbent to be elected.

Candidates are responsible for filing their forms on time and knowing which campaign statements must be filed and what is to be reported. Be sure to read the Information Manual on Campaign Disclosure that you will receive in your candidate packet.

The term of office begins on the first Friday in December following the election. Any director whose term has expired shall continue to discharge the duties of the office until his or her successor has qualified.

If, by 5:00 PM on August 12, 2009, only one person has filed or no one has filed or the number of persons who have filed a Declaration of Candidacy for the office does not exceed the number of offices to be filled there will be no election in that district, unless a petition, signed by 10% of the voters or 50 voters, whichever is the smaller number, requesting that the election be held, is presented to the elections official by 5:00 PM, August 12, 2009. If there is no election held in the district the persons who filed Declarations of Candidacy will be appointed in-lieu of election by the Board of Supervisors and they will take office and serve as if elected at the General District Election.

**QUALIFICATIONS FOR CANDIDATES**

Community Services Districts: Shall be a **Registered Elector** residing within the district

Fire Protection Districts: Shall be a **Registered Voter** of the District

Community Water Districts: Shall be a **Registered Voter** of the District

## Write-In Candidates - EC § 8600 - 8605

There is no filing fee to be a write-in candidate.

**File between the dates of September 7 and October 20, 2009**

To be a write-in candidate for a contest that will be on the ballot, a person must file a Statement of Write-In Candidacy and Nomination Papers, if applicable, with the requisite number of signatures as required for the office. If the contest is not on the ballot due to insufficient nominees (EC § 10515) the write-in period does not apply.

### SPECIAL DISTRICTS AND INCUMBENTS UP FOR ELECTION

DISTRICT	INCUMBENT	TERM
CALIFORINA VALLEY CSD	George Ayres Ruth Legaspi Vacant (Fred Rahner)	4 Year Term 4 Year Term 2 Year Term
LINNE CSD	James Dempsey Ellen Frost Gary Hubbard Susan O'Reilly	4 Year Term 4 Year Term 4 Year Term 2 Year Term
SANTA MARGARITA FIRE PROTECTION	Elizabeth Gorrill Joel Switzer	4 Year Term 4 Year Term
GARDEN FARMS COMMUNITY WATER	Janice Maxwell Charron Sparks	4 Year Term 4 Year Term

To use the phrase "Incumbent" as their occupational designation, the candidate must be a candidate for the same term he or she holds at the time of filing the nomination documents.

## **CAN I FILE NOMINATION PAPERS FOR MORE THAN ONE OFFICE AT THE SAME ELECTION?**

Yes, with three exceptions:

1. **Primary Elections** - Elections Code §8003(b) prohibits filing nomination papers in the direct primary for a party nomination and an independent nomination for the same office, or for more than one office at the same election. This prohibition does not apply to a party central committee. (Moore vs. Panish - California Supreme Court)
2. **School District Elections** - Elections Code §10603(c)(d) prohibits a person from filing nomination papers for more than one district office, including a county board of education office, at the same election. Except, if there is a proposal to form a unified school district on the same ballot as the election of governing board members of that district, any candidate for a position on the existing governing board may also file nomination papers for a position on the governing board for the proposed district.
3. **District Offices**- Elections Code §10510 prohibits a person from filing nomination papers for more than one district office or term of office for the same district at the same election.

## **IF I AM ELECTED, CAN I HOLD MORE THAN ONE OFFICE AT THE SAME TIME?**

This is a legal question which the County Clerk-Recorder cannot answer. The County Clerk-Recorder cannot refuse to issue nomination papers unless it is prohibited as stated in the first question above. A person's legal right to hold more than one office at the same time is governed by common law doctrine of incompatible offices. Government Code §1099 was added January 1, 2006 to codify this common law rule. This new section states:

- a) that an officer shall not simultaneously hold two public offices that are incompatible, as defined, and
- b) when two public offices are incompatible, a public officer shall be deemed to have forfeited the first office upon acceding to the second.

There are numerous court cases and attorney general opinions which address specific situations of incompatible offices. There is a list of case cites and copies of several of the opinions in the County Clerk-Recorder's Office that you may request; however, this is not an exhaustive list of all available information and you are advised to seek legal counsel to determine the incompatibility of the offices.

## **BALLOT NAMES AND DESIGNATIONS**

### **NAME ON BALLOT**

The candidate indicates on the Declaration of Candidacy how his/her name should appear on the ballot. This notation 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”.)

No title or degree may appear on the same line on a ballot as a candidate’s name. §13106 E.C.

### **RULES FOR PRINTING CANDIDATE’S NAMES ON BALLOTS**

Names of candidates shall be printed on the ballot in accordance with the following rules:

#### **Local Candidates**

If the office is to be voted upon wholly within, but not throughout, one county, as in the case of District offices, the official responsible for conducting the election shall determine the order of names in accordance with the randomized alphabet as provided for in § 13112. § 13111(f) E.C.

#### **RANDOMIZED ALPHABET DRAWING**

The Secretary of State shall conduct a drawing of the letters of the alphabet, the result of which shall be known as a randomized alphabet. The procedure shall be as follows:

Each letter of the alphabet shall be written on a separate slip of paper each of which shall be folded and inserted into a capsule. Each capsule shall be opaque and of uniform weight, color, size, shape, and texture. The capsules shall be placed in a container which shall be shaken vigorously in order to mix them thoroughly. The container then shall be opened and the letter on the slip of paper read aloud and written down. The resulting random order of letters constitutes the randomized alphabet which is to be used in the same manner as the conventional alphabet in determining the order of all candidates in all elections. For example, if two candidates with the surnames Campbell and Carlson are running for the same office, their order on the ballot will depend on the order in which the letters M and R were drawn in the randomized alphabet drawing. § 13112 E.C.

### **BALLOT DESIGNATION**

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. Acceptable ballot designations are 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. §13107 E.C.

§§ 20710-20719 Cal. Code of Regulations

**BALLOT DESIGNATION WORKSHEET:** In October of 2007, Elections Code Section 13107.3 was added, requiring a ballot designation worksheet be completed and filed with the elections official *at the same time* that the candidate files his/her Declaration of Candidacy. The statute mandates that no designation will appear under the candidate’s name on the ballot if the candidate fails to file the required ballot designation worksheet. § 13107.3 E.C.

**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 vote of the people, or to which he or she was appointed, in the case of a superior court judge.

**Example 1:** An acceptable ballot designation for an assembly representative from the 33rd Assembly District, pursuant to Elections Code 13107, subdivision (a)(1), would be “Member of the Assembly, 33rd District.”

**Example 2:** For local offices, a candidate who is currently in office as mayor may use the designation “Mayor, City of San Luis Obispo.”

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

- 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.
- **Impermissible designations** pursuant to Elections Code Section 13107, subdivision (a)(2), would be “Incumbent Assemblymember, 33rd Assembly District” or “Incumbent City Councilmember”.

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

- If an incumbent was appointed in lieu of an election because the number of candidates did not exceed the number required to be elected at the last election for that office, the candidate is not required to use “appointed”.

- (4) **3-WORD PROFESSION/OCCUPATION/VOCATION**: No more than three words designating either the current principal professions, vocations, or occupations of the candidate, or the principal professions, vocations, or occupations of the candidate during the calendar year immediately preceding the filing of nomination documents. For purposes of this section, all California geographical names shall be considered to be one word. Hyphenated words that appear in any generally available standard reference dictionary, published in the United States at any time within the 10 calendar years immediately preceding the election for which the words are counted, shall be considered as one word. Each part of all other hyphenated words shall be counted as a separate word. If more than one profession, vocation or occupation is listed, it shall be separated by a slash (“/”).

**Example:** An Assembly representative who happens to be a lawyer and rancher can use the designation “Legislator/Lawyer/Rancher”.

**DEFINITIONS** of some of the above terms as they are used in Elections Code Section 13107, subdivision (a)(3), are defined as follows:

“**Profession**” means a field of employment requiring special education or skill and requiring specific knowledge of a particular discipline of learning or science. Examples of an acceptable designation of a “profession,” as defined in this subdivision, include, but are not limited to, “attorney,” “physician,” “accountant,” “architect,” and “teacher.”

“**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 this subdivision include, but are not limited to, “rancher,” “restaurateur,” “retail salesperson,” “manual laborer,” “construction worker,” “computer manufacturing executive,” “military pilot,” “secretary,” and “police officer.”

“**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. Examples of an acceptable designation of a “vocation,” as defined in this subdivision include, but are not limited to, “minister,” “priest,” “mother,” “father,” “parent”, “homemaker,” “dependent care provider,” “carpenter,” “plumber,” “electrician,” and “cabinetmaker.”

“**Principal**” as that term is used in this subdivision, 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. Involvement that is only nominal, pro forma, or titular in character does not meet the requirements of the statute.

- If a candidate holds a current and active license from 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.
- A candidate 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.
- A 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:

Each such proposed profession, vocation or occupation must independently qualify as a “**principal**” profession, vocation or occupation, as that term is defined pursuant to subdivision (b) herein.

## **OTHER RULES**

- The proposed ballot designation shall be grammatically correct, generic, and all words must be spelled correctly.
- Punctuation shall be limited to the use of a comma (e.g., District Attorney, San Luis Obispo County) and a slash (e.g., Legislator/Rancher/Physician), pursuant to subdivision (c) 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.
- The proposed ballot designation must comply with the three-word limitation specified in Elections Code Section 13107, subdivision (a)(3).
- All California geographical names shall be considered to be one word and shall be limited to the names of cities, counties and states. If the candidate desires, the geographical name may be used in the form of “City of.....,” “County of.....,” or “City and County of.....”.
- An acronym shall be counted as one word.
- 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,” “Director, Smith Foundation,” and “UCLA Professor.”
- **A candidate who does not want a ballot designation should indicate this in the space provided for ballot designation on the Declaration of Candidacy, by writing “NONE”.**

## **DESIGNATIONS NOT ACCEPTED**

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

- It would **mislead** the voter.
- It would **suggest an evaluation** of a candidate, such as outstanding, leading, expert, virtuous, or eminent.

A laudatory adjective that would suggest an evaluation of the candidate’s qualifications shall not be permitted. Examples of ballot designations usually considered to suggest an evaluation of a candidate, may include but are not limited to, “outstanding,” “best,” “famous,” “respected,” “honest,” and “prominent,” or words connoting a status.

- It would suggest a **Status**: A status is a state, condition, social position or legal relation of the candidate to another person, persons, or the community as a whole. Examples of a status include, but are not limited to, “advocate,” “philanthropist,” “activist,” “patriot,” “taxpayer,” “husband,” “wife,” and “reformer.”

Certain requested designations may connote a **status** which also suggests an evaluation; for example, “Concerned Citizen,” “Patriot” or “Presidential Appointee”.

- It abbreviates the word “**retired**” or places it following any word or words that it modifies. Examples of impermissible ballot designations pursuant to Elections Code Section 13107, subdivision (b)(3), include “Ret. Army General,” “Navy Admiral, Retired” and “City Attorney, Retired.”

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

- Served in the position being requested to be listed as retired from for more than 5 years;
- Is collecting or eligible to collect retirement benefits/pension;
- Is 55 or more years old;
- Left the position voluntarily after serving a minimum of 5 years;
- If requesting the use of a retired public office designation, was not recalled from or did not fail to win that office or surrender it to run for another office in a previous election campaign;
- Has not had another more recent occupation;
- Retirement benefits are providing a principal source of income.

- 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.”

Pursuant to Elections Code Section 13107, subdivision (b)(4), examples of impermissible word or prefix designations implying prior status include, but are not limited to “Former Congressman,” “Ex-Senator,” and “Former Educator.”

- It uses the name of any **political party**, whether or not it has qualified for the ballot. “Democratic Party Chair”, “Republican Central Committee member”, and “Socialist” are examples of unacceptable designations.

- It uses a word or words referring to a **racial, religious, or ethnic** group. 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. For example, “Rabbi,” “Pastor,” “Minister,” “Priest,” “Bishop,” “Deacon,” “Monk,” and “Nun.”

Examples of impermissible designations pursuant to Elections Code Section 13107, subdivision (6), are “Indian Sculptor,” “Latino Notary,” “African-American Firefighter,” “Christian Physician,” and “Caucasian Policeman.”

- It refers to any activity **prohibited by law**.

### **DESIGNATION REJECTED**

If upon checking the ballot designation worksheet and accompanying nomination documents, the election official finds the designation to be in violation of any of the restrictions set forth in this section, the election official shall notify the candidate by registered or certified mail, return receipt requested, addressed to the mailing address

appearing on the candidate's nomination documents.

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

1. The candidate shall, within three days from the date of receipt of the notice, appear before the election officer or, in the case of the Secretary of State, notify the Secretary of State by telephone, and provide an alternate designation.
2. In the event the candidate fails to provide an alternate designation, no designation shall appear after the candidate's name.

### **FORMAT, CHANGES, ETC.**

1. No designation given by a candidate shall be changed by the candidate after the final date for filing nomination documents, except as specifically requested by the election official.
2. In all cases, words shall be printed in 8-point Roman uppercase and lowercase type **except** that, if the designation selected is so long that it would conflict with the space requirements of Sections 13207 and 13211, the election official shall use a type size for the designation for each candidate for that office sufficiently smaller to meet these requirements.

### **BALLOT DESIGNATION BASIC TEST**

These questions will help determine if a ballot designation is acceptable:

1. Is it true?
2. Is it accurate?
3. If it is true and accurate, does it mislead?
4. Is it generic? (This means "IBM" is out, "Computer Company" is okay.)
5. Is it neutral? (This means not for or against.)
6. Is it how this person makes a living?

# Ballot Designation Worksheet

This form must be completed and submitted with the Declaration of Candidacy

Name of Candidate: \_\_\_\_\_

Office Sought: \_\_\_\_\_

Daytime Telephone Number: \_\_\_\_\_ Evening: \_\_\_\_\_

FAX Number: \_\_\_\_\_ E-Mail \_\_\_\_\_

I DO NOT WISH A BALLOT DESIGNATION LISTED UNDER MY NAME ON THE BALLOT

PROPOSED BALLOT DESIGNATION: \_\_\_\_\_

\*\*\*\*\*

**(If using incumbent, appointed incumbent or the elective office currently held, you need only complete this section )**

I WAS  ELECTED ON \_\_\_\_\_ OR  APPOINTED ON \_\_\_\_\_

\*\*\*\*\*

**(If using any designation other than incumbent, the information below must be completed)**

THIS IS MY:  OCCUPATION  PROFESSION  VOCATION

I POSSESS THE LICENSE OR CERTIFICATION REQUIRED OF MY PROFESSION OR OCCUPATION

I DO NOT CURRENTLY HAVE A PRINCIPAL OCCUPATION OR PROFESSION, I HAVE WORKED IN THE PROFESSION OR OCCUPATION IN MY BALLOT DESIGNATION IN THE LAST 12 MONTHS

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

\_\_\_\_\_  
\_\_\_\_\_

Your Job Title: \_\_\_\_\_ Dates in Position: \_\_\_\_\_

Name of Employer or Business: \_\_\_\_\_

Name and Phone # of Person(s) who can verify this information: \_\_\_\_\_

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**(If using retired in the ballot designation, complete information below)**

IF I AM ELIGIBLE TO USE RETIRED IN MY DESIGNATION FOR THE FOLLOWING

REASONS- see reasons on page 9 of the candidate's manual:

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If my ballot designation is determined to be unacceptable, use the following alternative:

1<sup>st</sup> Alternative: \_\_\_\_\_

2<sup>nd</sup> Alternative: \_\_\_\_\_

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

Signed this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, in \_\_\_\_\_  
(Location)

Candidate's Signature \_\_\_\_\_

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

**FOR OFFICIAL USE**

Approved for use \_\_\_\_\_  
Signature Date

Rejected Date Candidate Notified \_\_\_\_\_

Reason for rejection \_\_\_\_\_

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# CANDIDATE'S STATEMENT OF QUALIFICATIONS

Elections Code Section 13307, 13308, 13311, 13313

Each candidate for **non-partisan** elective office may prepare a statement of qualifications to be included in the Sample Ballot Booklet and sent to every registered voter in the jurisdiction of the office. The statement is optional and not a requirement of filing for office.

Statements shall be filed in the Elections Division of the County Clerk-Recorder's Office. Candidates for offices that don't require nomination papers shall file their statement no later than 5:00 PM., Friday, August 7, 2009 or if the office has been extended due to the incumbent not filing by the close of the extension period- 5:00PM on Wednesday, August 12.

The statement **MAY** include:

- Name, Age, Occupation of the Candidate
- A brief description (no more than 200 words) of the candidate's education and qualifications expressed by the candidate in his/her own words (first person singular).

The statement **MAY NOT** include:

- The party affiliation of the candidate.
- Membership or activity in any partisan political organizations.
- References to other candidates for that office or to another candidate's qualifications, character, or activities. The elections official shall not cause to be printed or circulated any statement that the elections official determines is not so limited or that includes any reference prohibited in this section. (EC 13308)

The statement must be **typed** and follow the format on the form. Boldface type, bullets, boxes, arrowheads, diamonds, asterisks, all capital letters, or underlining are not allowed.

Candidates must file a hard copy of the statement as well as submit the statement electronically. The statement should be set out in block style paragraphs in type of uniform size and darkness and with uniform spacing.

Obvious spelling errors will be corrected; however the candidate should proof the statement very carefully for spelling, punctuation and grammar, as it will be printed as submitted.

The statement may be **WITHDRAWN**, by the candidate in writing, **BUT NOT CHANGED**, during the nomination period – July 13 through August 7, 2009 - and until 5:00PM., on the next working day after the close of the nomination period – August 10, 2009 or if the office has been extended due to the incumbent not filing by the day after the close of the extension period- August 13.

Each candidate who files a statement of qualification will be required to pay an estimated deposit at the time the statement is filed to cover the cost of the printing and handling. The estimated deposit amount is an approximation of the actual cost and may be significantly more or less than the estimate, depending on the actual number of candidates filing statements. **Accordingly, the elections official is not bound by the estimate and will bill the candidate for additional actual expense or refund any excess amount paid depending on the final actual cost.**

The Candidate's Statement of Qualifications shall remain **confidential** until after the close of the nomination period and will be available for public examination for 10 days after the close of nominations. Any challenges to a statement must be made during this 10 day period. (EC 13313)

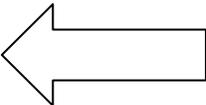
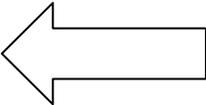
# CANDIDATE'S STATEMENT WORD COUNTING GUIDELINES

## Elections Code Section 9

(a) For purposes of this code, the following shall apply to the counting of words:

1. Title and Signature.....**Not Counted**
2. Punctuation Characters.....**Not Counted**
3. Each word shall be counted as **one word** except as specified in this section.
4. All geographical names such as, "County of San Luis Obispo".....**One Word**
5. Abbreviations for a word, phrase, or expression, such as UCLA, PTA, U.S.M.C., etc.....**One Word**
6. Hyphenated words that appear in any generally available dictionary.....**One Word**
7. Dates consisting of a combination of words and digits -  
May 2, 2002.....**Two Words**  
  
Dates consisting only of a combination of digits - 05/02/2002.....**One Word**
8. Numbers:  
  
    Digits, such as 1, 10, 100..... **One Word**  
    Spelled out - one, ten, one hundred..... **One for Each Word**  
    Numerical Combinations - 2002, 5%, 1/2, 2001-02..... **One Word**  
    Telephone Number.....**One Word**
9. Monetary Amounts:  
  
    Dollar Sign and Figures - \$500,000.00..... **One Word**  
    Spelled Out - Five hundred thousand dollars.....**Four Words**
10. Internet web site address..... **One Word**

(b) **THIS SECTION SHALL NOT APPLY TO COUNTING WORDS FOR BALLOT DESIGNATIONS UNDER ELECTIONS CODE SECTION 13107**

<p style="text-align: center;"><b>STATEMENT OF CANDIDATE FOR OFFICE</b> Jurisdiction/District</p> <p><b>CANDIDATE NAME</b> AGE: 40 <b>Occupation:</b> Incumbent, College Trustee Board Member, Former Member Chamber of Commerce, Businesswoman.</p> <p><b>Education and Qualifications:</b> My goal is to continue to be your advocate on the College Board of Trustees. With your support, I am committed to: -Ensure responsible spending of taxpayers' dollars -Maintain accessible and affordable education for all students -Provide needed resources for classrooms -Expand vocational training -Maintain high academic standards -Promote collaboration with other governmental agencies and private businesses Currently, as your trustee, my experience includes: -On the Local Level: President Vice-President Chair, Audit Committee Representative: County School Board Association Planning and Budget Committee Accreditation Steering Committee District's Interest-based Bargaining Team Student Housing Task Force -On the State Level: Member: CA Community College Trustees' Board of Directors Commission on Educational Policy Commission on the Future of CA Community Colleges Advocate: CA Legislative Conferences Participant: Community College Leadership Seminar -On the National Level: Delegate: Association of Community College Trustees League for Innovation Advocate: National Legislative Seminar I take seriously the trust placed in me and will continue to work hard to be your voice on the College Board of Trustees.  Your vote for Candidate Name will be appreciated.  s/ Candidate Name</p>	<p style="text-align: center;"><b>SAMPLE STATEMENT OF QUALIFICATIONS</b></p> <p>Be aware that the number of carriage returns you use in the "Education and Qualifications" section of your statement will affect the layout of your text.</p>  <p>In past elections, this statement required reducing the font size as well as reducing the line spacing to allow the candidate's text to fit into the prescribed template.</p> <p><b>NOTE:</b> In order to ensure that submitted text will fit in the limited quarter-page space, the following may occur: 1) Lists and enumerations will be wrapped as a single paragraph; 2) Multiple single sentence paragraphs will be wrapped; 3) Indented text will be run together as a sentence. The elections official is not responsible for the correct typesetting of statements that must be reconfigured to comply with these guidelines.</p> <p>It is recommended that candidate statements contain no more than twenty-eight lines and carriage returns.</p> <p>Note: Although "Occupation" is not restricted by ballot designation limitations and can be more descriptive, "Occupations" exceeding one line will be shortened.</p>
<p style="text-align: center;"><b>STATEMENT OF CANDIDATE FOR OFFICE</b> Jurisdiction/District</p> <p><b>CANDIDATE NAME</b> AGE: 40 <b>Occupation:</b> Incumbent, College Trustee Board Member</p> <p><b>Education and Qualifications:</b> My goal is to continue to be your advocate on the College Board of Trustees.</p> <p>With your support, I am committed to: ensure responsible spending of taxpayers' dollars, maintain accessible and affordable education for all students, provide needed resources for classrooms, expand vocational training, maintain high academic standards, and promote collaboration with other governmental agencies and private businesses.</p> <p>Currently, as your trustee, my experience includes: On the Local Level: President, Vice-President, Chair, Audit Committee; Representative: County School Board Association, Planning and Budget Committee, Accreditation Steering Committee, District's Interest-based Bargaining Team, Student Housing Task Force On the State Level: Member: CA Community College Trustees' Board of Directors; Commission on Educational Policy; Commission on the Future of CA Community Colleges; Advocate: CA Legislative Conferences; Participant: Community College Leadership Seminar On the National Level: Delegate: Association of Community College Trustees, League for Innovation; Advocate: National Legislative Seminar I take seriously the trust placed in me and will continue to work hard to be your voice on the College Board of Trustees. Your vote for Candidate Name will be appreciated.  s/ Candidate Name</p>	<p style="text-align: center;"><b>REVISED STATEMENT OF QUALIFICATIONS</b></p> <p>Statements of Qualifications submitted in the manner above will now be reformatted to reflect the block paragraph format with uniform size and spacing originally requested.</p>  <p>In this example, "Occupation" was reduced to one line, dashes were removed, lists were wrapped as a single paragraph, titles and indented text were wrapped as a single paragraph.</p> <p>Candidates utilizing the guidelines and suggestions will make their candidate statements uniformed, fair, and legible.</p>

**ESTIMATED COSTS OF CANDIDATE STATEMENTS OF QUALIFICATIONS  
NOVEMBER 3, 2009 GENERAL DISTRICTS ELECTION**

<b>DISTRICT</b>	<b>REGISTRATION (As of 06/25/2009)</b>	<b>ESTIMATED COST</b>
CALIF VALLEY CSD	183	\$100.00
LINNE CSD	175	\$100.00
SANTA MARGARITA FIRE PROTECTION	732	\$130.00
GARDEN FARMS COMMUNITY WATER	181	\$100.00

The Candidate's Statement of Qualifications is optional. The estimated cost is an approximation of the actual cost that varies from one election to another and may be significantly more or less than the estimate, depending on the actual number of candidates filing statements. Accordingly, the elections official is not bound by the estimate and will bill the candidate for any additional actual expense or refund any excess amount paid depending on the final actual cost.

# PROVISIONS OF THE CODE OF FAIR CAMPAIGN PRACTICES

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

## Chapter 5. Fair Campaign Practices

### Article 1. General Intent

#### 20400. Intent of legislature.

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

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

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

### Article 2. Definitions (1)

#### 20420. Definition of "Code."

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

### Article 3. Code of Fair Campaign Practices

#### 20440. Subscription to code; form.

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

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

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

#### 20441. Supply of forms.

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

#### 20442. Retention of forms; public inspection.

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

#### 20443. Public record.

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

#### 20444. Voluntary.

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

(1) 304. "Campaign advertising or communication" means a communication authorized by a candidate or a candidate's controller committee, as defined in section 82016 of the Government Code, or by a committee making independent expenditures, as defined in Section 82031 of the Government Code, or by a committee formed primarily to support or oppose a ballot measure, as defined in Section 82047.5 of the Government Code, for the purpose of advocating the election or defeat of a qualified candidate through any broadcasting station, newspaper, magazine, outdoor advertising facility, direct mailing, or any other type general, public, political advertising.

305. "Candidate for public office" means an individual who has qualified to have his or her name listed on the ballot of any election, or who has qualified to have written votes on his or behalf counted by election officials, for nomination for or election to, any state, regional, county, municipal, or district office which is filled at an election. The provisions of this chapter do not apply to candidates for federal office.

# **CANDIDATES: Important Things To Remember to Comply with the Requirements of the Fair Political Practices Commission (FPPC)**

## **1. BE INFORMED**

Study FPPC Manual 2 and the Addendum. Local candidates should ask their election official about any local campaign restrictions. San Luis Obispo County has no local rules.

## **2. BEFORE RAISING OR SPENDING ANY MONEY**

File Form 501 (Candidate Intention); then open a campaign bank account. Once \$1,000 is raised or spent, obtain an identification number by filing Form 410. Name of a candidate controlled committee must include the name of the candidate, office sought and the year of the election.

## **3. MARK YOUR CALENDAR**

Know the due dates for campaign statements and file on time.

## **4. KEEP GOOD RECORDS**

Maintain details on contributions and expenditures of \$25 or more. Refer to record keeping guidelines in Manual 2.

## **5. \$100 OR MORE IN CASH?**

Never accept or spend \$100 or more in cash.

## **6. USING PERSONAL FUNDS FOR CAMPAIGN EXPENSES**

All personal funds of the candidate must first be deposited in the campaign bank account, except for the filing fee/ballot statement fee.

## **7. REPORT LATE CONTRIBUTIONS**

If \$1,000 or more is received from one contributor during the last 16 days before the election, disclose receipt within 24 hours, even if the contribution is from your personal funds.

## **8. ITEMIZE CONTRIBUTIONS**

For contributions of \$100 or more, including loans and in-kind contributions, you must disclose the contributor's name, address, occupation and employer.

## **9. IF AN AGENT OR CAMPAIGN CONSULTANT BUYS GOODS OR SERVICES FOR THE CAMPAIGN**

Itemize expenditures of \$500 or more made by the agent or consultant.

## **10. IDENTIFY CANDIDATE/COMMITTEE ON MAILINGS**

Include your name and campaign address in at least 6-point type on the outside of all mass mailings (more than 200 pieces). Your committee's name may be used if it includes your name. If your name is not part of the committee's name, you may use just your name, or both your name and the name of the committee.

## **11. NO PERSONAL USE OF CAMPAIGN FUNDS**

Use campaign funds only for political, legislative, or governmental purposes.

## **12. BE MORE INFORMED**

Attend a campaign workshop in your area. Contact your filing officer or the FPPC if you have any questions.

# CAMPAIGN DISCLOSURE REQUIREMENTS

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

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

## PRE-CAMPAIGN REPORTING REQUIREMENTS FOR CANDIDATES AND/OR COMMITTEES

### FORM 501-CANDIDATE INTENTION STATEMENT

#### WHO FILES:

A candidate for state or local office must file Form 501 prior to solicitation or receipt of any contribution or expenditure of any personal funds used for the election.

You must file a separate Form 501 for each election, including reelection to the same office.

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

#### WHEN TO FILE:

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

**Exception:** A candidate may use his or her personal check to pay the filing fee and/or Statement of Qualifications fee.

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

#### WHERE TO FILE:

State Candidates	Local Candidates
Send Original to	Send Original to:
Secretary of State Political Reform Division 1500 11th Street, Room 495 Sacramento CA 95814	County Clerk-Recorder 1055 Monterey St. Ste. D120 San Luis Obispo CA 93408

See appropriate Campaign Disclosure Manual and California Form 501 for additional instructions and filing requirements.

# FORM 410—STATEMENT OF ORGANIZATION

## DEFINITIONS:

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

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

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

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

## WHO FILES:

Recipient committees as defined above.

## WHEN TO FILE:

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

A recipient committee qualifying during the 16 days prior to an election in which it must file pre-election statements must file a Form 410 (or the information required on a Form 410) by fax, guaranteed overnight delivery, or personal delivery within 24 hours of qualification with the filing officer who will receive the committee’s original disclosure statements. A Form 410 must also be filed with the Secretary of State within 10 days.

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

## WHERE TO FILE:

<b>All Committees</b>	<b>County, School &amp; District Committees:</b>
Send <b>Original</b> and one copy to:	Send <b>Copy</b> to:
Secretary of State Political Reform Division 1500 11th Street, Room 495 Sacramento CA 95814	County Clerk-Recorder 1055 Monterey St. San Luis Obispo CA 93408

You will receive written notification from the Secretary of State’s Office assigning an identification number to your committee. (Identification numbers are also posted on the Secretary of State’s web site at [www.cal-access.ss.ca.gov](http://www.cal-access.ss.ca.gov).)

See appropriate Campaign Disclosure Manual and California Form 410 for additional instructions and filing requirements.

## **FORM 470- CAMPAIGN STATEMENT - SHORT FORM**

### **WHO FILES**

Candidates who:

- do not have a controlled committee
- do not anticipate receiving contributions totaling \$1,000 or more in the calendar year
- do not anticipate spending \$1,000 or more in a calendar year

### **WHEN TO FILE**

Encouraged to file at same time as Declaration of Candidacy. Must file by first pre-election filing deadline noted on Schedule on Page 23.

### **WHERE TO FILE**

County Clerk-Recorder's Office  
1055 Monterey St. Ste D120  
San Luis Obispo CA 93408

## **FORM 460- CAMPAIGN STATEMENT - LONG FORM**

### **WHO FILES**

- Candidates, Officeholders and their Controlled Committees
- Primarily Formed Ballot Measure Committees
- Primarily Formed Candidate/Officeholder Committees
- General Purpose Committees

### **WHEN TO FILE**

See Schedule on Page 23 for filing deadlines and reporting periods.

### **WHERE TO FILE**

County Clerk-Recorder's Office  
1055 Monterey St. Ste D120  
San Luis Obispo CA 93408

Candidates for Local Office  
Committees Primarily Formed to Support/Oppose Local Candidates  
Committees Primarily Formed to Support/Oppose Local Measures

**November 3, 2009 Election Filing Schedule**

<i>Filing Deadline</i>	<i>Type of Statement</i>	<i>Period Covered by Statement<sup>1/</sup></i>	<i>Method of Delivery</i>
July 31, 2009	Semi-Annual	<sup>1/</sup> - 6/30/09	<ul style="list-style-type: none"> <li>✧ Personal Delivery</li> <li>✧ First Class Mail</li> </ul>
September 24, 2009	Pre-Election	<sup>1/</sup> - 9/19/09	<ul style="list-style-type: none"> <li>✧ Personal Delivery</li> <li>✧ First Class Mail</li> </ul>
October 22, 2009	Pre-Election	9/20/09 - 10/17/09	<ul style="list-style-type: none"> <li>✧ Personal Delivery</li> <li>✧ Guaranteed Overnight Service</li> </ul>
Within 24 Hours	Late Contributions <sup>2/</sup> and Independent Expenditures of \$1,000 or More <sup>3/</sup>	10/18/09 - 11/2/09	<ul style="list-style-type: none"> <li>✧ Personal Delivery</li> <li>✧ Guaranteed Overnight Service</li> <li>✧ Fax</li> </ul>
February 1, 2010 <sup>4/</sup>	Semi-Annual	10/18/09 - 12/31/09	<ul style="list-style-type: none"> <li>✧ Personal Delivery</li> <li>✧ First Class Mail</li> </ul>

**Footnotes:**

- <sup>1/</sup> **Period Covered:** The period covered by any statement begins on the day after the closing date of the last statement filed, or January 1, if no previous statement has been filed.
- <sup>2/</sup> **Late Non-Monetary Contributions:** The recipient of a late in-kind contribution must file a late contribution report within 48 hours from the time the in-kind contribution is received.
- <sup>3/</sup> **Prohibition on Candidate Independent Expenditures:** A controlled committee may not make independent expenditures to support or oppose candidates and may not contribute to another committee for the purpose of making independent expenditures to support or oppose other candidates.
- <sup>4/</sup> **Extended Deadlines:** Because the January 31 filing deadline falls on Sunday, this filing deadline is extended to February 1.

- **Candidates:** Contact the FPPC for revised reporting deadlines in the event of a runoff election. After an election, reporting requirements will depend on whether the candidate is successful and whether a campaign committee is maintained.
- **Late Statements:** Except for deadlines that fall on a Saturday, Sunday, or an official state holiday, there is no provision in the law for extending a filing deadline. Late statements are subject to a \$10 per day late fine.
- All statements are public documents.
- Local jurisdictions may impose contribution limits and additional filing requirements.
- State committees making contributions or independent expenditures in connection with local elections should contact the FPPC for reporting requirements.

Disclosure manuals and other information on campaign reporting can be found on the FPPC website ([www.fppc.ca.gov](http://www.fppc.ca.gov)). Be sure to check the website for up-to-date information.

**Additional Notes:**

- **Primarily Formed Ballot Measure Committees:** Prior to the semi-annual period in which the measure(s) supported or opposed is being voted on, committees must file quarterly campaign statements in addition to semi-annual statements. Following the election, quarterly statements may also be required. Contact the FPPC for specific information.

# ◇ PENAL PROVISIONS INVOLVING ELECTIONS

These code sections are provided for information. It is the candidate's responsibility to be aware of all election-related activities that could result in criminal penalties

## Election Code Sections:

### §18301 Printing of simulated sample ballots:

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

### §18302 Designation of precinct polling place

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.

### §18303 Mass mailing penal provisions:

Every person who violates Section 84305 of the Government Code relating to mass mailing is subject to the penal provisions set forth in Chapter 11 (commencing with Section 91000) of Title 9 of the Government Code.

### §18320 Political cyberfraud defined:

- (a) This act shall be known and may be cited as the "California Political Cyberfraud Abatement Act."
- (b) It is unlawful for a person, with intent to mislead, deceive, or defraud, to commit an act of political cyberfraud.
- (c) As used in this section:

(1) "Political cyberfraud" means a knowing and willful act concerning a political Web site that is committed with the intent to deny a person access to a political Web site, deny a person the opportunity to register a domain name for a political Web site, or cause a person reasonably to believe that a political Web site has been posted by a person other than the person who posted the Website, and would cause a reasonable person, after reading the Website, to believe the site actually represents the views of the proponent or opponent of a ballot measure. Political cyberfraud includes, but is not limited to, any of the following acts:

- (A) Intentionally diverting or redirecting access to a political Web site to another person's Web site by the use of a similar domain name, meta-tags, or other electronic measures.
- (B) Intentionally preventing or denying exit from a political Web site by the use of frames, hyperlinks, mouse-trapping, pop-up screens, or other electronic measures.
- (C) Registering a domain name that is similar to another domain name for political Web site.
- (D) Intentionally preventing the use of a domain name for a political Web site by registering and holding the domain name or by reselling it to another with the intent of preventing its use, or both.

(2) "Domain name" means any alphanumeric designation that is registered with or assigned by any domain name registrar, domain name registry, or other domain registration authority as part of an electronic address on the internet.

(3) "Political Web site" means a Web site that urges or appears to urge the support or opposition of a ballot measure.

## BUSINESS AND PROFESSIONS CODE SECTIONS

**§17525.** (a) It is unlawful for a person, with a bad faith intent to register, traffic in, or use a domain name, that is identical or confusingly similar to the personal name of another living person or deceased personality, without regard to the goods or services of the parties. Et seq

**§17526** In determining whether there is bad faith intent pursuant to Section 17525, a court may consider factors, including, but not limited to, the following: ...

- (j) The intent of a person alleged to be in violation of this article to mislead, deceive, or defraud voters.

**§17528.5** In addition to any other remedies available under law, a court may order the transfer of a domain name as part of the relief awarded for a violation of this article.

# MISREPRESENTATION BY CANDIDATES

## §18350 Misleading of voters; incumbency; public officer

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 of 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, which he or she is or 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.

## §18351 False statements in candidate statement; fine.

Any candidate in an election or incumbent in a recall election who knowingly makes a false statement of a material fact in a candidate's statement, prepared pursuant to Section §13307 or §11327, 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 on thousand dollars (\$1,000).

# ELECTIONEERING

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

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

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

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

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

## §18371 Electioneering during absentee voting.

(a) No candidate or representative of a candidate, and no proponent, opponent, or representative of a proponent or opponent, of an initiative, referendum, or recall measure, or of a charter amendment, shall solicit the vote of an absentee voter, or do any electioneering, while in the residence or in the immediate presence of the voter, and during the time he or she knows that absentee voter is voting.

(b) Any person who knowingly violates this section is guilty of a misdemeanor.

(c) This section shall not be construed to conflict with any provisions of the federal Voting Rights Act of 1965, as amended, nor to preclude electioneering by mail or telephone or in public places, except as prohibited by Section §18370, or by any other provision of law.

# CAMPAIGN LITERATURE

## §20008 Political advertisement requirements:

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

## §20009 Simulated ballot requirements:

(a) Every simulated ballot or simulated sample ballot shall bear on each surface or page thereof, in type or lettering at least half as large as the type or lettering of 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:

<p>"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)." .....</p>
--

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

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

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

## REQUIREMENTS FOR MASS MAILING.

Provided Pursuant To Elections Code Section §16

## §84305 Government Code. Requirements for Mass Mailing.

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

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

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

<p><b>DISCLAIMER:</b></p> <p>The preceding Elections Code sections are provided for your information but are not necessarily all the codes which effect campaigns. Elections Code chapter §18000 outlines the penalties associated with violations of the Elections Code and Chapter §20000 houses the Truth in Endorsement Law. In addition, you are responsible for being familiar with the Fair Political Practices Commission rules and regulations. A copy of the Elections Code and the Government Code are available for your research in the County Law Library and the County Clerk-Recorder's Office.</p>
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**DEPARTMENT OF TRANSPORTATION**

DIVISION OF TRAFFIC OPERATIONS  
Outdoor Advertising Branch  
1120 N STREET, MAIL STATION 36  
P.O. BOX 942873  
SACRAMENTO, CA 94274-0001  
(916) 654-5147  
TDD 1-916-653-4086  
FAX (916) 653-6080



Dear Candidate or Committee Member:

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

Section 5405.3 of the State Outdoor Advertising Act authorizes the placing of “temporary political signs” separate and apart from the normal outdoor advertising display controls. No such political signs, however, 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 WHICH MEET THE FOLLOWING CRITERIA:**

- A. Encourages a particular vote in a scheduled election.
- B. Is placed not sooner than 90 days prior to the scheduled election and is removed within 10 days after that election.
- C. Is no larger than 32 square feet.
- D. Has had a Statement of Responsibility filed with the Department certifying a person who will be responsible for removing the sign.

A Statement of Responsibility form is available from your county elections official.

Please pass this information along to those assisting in your campaign and complete and return the Statement of Responsibility form to the appropriate district office located on the map that follows. We will gladly answer any questions regarding the form.

Because 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 the removal costs after the election, we are calling these provisions to your attention to avoid possible embarrassment to you and your supporters.

Mail Statements of Responsibility to the appropriate district office: (see map for location of offices)

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



**NORTHERN CALIFORNIA**  
**DISTRICTS 1, 2 & 3**  
Department of Transportation  
Division of Traffic Operations  
Northern California  
Outdoor Advertising Branch  
P.O. Box 942874, MS-36  
Sacramento, CA 94274-0001  
(916) 654-6413  
(916) 651-9359 FAX

**BAY AREA**  
**DISTRICT 4**  
Department of Transportation  
Division of Traffic Operations  
Bay Area  
Outdoor Advertising Branch  
P.O. Box 942874, MS-36  
Sacramento, CA 94274-0001  
(916) 651-9378  
(916) 651-9359 FAX

**CENTRAL CALIFORNIA**  
**DISTRICTS 5, 6, 9 & 10**  
Department of Transportation  
Division of Traffic Operations  
Central California  
Outdoor Advertising Branch  
P.O. Box 2048  
Stockton, CA 95201  
(209) 948-7869  
(209) 948-7641 FAX

**SOUTHERN CALIFORNIA**  
**DISTRICT 8**  
Department of Transportation  
Division of Traffic Operations  
Southern California  
Outdoor Advertising Branch  
464 W. 4th Street, MS-M  
San Bernardino, CA 92401  
(909) 383-6205  
(909) 383-6877 FAX

**LOS ANGELES**  
**DISTRICTS 7 & 12**  
Department of Transportation  
Division of Traffic Operations  
Los Angeles Office  
Outdoor Advertising Branch  
464 W. 4th Street, MS-M  
San Bernardino, CA 92401  
(909) 383-6205  
(909) 383-6877 FAX

**SAN DIEGO**  
**DISTRICT 11**  
Department of Transportation  
Division of Traffic Operations  
San Diego  
Outdoor Advertising Branch  
2878 Camino Del Rio South, Ste. 500  
San Diego, CA 92108-3848  
(619) 688-3282  
(619) 688-2527 FAX

**DEPARTMENT OF TRANSPORTATION**

RIGHT OF WAY PROGRAM  
OUTDOOR ADVERTISING BRANCH  
1120 N. STREET, MS-37  
P.O. BOX 942874  
SACRAMENTO, CA 94274-0001  
FAX 916-654-4956  
PHONE 916-654-4790

**STATEMENT OF RESPONSIBILITY FOR TEMPORARY  
POLITICAL SIGNS**

Election Date: \_\_\_\_\_ March \_\_\_\_\_ June \_\_\_\_\_ November \_\_\_\_\_ Other

County, in which Election is Being Held: \_\_\_\_\_ San Luis Obispo County \_\_\_\_\_

Candidate's Name: \_\_\_\_\_

Office Sought or Proposition Number: \_\_\_\_\_

Number of Signs to be Placed: \_\_\_\_\_

Responsible party's name: \_\_\_\_\_

Address: \_\_\_\_\_

Phone number: ( ) \_\_\_\_\_

The undersigned accepts responsibility for removal of signs placed in respect to the above candidate (or proposition) as stated below and in accordance with Section 5405.3 of the Business and Professions Code.

It is understood and agreed that any signs placed pursuant to Section 5405.3 of the Business and Professions Code and not removed with ten (10) days after the election may be removed by the Department and the undersigned hereby agrees to pay the costs of removal upon the submission of invoice by the Department.

\_\_\_\_\_  
Date Signature of Responsible Party

Mail Statement of Responsibility to: Department of Transportation  
Division of Right of Way  
1976 East Charter Way  
P.O. Box 2048  
Stockton, CA 95201



## DEPARTMENT OF PLANNING AND BUILDING COUNTY OF SAN LUIS OBISPO

To: Candidates for Office

The San Luis Obispo County Code has regulations regarding the placement and size of campaign signs that are placed in the unincorporated areas of the county. We are providing this letter in the candidate's package with the hopes that you and your staff will advise supporters of the regulations when they provide them with campaign signs.

San Luis Obispo County Code Section 22.20.040 (12) exempts political signs from requiring a permit, but only if the following regulations are adhered to:

1. In Residential land use categories within urban or village area (such as Templeton, Cambria, San Miguel, Los Osos, Huasna, etc...), political signs are not to exceed four square feet total for each site.
2. In other land use categories (such as commercial or industrial), within urban or village areas, political signs are not to exceed 16 square feet total for each site.
3. In Rural areas (outside of village reserve lines), political signs are not to exceed 32 square feet total for each site.
4. Signs are not to be posted any earlier than 60 days before the election, and must be removed within 14 days after the election.
5. Signs are not to be posted on or adjacent to any utility poles, parking meters, traffic sign posts, traffic signals or other traffic markers, or within the road right-of-way or other public property. These signs may be removed by county staff.

Best wishes in your campaign and if you have any questions, please feel free to call the planning department at 805-781-5600.

### CITY REQUIREMENTS

Each incorporated city may have additional requirements for signs placed within the city limits. For more information, contact the city's Community Development Department or the City Clerk's Office.

## WHO YOU GONNA CALL?

The San Luis Obispo County Elections Department is NOT an enforcement agency and is therefore unable to investigate any violations. When our office receives reports of violations, we simply refer them to the agencies listed below:

False or misleading campaign materials.	No agency enforcement. These issues are dealt with in court. Seek legal advice.
Violations of the Political Reform Act (Title 9 of the California Government Code at Sections 81000 through 91015), i.e. mass mailing requirements; slate mailers; campaign disclosure; proper use of campaign fund; disclosure of economic interests.	Contact the Fair Political Practices Commission at <a href="http://www.fppc.ca.gov">www.fppc.ca.gov</a> 866-275-3772
Unlawful use of public funds, violations of the Elections Code, the Penal Code, or any laws other than the Political Reform Act.	Contact your local district attorney, 781-5800, or the California State Attorney General at <a href="http://www.caag.state.ca.us">www.caag.state.ca.us</a> 800-952-5225
Federal campaigns, Congress, U.S. Senate, President of the United States, etc..	Contact the Federal Election Commission at <a href="http://www.fec.gov">www.fec.gov</a> 800-424-9530
Open meeting laws. (Brown Act)	Contact your local district attorney, 781-5800, or the California State Attorney General at <a href="http://www.caag.state.ca.us">www.caag.state.ca.us</a> 800-952-5225
Local ordinances.	Contact your local city attorney or district attorney, 781-5800
Vandalism concerning campaign signs.	Contact the sheriff's department 781-4550, or city police where vandalism occurred
Requirements concerning campaign signs.	Contact local city clerk or city's Community Development Department, OR the County Department of Planning and Building, 781-5600, OR State Department of Transportation at 916-654-4790, depending on the location of the sign- see previous pages

### FEDERAL & STATE ENFORCEMENT OFFICES

Fair Political Practices Commission  
P.O. Box 807 (95812-0807)  
428 J Street, Suite 450  
Sacramento, CA 95814  
866-275-3772 // FAX: 916-322-3711

Reporting Enforcement Violations  
800-561-1861

Secretary of State  
Political Reform Division  
1500 11<sup>th</sup> Street, Room 495  
Sacramento, CA 95814  
916-653-6224 // FAX: 916-653-5045

Elections Division  
916-657-2166

Federal Election Commission  
999 E Street, NW  
Washington, DC 20463  
800-424-9530  
For the hearing impaired, TTY 202-219-3336

Attorney General  
P.O. Box 944255  
Sacramento, CA 94244-2250  
916-445-9555 // 800-952-5225

### LOCAL ENFORCEMENT OFFICES

San Luis Obispo County District Attorney  
4<sup>th</sup> Floor, County Government Center  
San Luis Obispo, CA 93408  
805-781-5800

San Luis Obispo County Sheriff's Dept.  
1585 Kansas Ave.  
P.O. Box 32  
San Luis Obispo, CA 93406  
805-781-4540

## "In House" Computer CD Voter Information:

All CD orders except ones formatted for labels will include all information available from voter master file. See Multipurpose Voter File information on next page.

### Current Voters: Standard Selection Criteria

Precinct(s) \_\_\_\_\_

Consolidated Precinct(s) \_\_\_\_\_

District \_\_\_\_\_

City \_\_\_\_\_

Party All \_\_\_\_\_ or \_\_\_\_\_

Registration Dates: From \_\_\_\_\_ to \_\_\_\_\_

Permanent Absentee Voters \_\_\_\_\_

Absentee Voters: All \_\_\_ or Daily \_\_\_ or enter Date Range \_\_\_\_\_ To \_\_\_\_\_

Voter History: All elections on file: \_\_\_\_\_, or specific elections: \_\_\_\_\_

**Format:** Delimiters: Tab \_\_\_\_\_ Space \_\_\_\_\_ Semicolon \_\_\_\_\_ Comma \_\_\_\_\_

**Note:** All downloads will include the full voter information file, with or without voter History. You will have to sort the file for a finer sort such as zip code, sex, mailing address, etc...

### Labels:

Use above criteria for label parameters.

Household labels available in Voter Name Order only

Household orders combine same last name and same address

### Costs:

All orders:	\$25.00	Setup
	2.00	Per Diskette or CD
	.50¢	Per 1000 voter records
	.05¢	Per Printed Label

**Total Cost:** \_\_\_\_\_

**Candidate/Campaign Name:** \_\_\_\_\_

**Contact:** \_\_\_\_\_

**Phone:** \_\_\_\_\_

**Application Form on File:** \_\_\_\_\_

**Prepaid Account:** Yes \_\_\_\_\_ No \_\_\_\_\_ **Balance Available:** \_\_\_\_\_

## DIMS System Voter Information (in house processes)

Description	Process #	Contents	Fee
<b>Precinct Walking List:</b> Standard Selection Criteria:	<b>R708.01:</b> Printed in Precinct-Street Name & Number	Name, Residence Address Precinct, Party, Phone #	.50¢ per 1000 names
<b>Alpha Voter List:</b> Standard Selection Criteria:	<b>R102.01:</b> Alpha list by last name	Affidavit #, Name, Address (Residence & Mailing) Precinct, Phone #	\$30.00 Setup plus .50¢ per 1000 names
<b>Labels:</b> Standard Selection Criteria:	<b>R707.23:</b> 3 up Self Adhesive Labels Last name Alpha order	Name, Mailing Address Precinct	\$30.00 Setup plus .05¢ per label
<b>Household Labels:</b> Standard Selection Criteria:	<b>R707.23:</b> Same as above but one label per "Household"	Name, Mailing Address	\$30.00 Setup plus .05¢ per label
<b>Absentee Voter Labels:</b> Standard Selection Criteria:	<b>R707.23:</b> Same as above. Selects Absentee's Issued by party or Date/Range (Available only during election period)	Name, Mailing Address, Precinct	\$30.00 Setup plus .05¢ per label
<b>Voter Master File with or without Voter History on CD:</b> Standard Selection Criteria:*	<b>Voter Export File:</b> Voter Master File & Those who Voted in Previous Elections or a Specified Election	May be ordered back to General Election 2000. Nothing before that date. All voter information included for all voters.	\$30.00 Setup plus 2.00 per CD plus .50¢ per 1000 names
<b>Precinct Maps</b> GIS maps are available for Supervisorial districts, cities and most districts			Contact the department for number of maps for area and costs

\*See next page for all information included on Voter Master File.

**VOTER MULTIPURPOSE FILE LAYOUT Version7.6.xx**

ITEM SEQ	FIELD NAME/DESCRIPTION	Max SIZE	START	END
1	VOTER ID	9	0	9
2	STATUS	1	10	10
3	ABBR (REASON)	12	11	22
4	AFFIDAVIT	12	23	34
5	LAST VOTED	1	35	35
6	PREFIX	5	36	40
7	VOTERS NAME; LAST	32	41	72
8	FIRST	16	73	88
9	MIDDLE	16	89	104
10	SUFFIX	5	105	109
11	HOUSE NUMBER	10	110	119
12	HOUSE FRACTION	3	120	122
13	PRE DIR	5	123	127
14	STREET	24	128	151
15	TYPE	5	152	156
16	POST DIR	5	157	161
17	BUILDING NUMBER	4	162	165
18	APT NUMBER	12	166	177
19	CITY	25	178	202
20	STATE	2	203	204
21	ZIP	10	205	214
22	PRECINCT	9	215	223
23	PORTION	3	224	226
24	CONSOLIDATION	9	227	235
25	ALPHA SPLIT	32	236	267
26	PARTY	5	268	272
27	REG DATE (mm/dd/yyyy)	10	273	282
28	IMAGE ID	9	283	291
29	PHONE 1	16	292	307
30	PHONE 2	16	308	323
31	MILITARY (Y, N, BLANK)	1	324	324
32	GENDER (F, M)	1	325	325
33	PERMANENT AV (Y/N)	1	326	326
34	SOURCE (NVRA)	5	327	331
35	BIRTH PLACE	5	332	336
36	BIRTH DATE (mm/dd/yyyy)	10	337	346
37	CARE OF	40	347	386
38	MAIL STREET	40	387	426
39	MAIL CITY	40	427	466
40	MAIL STATE	2	467	468
41	MAIL ZIP	10	469	478
42	MAIL COUNTRY	16	479	494
43	LTD (LAST TRANSACTION DATE)	10	495	504
44	LANGUAGE (when allowed)	5	505	509
45	DRIVERS LICENSE (when allowed)	16	510	525
46	EMAIL	64	526	589
47	ORIGINAL REGISTRATION DATE	10	590	599
48	PAV CATEGORY	5	600	604
49	CONFIDENTIAL	1	605	605
50	ID REQUIRED	1	606	606
51	CITIZEN	1	607	607
52	UNDERAGE	1	608	608
53	PRECINCT NAME	24	609	632
54	HOUSE DISTRICT	32	633	664
55	SCHOOL DISTRICT	32	666	696
56	VOTER HISTORY	160	697	856
57	CR/LF	2	857	858