



SPECIAL RECALL ELECTION

GOLDEN VALLEY UNIFIED SCHOOL DISTRICT TRUSTEE AREAS 1, 2, & 4

CANDIDATE HANDBOOK AND ELECTION CALENDAR

September 1, 2015

**Madera County Clerk-Recorder
Elections Division
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The following Candidate Handbook and Election Calendar is intended to provide general information and does not have the force or effect of law, regulation or rule. It is distributed with the understanding that the County Clerk/Registrar of Voters is not rendering legal advice or that this calendar is not a substitute for legal counsel. In the case of conflict, the law, rule or regulation will apply.

**Rebecca Martinez,
County Clerk-Recorder and Registrar of Voters**

ELECTION CALENDAR

e-123	May 1, 2015	Order of Election from Governing Board (EC 11240)
e-120 e-90	May 4, 2015 to June 3, 2015	Publish Legal Notice of Election (EC12112) (Ed.C5361, 5363)
e-113 e-88	May 11, 2015 to June 5, 2015	Declaration of Candidacy/Nomination Period (EC 11381, and 8020, 8023, 8024, 8028, 8040, 8064, 8100, 8200 et seq).
e-99	May 25, 2015*	Legal Holiday - Memorial Day - Office Closed
e-88	June 5, 2015	Last day to file Statement by Incumbent to be Recalled (EC 11327)
e-87 e-78	June 6, 2015* to June 15, 2015	10-day Public Examination of Materials filed by 88 th day (EC 9190, 9295, 9380, 9509, 13313)
e-85	June 8, 2015	Random Alpha Drawing by SOS at 11am (EC 13112)
e-60	July 3, 2015*	Legal Holiday - Independence Day - Office Closed
e-60	July 3, 2015*	Issue 60-day Ballots to Military/Overseas (EC 300(b), 3103)
e-57 e-14	July 6, 2015 to August 18, 2015	Write-in Candidacy Period (EC 11322, 8600, 8601)
e-40 e-10	July 23, 2015 to August 22, 2015*	Mailing of Sample Ballots (EC 11324, 11324, 11327, 13300, 13303, 13304)
e-32	July 31, 2015	Semi-Annual Campaign Disclosure Statement Due (GC 84200.5, 84200.7)
e-29 e-7	August 3, 2015 to August 25, 2015	Period for Issuance of Vote by Mail Ballots (EC 3001)
e-27	August 5, 2015	Candidate Meeting @ 5:30 pm., @ the County Clerk's Office (Conference Room)
e-15	August 17, 2015	Close of Registration (EC 2107)
e-14	August 18, 2015	Vote by Mail Ballot Processing (EC 15101b) (10 th business day before election day)
e-14	August 18, 2015	Bilingual Precinct Board Members (EC 12303(d))
e-14 e-0	August 18, 2015 to September 1, 2015	New Citizens Registration Period (by close of polls) (EC 331, 3500, 3501)
e-12	August 20, 2015	Pre-Election Campaign Disclosure Statement Due (GC 84200.5, 84200.7)
e-11	August 21, 2015	Publish Legal Notice of Central Counting Place (EC 12109)
e-7	August 25, 2015	Publish Legal Notice of Polling Places & Post Poll Workers (EC 12105-12108)(GC 6061)
e-6 e-1	August 26, 2015 to August 31, 2015	Vote by Mail Ballot Issuance - Late Conditions Only (EC 3021)
e-0	September 1, 2015	Election Day (EC 11242, 14212, 14214)

e+1	September 2, 2015	Begin Official Canvass & Post Election Reconciliation (EC 362, 15301, 15360)
e+30	October 1, 2015	Last Day to Complete Official Canvass and Certify Results Governing Body declares results under its jurisdiction (EC 15372, 15400, 15401)
	Issue immediately upon Certification of Results.	Certificates of Election or Nomination Issued (EC8145, 8146, 8147)
	File Request within 5 days of Certification of Results.	Requests for Recount (EC 15620-15634)
	File Affidavit within 5 days of Certification of Results with Superior Court.	Election Contest (EC 16100, 16401)
	February 1, 2016	Last Day to File Semi-Annual Campaign Disclosure Statement (GC 84200.3, 84200.4)

* - indicates date that falls on weekend or holiday. Deadline moves to next business day.

INCUMBENTS TO BE RECALLED

OFFICE HELD	INCUMBENT
Governing Board Member, Trustee Area 1 Governing Board Member, Trustee Area 2 Governing Board Member, Trustee Area 4	Carla Neal Kathleen Crumpton John Moseley

FACTS ABOUT RECALL ELECTIONS:

The Incumbent may not be a candidate to succeed himself/herself or any other member of the same governing board that is also the subject of recall.

(Elections Code §11381(c))

At the Election, the question on the ballot shall be:

“Shall (name of incumbent sought to be recalled) be recalled (removed) from the office of (title of office)?”

Voter shall mark either “Yes” or “No”.

(Elections Code § 11320, 11323)

Voters need not vote on the Recall question in order to vote for a candidate running to succeed the Incumbent. Previous law (Elections Code § 11382) requiring such a vote, was repealed in 2004.

Below the recall question will appear the names of the candidates who have filed to seek election to the office in the event the recall is successful. Write-in space must also be provided.

(Elections Code §11322)

Candidates will be listed in randomized alphabet order based upon a drawing of letters by the Secretary of State.

(Elections Code §13113)

If the majority of voters voting on the Recall question vote “Yes”, the Incumbent shall be removed from office upon Certification of Election results and swearing-in of his/her successor.

(Elections Code §11384)

If the Incumbent is recalled, the candidate receiving the highest number of votes shall be elected to the Incumbent’s unexpired term. If the candidate with the highest number of votes fails to qualify within 10 days after receiving his/her Certificate of Election, the office to which he/she was elected shall be vacant, and shall be filled according to law.

(Elections Code §11386)

QUALIFICATIONS FOR OFFICE

NONPARTISAN OFFICE

GOVERNING BOARD MEMBER

Term: Completion of the Unexpired Term of Incumbent Recalled

Term Begins: Upon Certification of Election Results and Swearing in of Successor (Elections Code §11384)

Qualifications: A candidate for Governing Board Member shall:

- be 18 years of age or older; and
- be a citizen of the State of California; and
- be a registered voter; and
- be a resident of the school district and/or trustee area, if applicable, and
- not be a candidate to succeed himself or any other member of the same governing board that is also the subject of recall; and
- not be disqualified by the Constitution or laws of the state from holding a civil office.

(Education Code §1006, 35107, 72103)

(Elections Code §11381(c))

DECLARATION OF CANDIDACY: Each candidate is required to file a Declaration of Candidacy between **May 11, 2015 and June 5, 2015**. The Declaration of Candidacy shall be obtained from the office of the county elections official. The Declaration of Candidacy must be executed in the office of the elections official unless the candidate, in a written statement signed and dated by the candidate, designates a third party to obtain the Declaration from the county elections official and deliver it to the candidate. Such written statement shall state that the candidate is aware the Declaration must be properly executed and delivered to the county elections official from whom it was obtained not later than the close of business on **June 5, 2015**.

STATEMENT OF QUALIFICATIONS - OPTIONAL: Any candidate for local nonpartisan office may submit a Statement of Qualifications to be printed in the Voter Information portion of the Sample Ballot. Statements must be filed at the same time nomination papers are filed and may be withdrawn, but not changed, until 5 p.m. on the next regular business day after nominations close. Statements are confidential until nominations for that office close and then become available for public inspection.

Statements shall be limited to a recitation of the candidate's own personal background and qualifications, and shall not in any way make reference to other candidates for that office or to another candidate's qualifications, character, or activities.

(Elections Code §13307, 13308, 13311)

STATEMENT BY INCUMBENT TO BE RECALLED - OPTIONAL: The Incumbent whose recall is being sought may also submit a statement to be printed in the Voter Information portion of the Sample Ballot. Statements must be filed by 5pm on the last day of Candidate filings, June 5, 2015. Statements may be withdrawn, but not changed, until 5 p.m. on the next regular business day after nominations close. Statements are confidential until nominations close for that office and then become available for public inspection.

(Elections Code §11327)

MISREPRESENTATION IN STATEMENT: Any candidate in an election (including an incumbent in a recall) who knowingly makes a false statement of a material fact in a candidate's statement prepared pursuant to Elections Code Section 11327 or 13307, with the intent to mislead the voters, is punishable by a fine not to exceed one thousand dollars (\$1,000.00).

(Elections Code §18351)

STATEMENT OF ECONOMIC INTERESTS (Form 700): Government Code §87300 requires every agency to adopt a Conflict of Interest Code. A Conflict of Interest Code is a document that designates the positions within an agency which make or participate in making governmental decisions that may have a foreseeable material effect on any financial interest.

Each candidate must file a Statement of Economic Interests Form 700 not later than the final filing date for the Declaration of Candidacy or other Nomination Documents. Elected and appointed officials must file a Statement of Economic Interests within (30) days after assuming office; annually by April 1 of each year; and within (30) days of leaving office. Under certain conditions, the Statement of Economic Interests need not be filed if such a statement was filed within (60) days prior to the filing of a Declaration of Candidacy or the date of assuming office.

(Government Code §87200, 87300 et seq.)

VOLUNTARY CODE OF FAIR CAMPAIGN PRACTICES - OPTIONAL: At the time an individual files his or her Declaration of Candidacy, Nomination Petition, or any other paper evidencing an intention to be a candidate for public office, the county elections official shall give the individual a copy of the Code of Fair Campaign Practices and a copy of the provisions of Chapter 5, Division 20 of the Elections Code.

(Elections Code §20440)

CAMPAIGN COMMITTEE FILING OBLIGATIONS:

See Campaign Disclosure Requirements on pages 13-16 of this guide or the appropriate FPPC Manual.

GOVERNING BOARD MEMBER

Summary Information

✉ STATEMENT OF QUALIFICATIONS & STATEMENT BY INCUMBENT TO BE RECALLED

- 05/11/15 to 06/05/15 \$435.00

🕒 FILING PERIODS

- 05/11/15 to 06/05/15 **Candidate:** Period to file Declarations of Candidacy and Candidate's Statement of Qualifications
- 05/11/15 to 06/05/15 **Incumbent:** Period to file Statement of Incumbent to be Recalled
- 07/06/15 to 08/18/15 **Write In:** Period to file Declaration of Write in Candidacy

■ ALL CANDIDATES MUST FILE:

1. Declaration of Candidacy
2. Ballot Designation Worksheet
3. Statement of Economic Interests (Form 700)
4. Campaign Disclosure Forms (501, 410, 460 or 470)

*For dates that fall on a Saturday, Sunday or holiday, use the next regular business day for transactions.

NOTE: This summary of qualifications and requirements 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. The candidate should obtain the most up-to-date information available because of possible changes in law or procedure since the publication of this information.

STATEMENT OF QUALIFICATIONS AND STATEMENT OF INCUMBENT TO BE RECALLED GUIDELINES (Elections Code §13307, 13308)

- Statements of Qualifications are optional and, unless otherwise determined by the governing body, are printed at the expense of the candidate. Candidates are required to prepay the estimated cost. Estimated costs for the statements are based on the printer's price list and the number of registered voters in the jurisdiction.
- As required by law, all statements printed in Madera County shall be printed in both English and Spanish.
- Statements shall be submitted on, or attached to, the form provided (see sample on page 10).
- Statements are preferred to be typewritten and single spaced in block paragraph style.
- Be accurate. **Documents will be printed as submitted. SPELLING, PUNCTUATION, AND GRAMMATICAL ERRORS WILL NOT BE CORRECTED BY THE ELECTIONS DIVISION.**
- **DO NOT USE ALL CAPS.** Statements will be rejected if they are typed in all capital letters or if a hand printed statement is difficult to read.
- Words in ALL CAPITALS, *italics*, underlines, **boldface** type, *****stars*****, etc are prohibited.
- Bullets are allowed, however, are reformatted to fit size restrictions, if necessary.
- Statement shall be limited to a recitation of the candidate's own personal background and qualifications, and shall not in any way make reference 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 by law.
- Statement shall be written in the first person (e.g., "I am running..." not "She is running..." or "Jane Doe is running..." and shall be limited to a recitation of the candidate's personal background and qualifications. Each statement contains a Declaration under penalty of perjury, declaring that the information contained is true and correct.
- Statement shall not include the party affiliation of the candidate, nor membership or activity in partisan political organizations.
- No statement shall contain any demonstrably false, slanderous or libelous statements.
- The "Occupation" field in the candidate's statement is not governed by the laws and regulations pertaining to ballot designations. Occupation may be different than your ballot designation.
- Statements will be printed in random alphabet order to match the order of the candidates on the ballot. Statements do not rotate.
- Candidate will receive courtesy copy of final typewritten statement. No changes or corrections will be permitted.

STATEMENT OF QUALIFICATIONS AND STATEMENT OF INCUMBENT TO BE RECALLED FILING INFORMATION

- Statements shall be filed with the county elections official when the declaration of candidacy is filed.
- An Incumbent for Recall may submit a Statement. Statements must be filed by 5pm on June 5, 2015.
- Candidate and Incumbent statements shall remain confidential until the expiration of the filing deadline.
- Statements may be withdrawn, but not changed until 5 p.m. on the next regular business day following the close of nominations for such office.
- Statements are subject to examination and challenge by any voter of the jurisdiction (Elections Code §13313) for a period of 10 calendar days following the close of filing for each such office.

WORD COUNT

- The body of the statement shall not exceed 200 words.
- Words counted pursuant to California Elections Code §9.
- Punctuation is not counted.
- All geographical names shall be counted as one word, which includes all areas that have political boundaries with an elected or appointed board are considered geographic areas by this office. (Example: City and County of Madera = 1 word).
- Each abbreviation for a word, phrase, or expression, shall be counted as one word.
- Hyphenated words that appear in any generally available dictionary shall be considered one word.
- 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.
- Any number consisting of a digit or digits shall be considered as one word. Any number that 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.
- Telephone numbers shall be counted as one word.
- Internet web site addresses shall be counted as one word.

SAMPLE - STATEMENT OF QUALIFICATIONS

The estimated cost of printing a 200 word Statement of Qualifications is \$ 500.00.

I hereby request that the following statement be printed in the Voter Information Pamphlet portion of the Sample Ballot. I understand the costs of said statement is an estimate and agree to pay for any additional costs associated with its printing and distribution. I further understand that this statement shall be printed as submitted. I declare under penalty of perjury that the information contained herein is true and correct.

DATE: May 1, 2008 SIGNATURE: John A. Candidate

NAME: JOHN A. CANDIDATE AGE: 45

OCCUPATION: Businessman
(OCCUPATION NOT SUBJECT TO BALLOT DESIGNATION 3 WORD LIMITATION - IF LEFT BLANK NOTHING WILL BE PRINTED)

(Statement/Word Count begins here)

I am running for the governing board of the Washington Unified District because I feel I can bring a balance to the board. I attended local schools, graduating from Washington High School in 1984. I am married and currently have two children attending school in the district.

I own and operate my own business, so I am well aware of the need to operate within a budget. With proper distribution of resources and educational materials I am convinced we can offer quality education to all students within the district.

I have been active in the P.T.A., served on the Save Our Youth committee, and am an active member of the All-Faith Church. I have served as Boy Scout Leader for the past 3 years. I also serve as a volunteer at the Community Recycling Center as time allows.

I am looking forward to serving you on the Washington Unified School District Governing Board.

Thank you for your vote.

WORD COUNT: 154 VERIFIED BY DEPUTY: A. Smith

STATEMENT OF WITHDRAWAL

In the event there is no opposition for this contest, please do not print this statement.

Date Candidate Signature

I hereby withdraw my Statement of Qualifications pursuant to Elections Code Section 13307(a)(3). Statements may be withdrawn until 5:00 pm on the next working day following the close of the Nomination Period (or extended nominations, if applicable).

Date Candidate Signature

STATEMENT OF QUALIFICATIONS AND STATEMENT BY INCUMBENT TO BE RECALLED Cost Estimates

The following fees have been estimated for the cost of printing a Candidate's Statement of Qualifications or Statement of Incumbent to be Recalled, in the Voter Information Pamphlet portion of the Madera County Sample Ballot:

JURISDICTION	AREA	ESTIMATE
Golden Valley Unified	Area 1	\$435.00
	Area 2	\$435.00
	Area 4	\$435.00

PAYMENT:

Candidate(s): The fee shall be paid at the time the candidate files his/her Nomination Papers and/or Declaration of Candidacy.

Incumbent(s): The fee shall be paid at the time the statement is submitted.

WITHDRAWAL OF STATEMENT:

If you wish to Withdraw your statement, you must do so by 5:00 p.m. on June 8, 2015. The fee will be refunded in full. Please allow up to 4 weeks to receive your refund.

PROVISIONS OF THE CODE OF FAIR CAMPAIGN PRACTICES

Chapter 5 of Division 20 California Elections Code

Chapter 5. Fair Campaign Practices

Article 1. General Intent

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

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

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

Article 2. Definitions

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

Article 3. Code of Fair Campaign Practices

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

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

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

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

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

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

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 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 required campaign disclosure statements in a correct and timely manner. **Government Code Section 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.**

There is no local ordinance limiting the amount of contributions a candidate/committee may receive. Madera County candidates are urged to follow limitations and guidelines established by the Fair Political Practices Commission in Campaign Disclosure Manual 2, Chapter 2.

CAMPAIGN DISCLOSURE FORM DESCRIPTIONS

FORM 501 - CANDIDATE INTENTION STATEMENT

WHO FILES

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

File a separate Form 501 for each election, including re-election to the same office. State candidates please read Form 501 guidelines regarding voluntary expenditure limits.

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.

WHEN TO FILE

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

WHERE TO FILE

State Candidates send original to: Secretary of State Political Reform Division
1500 11th Street, Room 495, Sacramento CA 95814

Local Candidates send original to: County Clerk-Recorder
200 W. 4th Street, Madera CA 93637

WHO FILES

RECIPIENT COMMITTEE - A recipient committee is any individual (including an officeholder or 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 Section 84300(a), no contribution of one hundred dollars (\$100) or more shall be made or received in cash. Pursuant to Government Code Section 84300(b), no expenditure of one hundred dollars (\$100) or more shall be made in cash.

WHEN TO FILE

The Form 410 must be filed 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 County Clerk-Recorder. The 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 of \$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, guarantee overnight delivery, personal delivery, or online (if online filing is available).

WHERE TO FILE

All Committees: Secretary of State Political Reform Division
Send original & 1 copy to: 1500 11th Street, Room 495, Sacramento CA 95814

County & City Committees: County Clerk-Recorder
Send copy to: 200 W. 4th Street, Madera CA 93637

You will receive written notification from the Secretary of State's Office assigning an identification number to your committee.

FORM 460 - RECIPIENT COMMITTEE CAMPAIGN STATEMENT**WHO FILES**

This form is for use by ALL candidates who have filed a Form 410.

WHEN TO FILE

You will need to complete and file a Form 460 at all of the following reporting periods during your candidacy:

- Pre-election Statement
- Semi-annual Statement

The Form 460 must continue to be filed until such time as you disburse all funds and file a Form 410 Termination Statement.

WHERE TO FILE

State Candidates send original to: Secretary of State Political Reform Division
1500 11th Street, Room 495, Sacramento CA 95814

Local Candidates send original to: County Clerk-Recorder
200 W. 4th Street, Madera CA 93637

FORM 470 - OFFICEHOLDER AND CANDIDATE CAMPAIGN STATEMENT SHORT FORM**WHO FILES**

The Form 470 is for use by officeholders and candidates who do not have a controlled committee and do not anticipate receiving contributions or making expenditures totaling \$1,000 in a calendar year.

Filing fees and the fee for a statement of qualifications are not counted towards the \$1,000 threshold.

WHEN TO FILE

If a Form 470 is filed with the Declaration of Candidacy, on or before the filing deadline for the first campaign statement required for the current calendar year, no additional campaign statements will be required. However, if during your campaign, your status changes and you do exceed the \$1,000 threshold, you will need to file a Form 470 Supplement, a Form 410 Statement of Organization and subsequent Form 460 disclosure statements.

The Form 470 Supplement must be completed and sent within 48 hours of receiving contributions or making expenditures totaling \$1,000 or more. The notice must be sent by telegram, guaranteed overnight service or fax. Regular mail may not be used. File the Form 470 Supplement with the County Clerk-Recorder and each candidate seeking the same office.

WHERE TO FILE

State Candidates send original to: Secretary of State Political Reform Division
1500 11th Street, Room 495, Sacramento CA 95814

Local Candidates send original to: County Clerk-Recorder
200 W. 4th Street, Madera CA 93637

CAMPAIGN DISCLOSURE REQUIREMENTS OFTEN OVERLOOKED

BE INFORMED: The Franchise Tax Board is authorized under Section 90001 of the 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:

- Unopposed candidates are subject to provisions of the Political Reform Act (GC82007)
- Prior to soliciting or receiving any contribution (including a loan), all elected officeholders and all candidates must file a Form 501.
- Contributions include **PERSONAL FUNDS** and are subject to the same disclosure requirements.
- Statement of Organization (Form 410) must be filed within 10 days by any person who receives contributions totaling \$1,000 or more during a calendar year.
- Officeholders and candidates who receive contributions or make expenditures must establish a campaign checking account in California and report it on a Form 410.
- Loans to a candidate are considered contributions unless the loan is from a financial institution.
- 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 (GC85200). Otherwise, campaign disclosure laws requires that expenditures of \$100 or more be made by written instrument containing the names of both the payee and payer. (GC84300)
- Never accept or spend \$100 or more in cash.
- For contributions of \$100 or more, including loans, and in-kind contributions, you must disclose the contributor's name, address, occupation and employer. Contributions of \$100 or more may not be made in the form of a money order or cashier's check. Contributions may continue to be made with a credit card. (GC84300)
- Maintain details on contributions and expenditures of \$25 or more, 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 records of occupation and employer information.
- **NO PERSONAL USE OF CAMPAIGN FUNDS.** Use campaign funds only for political, legislative or governmental purposes.
- The source of 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 the 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 also be filed as the Semi-annual Statement even if there is no activity.
- Payee addresses must be disclosed on the campaign statements for expenditures made.
- If the committee changes its treasurer, an amendment to the Form 410 must be filed.
- If \$1,000 or more (\$500 or more for local county candidates) 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.

CAMPAIGN DISCLOSURE FILING SCHEDULE

FILING DEADLINE	STATEMENT TYPE	PERIOD COVERED	DELIVERY METHOD
July 31, 2015	Semi-Annual	1/1/15 to 6/30/15	*Personal *1st Class Mail
August 20, 2015	Pre-Election	7/1/15 to 8/15/15	*Personal *1st Class Mail
Within 24 hours	Late Contributions and Independent Expenditures of \$1,000 or More	*see Form 497 for details	*Personal *Overnight Service *Fax
February 1, 2016	Semi-Annual	from date of last statement to 12/31/15	*Personal *1st Class Mail

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.

This schedule does not apply to candidates that will not raise or spend more than \$1,000. Candidates spending less than \$1,000 must file a Form 470 by June 5, 2015.

Candidates with organized committees are required to file a Form 460 at each of the above filing periods. **You will not be sent any further notification of the filing periods or due dates. In order to avoid penalties and fines, you must file each statement by the deadlines shown.**

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.

CAMPAIGN LITERATURE

MASS MAILING

Definition of a Mass Mailing: Mass mailing means over two hundred (200) 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. (Government Code §82041.5)

NOTE: If you are planning any type of mass mailing, please contact the post office in advance for specific postal regulations.

MASS MAILING REQUIREMENTS

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).

(Government Code §84305)

MASS MAILING PROHIBITIONS

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

(Government Code §89001)

POLITICAL ADVERTISING REQUIREMENTS - NEWSPAPERS

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

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

(Elections Code §20008)

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 this 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 any 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 the preparation thereof)."

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

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

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 positions for purposes of trial and appeal, so as to assure the speedy disposition thereof.

(Elections Code §20009)

TRUTH IN ENDORSEMENTS LAW

a) Provides information regarding restrictions on endorsements, representation requirements, etc. A copy is available in the California Elections Code which can be viewed at www.leginfo.ca.gov/calaw.

(Elections Code §20000-20010)

REGISTRATION AND ELECTION DATA

Voter registration information is available for governmental, political, journalistic or educational purposes only. An application to purchase voter registration information is required. Requests must be submitted in writing, and applications are available in the Elections Division or on our website at www.votemadera.com.

MATERIALS AVAILABLE

Alphabetical Lists List of registered voters in Alphabetical order	\$.50¢ per 1,000 records
Street Lists List of registered voters by residence address	\$.50¢ per 1,000 records
Mailing Labels	\$40.00 + \$10 per 1,000 records
Statement of the Vote (hard copy)	\$20.00
Voted Voter History (hard copy)	\$20.00 + \$.50¢ per page
CD - Voter file with History	\$40.00 + \$1.00 per 1,000 records
CD - Voter file no History	\$40.00 + \$.30¢ per 1,000 records
CD - Vote by Mail voters	\$10.00
CD - Precinct District File (PDF)	\$10.00
CD - Statement of the Vote	\$15.00
Map - Countywide/City/Supervisorial	\$ 5.00
Map - Individual Precincts	\$.50¢ per precinct
Polling Place List	\$ 5.00
Candidate List	\$ 5.00
Copies of Campaign Disclosure Statements	\$.10¢ per page
Copies of Statements of Economic Interests	\$.10¢ per page

CONFIDENTIAL VOTER FILE

Pursuant to Elections Code Section 2187(g), 2188, and 2194, voter registration information is available to persons or groups for election, scholarly, journalistic, 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 signed by the candidate.

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; 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 or 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 government 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 of or opposition of a ballot measure.
- ◆ Conducting any survey of opinions of voters other than those permitted by Section 19003.

California Elections Code Section 18109 states:

“(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.”



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 those that meet the following criteria:

- ◆ Encourages a particular vote in a scheduled election;
- ◆ Is placed not sooner than 90 days prior to the scheduled election and is removed within 10 days after the election;
- ◆ Is no larger than 32 square feet;
- ◆ Has had a “Statement of Responsibility” filed with the State Department of Transportation.

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 sign to advertise on public or private property (without consent); and that it shall be considered public nuisance.

Outdoor Political Advertising - Madera County Code

Section 18.90.040 of Chapter 18.90 of Title 18 of the Madera County Code states that “No sign shall be placed upon any public property, including sidewalks, crosswalks, roads, curbs, lamp posts, hydrants, trees, utility poles, buildings, fences, and rights-of-way of any type, except such legal notices which are authorized by law to be so located. No sign shall project over any public property right-of-way.” This ordinance, number 525C, was enacted in April, 1994.

ELECTIONEERING ON ELECTION DAY

100' Rule

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

- ◆ Circulate an initiative, referendum, recall or nomination petition or any other petition;
- ◆ Solicit a vote or speak to a voter on the subject of marking his/her ballot;
- ◆ 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;
- ◆ Do any electioneering. This includes wearing buttons, T-shirts, stickers, etc., that promote a candidate or issue on the ballot.
- ◆ Photograph, videotape, or otherwise record a voter entering or exiting a polling place.

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.





POLL WATCHING

Elections Code Sections 2300(a)(9), 14221, 14294

Poll watchers are allowed at the polling place as long as they obey the law and election procedures. Persons observing the polls may:

- ◆ Inspect the Roster of Voters. Any such inspection, however, must be done without impeding, interfering, or interrupting the normal processing of voters.
- ◆ Inspect the Street Index which is updated hourly by poll workers reflecting which voters have voted. This list may not be removed by anyone other than the poll workers.
- ◆ Observe all activities at the polling place, including activities before, during and after the polls close, providing they do not interfere with the normal closing procedures.



EXIT POLLING

Elections Code Section 18541

The Secretary of State and Attorney General have reviewed the Electioneering provisions and have determined that these provisions do not apply to the Press and Media conducting “Exit Polls”. However, no one may interfere with the conduct of the election. News media are instructed to remain at least 25' from the entrance to the polls. The media may take pictures or run a television camera inside the polling place provided they respect the voters' privacy and do not interfere with voting. They may not speak to voters regarding how they are voting within 25' of the entrance to the polls.

ELECTION NIGHT RESULTS

All ballots are tabulated in the office of the County Clerk-Recorder, located at: 200 West 4th Street, Madera.

Unofficial results are posted on our website as they become available. Please visit: www.votemadera.com.

Vote by Mail Ballot results are released after the polls close at 8:00 p.m.



Results are also available by phone. The numbers to call are:

559-675-7720

559-675-7721

559-675-7724

or toll free 1-800-435-0509

Results on election night are not provided in a precinct by precinct format.

All results on election night are **UNOFFICIAL**. The official results will not be certified until the completion of the official canvass.

OFFICIAL CANVASS

The Official Canvass will commence on Wednesday, September 2, 2015 and shall continue daily, excluding weekends and holidays, for no less than 6 hours per day, until completed. The County Clerk-Recorder staff has 30 days to complete the Official Canvass.

Upon completion of the Official Canvass, the County Clerk-Recorder shall produce a Certification of Results and Statement of the Vote.

(Elections Code §15300-15376)



RESOURCES:

Madera County Clerk - Elections Division
200 West 4th Street
Madera CA 93637
559-675-7720
55-675-7870 fax
www.madera-county.com

Fair Political Practices Commission
428 J Street, Room 450
or
PO Box 807
Sacramento CA 95814
866-275-3772
916-322-3711 fax
www.fppc.ca.gov

Secretary of State - Elections Division
1500 11th Street, 5th Floor
Sacramento CA 95814
916-657-2166
916-653-3214 fax
www.ss.ca.gov

Secretary of State - Political Reform Division
1500 11th Street, Room 495
Sacramento CA 95814
916-653-6224
www.politicalreform@sos.ca.gov

AGENCY CONTACTS FOR VIOLATIONS

The Madera County Clerk-Recorder & Registrar of Voters Office appreciates receiving notice of cases of alleged voter registration, petition or voter fraud; however, this office is NOT an enforcement agency and is therefore unable to investigate any violations.

In response to many of the inquiries our office receives regarding the possible election violations or fraud, the following is a list of resources regarding whom you should contact for the various types of violations:

- **False or misleading campaign materials**
No agency enforcement.
Issues resolved via court action.

- **Violations of the Political Reform Act
(Title 9 of California Government Code §81000-91015) Mass Mailing; Slate Mailers; Campaign Disclosure, Use of Campaign Funds; Statements of Economic Interest**
Contact local District Attorney at (559) 675-7726, or the Fair Political Practices Commission at 1-800-561-1861.

- **Election Fraud**
Contact local District Attorney at (559) 675-7726, or the Secretary of State at (916) 657-2166.

- **Unlawful use of public funds, violations of the Elections Code, Penal Code or any law other than the Political Reform Act**
Contact local District Attorney at (559) 675-7726, or the Attorney General at 1-800-952-5225.

- **Federal Campaign, e.g., US Senate, US Congress and President of the United States**
Contact the Federal Elections Commission at 1-800-424-9530.

- **Open Meeting Laws (Brown Act)**
Contact local District Attorney at (559) 675-7726, or the Attorney General at 1-800-952-5225.

- **Local Ordinances**
County - Contact Code Enforcement (559) 661-6333 or District Attorney at (559) 675-7726.
City - Contact City Attorney (559) 661-5400

- **Vandalism of Campaign Signs/Concerns regarding Signage**
Contact local District Attorney at (559) 675-7726 or Code Enforcement at (559) 661-6333.