

# NEVADA COUNTY ELECTIONS



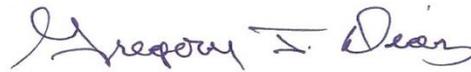
## JUNE 7, 2016 PRESIDENTIAL PRIMARY ELECTION CANDIDATE HANDBOOK

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# NOTICE

The 2016 Candidate Handbook for the Statewide Presidential Primary Election is intended to provide general information for candidates and committees and does not have the force and effect of law, regulation or rule. This handbook is distributed with the understanding that the Registrar of Voters of the County of Nevada is not rendering legal advice. Therefore, it is not to be a substitute for legal counsel for the individual, organization or candidate using it.

The Registrar of Voters strongly recommends that any prospective candidate obtains legal advice, to assist in complying with applicable California laws, including the California Elections Code and California Government Code. In the case of conflict, the law, rule or regulation will apply.



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**Gregory J. Diaz,  
Nevada County Clerk-Recorder and  
Registrar of Voters**

# TABLE OF CONTENTS

## WHAT TO EXPECT, WHAT'S NEW, AND WHEN?

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An Overview – What to Expect & What's New	2
Candidate Quick Reference Calendar	3
Candidate's Detailed Election Calendar	4

## I AM INTERESTED IN AN ELECTED OFFICE. WHAT ARE THE QUALIFICATIONS?

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Offices to Which Candidates are to be Elected	8
Qualifications for Offices to be Elected	9

## WHAT ARE THE STEPS FOR THE CANDIDATE FILING PROCESS?

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Nomination Procedures	15
Signatures In-Lieu	15
Declaration of Intention/Nomination Petition (Judicial Offices Only)	16
Nomination Petitions (All Other Candidates)	17
Declaration of Candidacy (All Offices)	18
Optional Candidate Filing Procedures	19
Ballot Designations for Candidates	19
Code of Fair Campaign Practices	19
Candidate's Statement of Qualifications	20
How to Count Candidate Statement Words	22

## WHAT ARE THE REQUIREMENTS FOR FPPC CAMPAIGN DISCLOSURE?

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Campaign Disclosure Information	23
Fair Political Practices Commission Filing Schedule	26

## WHAT ARE THE SERVICES AND RESOURCES IN THIS HANDBOOK?

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Candidate/Vendor Services	28
Resources	30
Poll Watchers Guidelines	32
Legislative Intent/Campaign Literature	33

## FREQUENTLY ASKED QUESTIONS

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Frequently Asked Questions	36
Political Signs	39

# The County Of Nevada



GREGORY J. DIAZ

## CLERK RECORDER-REGISTRAR OF VOTERS

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Dear Candidate,

Congratulations on your decision to seek office in the upcoming Statewide Presidential Primary Election. Your candidacy provides voters a choice and is crucial to the democratic process.

This candidate handbook has been prepared to summarize major provisions of the California Elections Code and other laws related to candidates and committees involved in the elections process. The candidate filing process can be confusing, and I hope that you find the handbook to be both informative and useful.

The County Clerk/Elections Department is dedicated to helping all qualified candidates successfully complete the filing process and ensure the election is fair, accurate, transparent and administered with the utmost integrity.

The best advice for all candidates is to FILE EARLY. The filing deadlines are rigid and if one waits until the last moment to file a document that may contain errors or omissions, his or her right to appear on the ballot may be lost. Most mistakes and/or oversights can be corrected if given adequate time.

Our office staff is committed to providing the best possible service to you, your campaign staff and the voters of Nevada County. If you have questions or comments regarding an item, that you would like to suggest for future candidate handbooks, please write a letter, send an email to [gregory.diaz@co.nevada.ca.us](mailto:gregory.diaz@co.nevada.ca.us), or call me at (530) 265-1297.

All the best to you in your campaign.

Sincerely,

A handwritten signature in blue ink that reads "Gregory J. Diaz".

Gregory J. Diaz  
Nevada County Clerk-Recorder and Registrar of Voters

# AN OVERVIEW OF WHAT TO EXPECT & WHAT'S NEW

## Elections Office Visits – Allow Adequate Time

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Each step of the filing process is important and must be completed correctly. Candidates should expect to spend at least 30 minutes to begin the filing process. Future visits may take more or less time. It is important that candidates are prepared to take the necessary time to complete and review all appropriate documents.

## The First Visit During Candidate Filing Period

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During a candidate's first visit to the elections office he or she will receive all information regarding the filing process. Elections staff will explain optional and required documents, provide information about deadlines and answer questions. A candidate may obtain signature in-lieu or nomination package at this time.

## Deadlines

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Nevada County Elections has no authority to extend filing deadlines beyond those established by legislation. It is the candidate's responsibility to be aware of all deadlines and make sure that his or her appropriate documents and forms have been filed before the deadline.

## What's New?

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### **FPPC ELECTRONIC FILING DISCLOSURE INFORMATION**

Nevada County Elections has presented an ordinance to the County Board of Supervisors to require electronic filing of FPPC disclosure statements. If the ordinance passes it will become law on February 11, 2016. The system we plan on implementing is NetFile.

Training on the new system will be offered either the middle of January or February 2016. Training dates will be posted on our website, [www.mynevadacounty.com/nc/elections](http://www.mynevadacounty.com/nc/elections), and published in both of the following newspapers: *The Union* and *Sierra Sun*.

NetFile will also provide training for filers. We strongly encourage that you either attend a county provided training or contact NetFile for their phone training. The NetFile system link will be available for use after the county training.

# CANDIDATE'S QUICK REFERENCE CALENDAR

\*Indicates dates that fall on a Saturday, Sunday or a holiday; if the date is also a deadline, it will move forward to the next business day.

## **January 1 – February 10, 2016\***

Signatures in-lieu of filing fee – Judicial candidates

## **January 1 – February 25, 2016\***

Signatures in-lieu of filing fee – All voter-nominated and nonpartisan candidates

## **February 1 – February 10, 2016**

Declaration of Intention – Judicial candidates only

## **February 15 – March 11, 2016\***

Declaration of Candidacy and Nomination Papers – Filing period for all local, nonpartisan offices

## **March 12 – March 16, 2016**

Declaration of Candidacy and Nomination Papers – Extension period for candidates other than the incumbent if the incumbent does not file

## **April 28, 2016**

Counties may begin mailing sample ballot pamphlets

## **May 9, 2016**

First day vote by mail ballots may be released in the mail system

## **May 9 – May 31, 2016**

Vote by mail ballot application period – Voters may send a request to the county elections office to apply for a vote by mail ballot.

## **May 23, 2016**

Last day for a person to register to vote in the Statewide Presidential Primary Election. The voter will receive a notification of his or her polling place but will not receive Sample Ballot Pamphlet in the mail.

## **June 7, 2016**

ELECTION DAY

## **June 9 – July 7, 2016**

The beginning and ending dates of the official canvass period

# CANDIDATE'S DETAILED ELECTION CALENDAR

**\*Indicates dates that fall on a Saturday, Sunday or a holiday; if the date is also a deadline, it will move forward to the next business day.**

## **January 1 – February 10, 2016 (E-158 to E-118)\***

### **SIGNATURES IN-LIEU OF FILING FEES – JUDICIAL CANDIDATES**

During this period petition forms may be obtained from the county elections official or the Secretary of State to secure signatures-in-lieu for all or a portion of the filing fee. (EC § 8106)

## **January 1 – February 25, 2016 (E-158 to E-103)\***

### **SIGNATURES IN-LIEU OF FILING FEE – Candidates for all voter-nominated and nonpartisan offices**

During this period candidates may submit a petition containing signatures of registered voters in lieu of a filing fee. (EC § 8106)

## **February 1 – February 10, 2016 (E-127 to E-118)**

### **DECLARATION OF INTENTION – FOR SUPERIOR COURT JUDICIAL CANDIDATES ONLY**

Except in the case of a judicial office filled in accordance with subdivision (d) of Section 16 of the Constitution, every candidate for a judicial office, not more than 14 nor less than 5 days prior to the first day on which his or her nomination papers may be circulated and signed or may be presented for filing, shall file in the office of the elections official in which his or her nomination papers are required to be filed, a written and signed declaration of his or her intention to become a candidate for that office on a form to be supplied by the elections official. A candidate for a numerically designated judicial office shall state in his or her declaration for which office he or she intends to become a candidate. (EC § 8023)

## **February 11 – February 16, 2016 (E-117 to E-113)**

### **DECLARATION OF INTENTION EXTENSION PERIOD – FOR JUDICIAL CANDIDATES**

If the incumbent has not filed a Declaration of Intention to succeed to the same office, then any qualified person other than the incumbent may file a Declaration of Intention during this extension period. If failure to file a Declaration of Intention is because the incumbent has already served the maximum number of terms, there shall be no extension of the period for filing a Declaration of Intention.

**February 15 – March 11, 2016 (E-112 to E-88)\***

**CANDIDATE FILING PERIOD**

During this period, all candidates must file their Declaration of Candidacy and circulate their nomination papers. All candidates, except candidates who have already paid their filing fees, must also pay the non-refundable filing fee and/or present in-lieu signatures at the time they file their Declaration of Candidacy and receive their nomination papers from the county elections official.

**NOTE:** Form 700 – Statement of Economic Interests must also be filed by March 11, 2016. Forms are available from the elections office. (EC § § 8020, 8041, 8061, 8100 8105, 8106)

**CANDIDATE STATEMENT OF QUALIFICATIONS**

During this period, candidates for state legislative offices and county nonpartisan office may prepare a candidate Statement of Qualifications on a form provided by the county elections official. The statement may contain no more than 250 words for state legislative offices, and the candidate must pledge to abide by campaign spending limits per voter-approved Proposition 34. Candidate statements for local nonpartisan candidates must be no more than 200 words. The statement must be filed at the same time the Declaration of Candidacy is filed.

**March 11, 2016 (E-88)**

**CLOSE OF CANDIDATE FILING PERIOD**

Not later than 5:00 p.m. on this day all candidates must deliver their candidate paperwork to the county elections official. (EC § § 8020, 8100)

**March 12 – March 16, 2016 (E-87 to E-83)**

**CANDIDATE FILING EXTENSION PERIOD IF INCUMBENT DOES NOT FILE**

If nomination documents for the incumbent of any office are not filed with the county elections official by 5:00 p.m. March 11, 2016, the nomination period shall be extended until 5:00 p.m. March 16, 2016, for a potential candidate other than the incumbent. (EC § § 8204, 8022)

NOTE: Extension period does not apply when there is no incumbent eligible to be elected to the office.

**March 11, 2016**

**WITHDRAWAL OF CANDIDATE'S STATEMENT**

Any candidate for local nonpartisan office who has filed a candidate statement may withdraw it, but not change it, during the period for filing nomination papers until 5:00 p.m. of the next working day after the close of the nomination period. The 10-day public examination period for candidate statements is from March 12, 2016, through March 21, 2016. (EC § 13307)

**March 17, 2016 (E-82)**

**RANDOMIZED ALPHABET DRAWING**

The Secretary of State shall conduct the randomized alphabet drawing to determine the order of candidates on the ballot. (EC § 13112)

**March 16, 2016**

**WITHDRAWAL OF CANDIDATE'S STATEMENT AFTER EXTENSION ON FILING**

If there has been an extension of filing, the deadline for the withdrawal of a candidate's statement is 5:00 p.m. March 16, 2016. The 10-day public examination period for candidate statements is from March 16, 2016, through March 26, 2016. (EC § 13307)

**April 11 – May 24, 2016**

**WRITE-IN PERIOD**

During this period, every person who desires to be a write-in candidate and has his or her name as written on the ballot of an election counted for a particular office shall file the appropriate forms with the Election Office. (EC § § 8900, 8601, 8602, 8603, 8604, 8605)

**May 09, 2016 (E-29)**

**REGISTRATION CLOSES FOR VOTERS WHO WANT ELECTION MATERIALS**

Last day to register to vote in the Statewide Presidential Primary Election and be eligible to receive election materials, such as the Sample Ballot Booklet. (EC § 13306)

**May 09 – May 31, 2016 (E-29 to E-7)**

**VOTE BY MAIL BALLOT APPLICATION AND MAILING PERIOD**

Between these dates applications may be sent to the county elections official to apply for a vote-by-mail ballot. Applications received before May 9, 2016, shall remain unprocessed until this period. (EC § § 3001, 3003)

**May 23, 2016 (E-15)**

**LAST DAY TO REGISTER TO VOTE**

Voters will be notified of polling place location but will not receive election materials such as the Sample Ballot Booklet.

**May 23, 2016 (E-15)**

**PROCESSING VOTE BY MAIL BALLOTS**

County elections official may commence the processing of vote by mail ballots on the 10<sup>th</sup> business day before the election. The earliest any vote by mail ballot tabulation or count can be released is after 8:00 p.m. on Election Day, June 7, 2016. (EC § 15101)

**May 31, 2016 (E-7)**

**LAST DAY FOR VOTE BY MAIL BALLOT APPLICATIONS**

The last day that the county elections official may receive a vote by mail ballot application. (Exception: Emergency vote by mail ballots can still be issued from the county elections office through Election Day.) Voters may drop off their completed vote by mail ballots at any polling place or the elections office until 8:00 p.m. on Election Day. (EC § § 3001, 3021)

**June 7, 2016 (E-Day)**

**ELECTION DAY**

Polls open at 7:00 a.m. and close at 8:00 p.m. (EC § § 10541, 14212) Vote by mail ballots must be returned to the elections official or any polling place in Nevada County by 8:00 p.m. (EC § § 3017, 3020)

**June 9, 2016 (E+2)**

**CANVASS ELECTION RETURNS**

County Clerk commences official canvass. (EC § § 10547, 15301)

**June 10, 2016 (E+3)**

Last day to accept postmarked vote by mail ballots from the post office.

**July 7, 2016 (E+30)**

Last day for the County Clerk to prepare a certified Statement of Vote and submit it to the Secretary of State.

# OFFICES TO WHICH CANDIDATES ARE TO BE ELECTED

## **UNITED STATES PARTISAN OFFICES**

President and Vice President of the United States

For qualifications and requirements visit <http://www.sos.ca.gov/elections/>.

## **FEDERAL VOTER NOMINATED OFFICES**

U.S. Senate (Barbara Boxer, Incumbent)

U.S. Representative in Congress, District 1, (Doug LaMalfa, Incumbent)

U.S. Representative in Congress, District 4, (Tom McClintock, Incumbent)

## **STATE LEGISLATIVE VOTER NOMINATED OFFICES**

California State Assembly, District 1 (Brian Dahle, Incumbent)

California State Senate, District 1 (Ted Gaines, Incumbent)

## **COUNTY NONPARTISAN OFFICES**

Nevada County Supervisor, District 1, (Nate Beason, Incumbent)

Nevada County Supervisor, District 2, (Ed Scofield, Incumbent)

Nevada County Supervisor, District 5, (Richard Anderson, Incumbent)

Superior Court Judge, (Candace S. Heidelberger, Incumbent)

## **MUNICIPAL NONPARTISAN OFFICES**

Nevada City, City Council (Terri Andersen, Incumbent)

Nevada City, City Council (Jennifer Ray, Incumbent)

Nevada City, City Council (Robert Bergman, Incumbent)

Nevada City, City Clerk (Niel Locke, Incumbent)

## **COUNTY CENTRAL COMMITTEE PARTISAN OFFICES**

Democratic Central Committee, District 1 – District 5

Republican Central Committee, District 1 – District 5

# QUALIFICATIONS FOR OFFICES TO BE ELECTED

## FEDERAL VOTER NOMINATED OFFICES

### UNITED STATES SENATOR

**QUALIFICATIONS:** Every candidate shall be at least 30 years of age, a U.S. citizen for nine years, a resident of California on January 3, 2017, the date he or she would be sworn into office if elected (U.S. Const. art. I, § 3) and have a valid voter registration affidavit on file in the county of residence at the time nomination papers are issued or at the time of the person's appointment. (EC § 201) A sworn statement that the candidate meets documentation requirements per state law is required when nomination papers are filed.

**TERM OF OFFICE:** 6 years

**FILING FEE:** \$3,480.00 (2% of first-year salary (EC § § 8103, 8105))

**NOMINATION SIGNATURES REQUIRED:** 65-100 (EC § 8062)

**REQUIRED SIGNATURES IN-LIEU OF FILING FEE:** 10,000 (EC § 8106)

**DOLLAR VALUE OF EACH SIGNATURE:** \$0.348

### UNITED STATES REPRESENTATIVE IN CONGRESS – 1<sup>st</sup> and 4<sup>th</sup> DISTRICTS

**QUALIFICATIONS:** Every candidate shall be at least 25 years of age, a U.S. citizen for seven years, and a resident of California on January 3, 2017, the date he or she would be sworn into office if elected (U.S. Const. art. I, § 2). A sworn statement that the candidate meets documentation requirements per state law is required when nomination papers are filed. (Note: There are no district residency requirements for Members of Congress.)

**TERM OF OFFICE:** 2 years

**FILING FEE:** \$1,740.00 (1% of first-year salary (EC § 8103))

**NOMINATION SIGNATURES REQUIRED:** 40-60 (EC § 8062)

**REQUIRED SIGNATURES IN-LIEU OF FILING FEE:** 3,000 (EC § 8106)

**DOLLAR VALUE OF EACH SIGNATURE:** \$0.58

**District 1 - CANDIDATE STATEMENT OF QUALIFICATIONS FEE:** \$1,399.98

**District 4 - CANDIDATE STATEMENT OF QUALIFICTIONS FEE:** \$289.75

## **STATE LEGISLATIVE VOTER NOMINATED OFFICES**

### **MEMBER OF STATE ASSEMBLY – 1<sup>st</sup> District**

**QUALIFICATIONS:** Every candidate shall be a U.S. citizen, a registered voter and otherwise qualified to vote for that office at the time nomination papers are issued to the person; has not been convicted of a felony involving accepting or giving, or offering to give, any bribe, the embezzlement of public money, extortion or theft of public money, perjury, or conspiracy to commit any of those crimes; serve no more than 12 years in the State Senate, the Assembly, or both, in any combination of terms during his or her lifetime if he or she was first elected to the Legislature after June 2012 and has not previously served in the State Senate or Assembly (Cal. Const. art. IV, § 2); not have served two terms in the State Senate since November 6, 1990, if he or she was elected to the State Senate before June 2012 (Cal. Const. art. IV, § 2); not have served three terms in the Assembly since November 6, 1990, if he or she was elected to the Assembly before June 2012 (Cal. Const. art. IV, § 2).

**TERM OF OFFICE:** 2 years

**FILING FEE:** \$1,001.13 (1% of first-year salary (EC § 8103))

**NOMINATION SIGNATURES REQUIRED:** 40-60 (EC § 8062)

**REQUIRED SIGNATURES IN-LIEU OF FILING FEE:** 1,500 (EC § 8106)

**DOLLAR VALUE OF EACH SIGNATURE:** \$0.66742

**CANDIDATE STATEMENT OF QUALIFICATIONS FEE:** \$1,614.73

### **MEMBER OF STATE SENATE – 1<sup>st</sup> District**

**QUALIFICATIONS:** Every candidate shall be a U.S. citizen, be a registered voter and otherwise qualified to vote for that office at the time nomination papers are issued to the person; has not been convicted of a felony involving accepting or giving, or offering to give, any bribe, the embezzlement of public money, extortion or theft of public money, perjury, or conspiracy to commit any of those crimes (EC § 20); serve no more than 12 years in the State Senate, the Assembly, or both, in any combination of terms during his or her lifetime if he or she was first elected to the Legislature after June 2012 and has not previously served in the State Senate or Assembly (Cal. Const. art. IV, § 2); not have served two terms in the State Senate since November 6, 1990, if he or she was elected to the State Senate before June 2012 (Cal. Const. art. IV, § 2); not have served three terms in the Assembly since November 6, 1990, he or she was elected to the Assembly before June 2012 (Cal. Const. art. IV, § 2). A sworn statement that the candidate meets documentation requirements per state law is required when nomination papers are filed.

**TERM OF OFFICE:** 4 years (maximum two terms)

**FILING FEE:** \$1,001.13 (1% of first-year salary (EC § 8103))

**NOMINATION SIGNATURES REQUIRED:** 40-60 (EC § 8062)

**REQUIRED SIGNATURES IN-LIEU OF FILING FEE:** 3,000 (EC § 8106)

**DOLLAR VALUE OF EACH SIGNATURE:** \$0.33371

**CANDIDATE STATEMENT OF QUALIFICATIONS FEE:** \$1,614.73

## **COUNTY NONPARTISAN OFFICES**

### **SUPERIOR COURT JUDGE**

**QUALIFICATIONS:** Every candidate shall be a citizen of the U.S., registered voter, a member of the State Bar for ten years or having served as a judge of a California court of record for ten years immediately preceding the election. A sworn statement that the candidate meets documentation requirements per state law is required when nomination papers are filed. All candidates must file a Declaration of Intention *and* a Declaration of Candidacy. (EC § § 13, 13.5, 201, 321, 359; Cal. Const. art. VI, § 15)

**TERM OF OFFICE:** 6 years

**FILING FEE:** \$1,812.92 (1% of first-year salary)

**NOMINATION SIGNATURES REQUIRED:** 20-40 (EC § 8062)

**REQUIRED SIGNATURES IN-LIEU OF FILING FEE:** 7,252 (EC § 8106)

**DOLLAR VALUE OF EACH SIGNATURE:** \$.25

**CANDIDATE STATEMENT OF QUALIFICATIONS FEE:** \$1,614.73

### **COUNTY SUPERVISOR – 1<sup>st</sup>, 2<sup>nd</sup> AND 5<sup>th</sup> DISTRICTS**

**QUALIFICATIONS:** Every candidate shall be at least eighteen years of age, a citizen of California, and a registered voter in the district which the candidate seeks to represent for at least 30 days immediately preceding the deadline for filing nomination documents for the office. Supervisor shall reside in the district during his or her incumbency. A sworn statement that the candidate meets documentation requirements per state law is required when nomination papers are filed. (EC § § 13, 13.5, 201, 321, 359; GC § § 24001, 25041)

**TERM OF OFFICE:** 4 years

**FILING FEE:** \$472.23 (1% of first-year salary (EC § 8104))

**NOMINATION SIGNATURES REQUIRED:** 20-40 (EC § 8062)

#### **1<sup>st</sup> District**

**REQUIRED SIGNATURES IN-LIEU OF FILING FEE:** 1,399 (EC § 8106)

**DOLLAR VALUE OF EACH SIGNATURE:** \$.34

**STATEMENT OF QUALIFICATIONS FEE:** \$426.85

#### **2<sup>nd</sup> District**

**REQUIRED SIGNATURES IN-LIEU OF FILING FEE:** 1,294 (EC § 8106)

**DOLLAR VALUE OF EACH SIGNATURE:** \$.36

**STATEMENT OF QUALIFICATIONS FEE:** \$395.33

#### **5<sup>th</sup> District**

**REQUIRED SIGNATURES IN-LIEU OF FILING FEE:** 1,014 (EC § 8106)

**DOLLAR VALUE OF EACH SIGNATURE:** \$.47

**STATEMENT OF QUALIFICATIONS FEE:** \$331.00

## **MUNICIPALITIES**

**Candidates for the below offices file with the Nevada City Clerk's Office (317 Broad Street, Nevada City; (530) 265-2496).**

### **NEVADA CITY CITY COUNCIL**

**QUALIFICATIONS:** Registered voter of the city at the time nomination papers are issued.  
(GC § 36502)

**TERM OF OFFICE:** 4 years

**FILING FEE:** None

**NOMINATION SIGNATURES REQUIRED:** 20-30

**STATEMENT OF QUALIFICATION FEE:** \$128.30

### **NEVADA CITY CITY CLERK**

**QUALIFICATIONS:** Registered voter of the city at the time nomination papers are issued.  
(GC § 36502)

**TERM OF OFFICE:** 4 years

**FILING FEE:** None

**NOMINATION SIGNATURES REQUIRED:** 20-30

**STATEMENT OF QUALIFICATIONS FEE:** \$128.30

## **COUNTY CENTRAL COMMITTEE**

**QUALIFICATIONS:** All candidates must be registered with the political party whose nomination he or she is seeking for not less than three months immediately prior to the time the Declaration of Candidacy is presented to the county elections official, or for as long as he or she has been eligible to register to vote in the state, the candidate is shown by his affidavit of registration to be affiliated with the political party the nomination of which he or she seeks, and the candidate has not been registered as affiliated with a qualified political party other than that political party the nomination of which he or she seeks within 12 months. (EC § 8001)

In addition to the above qualifications, a candidate for county central committee member of the Democratic, Republican and American Independent parties must be a registered voter residing in the Supervisorial District, which he or she is to represent. (EC § § 201, 7200, 7209, 7400, 7407, 7650, 7654)

**TERM OF OFFICE:** 4 years

**FILING FEE:** None

**NOMINATION SIGNATURES REQUIRED** (per party): (EC § § 7776, 8062)

Democratic, Republican, American Independent Parties: 20-40

Signatures must be those of registered voters residing in the Supervisorial District the candidate resides in and wishes to represent.

Peace & Freedom, Green, Libertarian Parties: 20-30, or not less than 2% of total registration, whichever is less.

### **CENTRAL COMMITTEE SEATS BY SUPERVISORIAL DISTRICTS**

#### **DEMOCRATIC PARTY\*:**

District 1: Six Members

District 2: Four Members

District 3: Four Members

District 4: Five Members

District 5: Four Members

#### **REPUBLICAN PARTY\*:**

District 1: Five Members

District 2: Six Members

District 3: Four Members

District 4: Five Members

District 5: Three Members

**AMERICAN INDEPENDENT PARTY:** Elected by supervisorial district (EC § 7650)

**PEACE & FREEDOM:** Five members to be elected countywide\*\*\* (EC § § 7752,7753)

**GREEN PARTY COUNTY COUNCIL:** Five members to be elected countywide\*\*\*

**LIBERTARIAN PARTY:** Five members to be elected countywide\*\*\*

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\*Numbers are calculated based upon November 2014 gubernatorial votes cast by supervisorial district. (EC § § 7200, 7400)

\*\*\* Subject to change, depending on the countywide and statewide voter registration of the party as reported in odd-numbered year Report of Registration.

# NOMINATION PROCEDURES

## SIGNATURE IN-LIEU OF FILING FEE (OPTIONAL)

- Filing Period – Judicial Candidates 01/01/2016 – 02/10/2016
- Filing Period – All Other Candidates 01/01/2016 – 02/25/2016

### APPLY FOR SIGNATURE IN-LIEU OF FILING FEE

A candidate may submit a petition containing signatures of registered voters in lieu of paying all or a portion of the filing fee to run for office. The signatures submitted may cover all or a prorated portion of the filing fee.

Any registered voter who is a qualified registered voter of the district may sign an in-lieu filing fee petition for any candidate for whom he or she is eligible to vote. (EC § 8106)

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

**Signatures In-Lieu May be Applied to Nomination Signature Requirement:** Candidates may request in writing to have valid signature in-lieu signatures applied to their nomination signature requirement. Candidates who obtain enough valid signatures are not required to circulate and submit Nomination Petitions. If the signature in-lieu petitions **do not contain** the necessary number of valid nomination signatures, the candidate must circulate and file a separate Nomination Petition to obtain the required number of valid signatures.

### SIGNATURE IN-LIEU OF FILING FEE FORM

1. Each signer must ***print and sign his or her name*** and include his or her ***residence address***.
  - a. Married couples must sign own name, not spouse's name.
  - b. P.O. Boxes and mailing addresses are unacceptable as residence addresses.
  - c. Ignore precinct/verification columns (to be completed by the elections office staff)
2. Circulators must complete the "Affidavit of Circulator" on the back of the form.
  - a. Fill in the appropriate information in blank spaces.
  - b. Fill in dates signatures are obtained.
  - c. Fill in execution date and place of signing.
  - d. Sign and print name and include residence address.
  - e. Only one circulator is allowed for each in-lieu petition.

Circulators must be registered or eligible to be registered in the district and may collect signatures only in that district.

# **DECLARATION OF INTENTION – JUDICIAL OFFICES ONLY**

## **FOR SUPERIOR COURT JUDICIAL CANDIDATES ONLY**

- **Filing Period** **02/01/2016 – 02/10/2016**

Candidates for judicial office must file a Declaration of Intention identifying the office for which they intend to run. Judicial candidate filing fees must be paid at the time the Declaration of Intention is filed with the county elections official.

Except in the case of a judicial office filled in accordance with subdivision (d) of Section 16 of the Constitution, every candidate for a judicial office, not more than 14 nor less than five days prior to the first day on which his or her nomination papers may be circulated and signed or may be presented for filing, shall file in the office of the elections official in which his or her nomination papers are required to be filed, a written and signed declaration of his or her intention to become a candidate for that office on a form to be supplied by the elections official. A candidate for a numerically designated judicial office shall state in his or her declaration for which office he or she intends to become a candidate.

## **NOMINATION PETITION – JUDICIAL CANDIDATES**

- **Filing Period – Judicial Candidates** **02/15/2016 – 03/11/2016**

### **APPLY FOR NOMINATION DOCUMENTS**

Candidate must supply the following information for the Candidate's Worksheet: name, residence and mailing address, telephone number(s) and the elective office title for which he or she is applying. This information is used in preparing the nomination documents. Candidate qualifications are checked at this time.

Candidates are required to submit nomination papers signed by a requisite number of voters. See *Filing Fee & Signature Requirements* under *Qualifications for Offices to be Elected* to determine the number of signatures required.

No signer shall at the time of signing nomination documents have signed his or her name to any other nomination paper for any other candidate of the same office or, in the case where there are several seats to be filled for the same office, signed nomination papers for more candidates for that office than there are seats to be filled. (EC § 8069)

# **NOMINATION PETITION – ALL OTHER CANDIDATES**

- Filing Period – All Other Candidates

02/15/2016 – 03/11/2016

## **APPLY FOR NOMINATION DOCUMENTS**

Candidate must supply the following information for the Candidate's Worksheet: name, residence and mailing address, telephone number(s) and the elective office title for which he or she is applying. This information is used in preparing the nomination documents. Candidate qualifications are checked at this time.

Candidates are required to submit nomination papers signed by a requisite number of voters. See *Filing Fee & Signature Requirements* under *Qualifications for Offices to be Elected* to determine the number of signatures required.

For nonpartisan offices and voter nominated offices requiring nomination papers, signers shall be registered voters in the district or political subdivision in which the candidate is to be voted.

No signer shall at the time of signing nomination documents have his or her name signed to any other nomination paper for any other candidate for the same office; or in the case there are several seats to be filled for the same office, signed to more nomination papers for candidates for that office than there are seats to be filled. (EC § 8069)

## **WHAT DOCUMENTS ARE IN THE NOMINATION PACKAGE?**

A candidate's Filing Packet Receipt is prepared and must be signed by the candidate or an authorized agent. The following documents will then be issued to each candidate:

1. Candidate's Handbook
2. FPPC Information Acknowledgement Form
3. Sworn statement that candidate meets documentation requirements per state law
4. Ballot Designation Worksheet
5. Declaration of Candidacy (document prepared and retained by the elections office)
6. Nomination Paper/Petition (if applicable to the office sought)
7. Candidate Statement of Qualifications Form (optional)
8. Receipt/Instructions for Candidate's Statement of Qualifications
9. Candidate Campaign Statement Form 460 or Form 470 (Candidates may request Form 410, Form 470 Supplement and Form 501 as needed)
10. Form 700 – Statement of Economic Interests (Mandatory for all candidates except incumbents who have filed within 60 days before filing nomination documents.)
11. Code of Fair Campaign Practices (optional)
12. Political sign ordinance information

# **DECLARATION OF CANDIDACY**

- **Filing Period – Judicial Candidates** 02/15/2016 – 03/11/2016
- **Filing Period – All Other Candidates** 02/15/2016 – 03/11/2016

The Declaration of Candidacy is the official nomination document **required of all candidates**. On the Declaration of Candidacy the candidate indicates how his or her name and ballot designation is to appear on the ballot, declares he/she meets the statutory and/or constitutional qualifications for the office sought and the candidate will accept the nomination and not withdraw.

The candidate is required to execute the Declaration of Candidacy in the office of the elections official unless a written statement is signed and dated by the candidate authorizing a person to receive the Declaration of Candidacy Form from the elections official and deliver it to the candidate. The written statement from the candidate must include language indicating the candidate is aware the Declaration of Candidacy must be duly executed and delivered to the elections official in the county of the candidate's residence by the 88<sup>th</sup> day before the primary election. (EC § § 8020, 8023, 8028, 8101, 8105)

## **Name on the Ballot**

Each candidate will state on his or her Declaration of Candidacy how his or her name should appear on the ballot. The name should be recognizable as the name under which the candidate is registered to vote, although it does not need to be identical. For example, a candidate registered as "Richard James Shaw" may use such variations as "Dick J. Shaw", "Dick Shaw", or "R. James (Bud) Shaw".

## **Completion of the Declaration of Candidacy Form**

Elections office staff will complete most of the Declaration of Candidacy Form for the candidate. The items that must be completed by the candidate include:

1. Printed name for use on the official ballot.
2. Ballot designation for use on the official ballot (refer to provisions provided in the *Ballot Designation Guidelines* handout in your Candidate Packet for more information).
3. Incumbency in any other elected public offices.
4. Signature and date where applicable.

# OPTIONAL CANDIDATE FILING PROCEDURES

## **BALLOT DESIGNATIONS FOR CANDIDATES**

If a candidate chooses to have a ballot designation title printed on the ballot then it **MUST** be filed at the same time the Declaration of Candidacy is filed.

A ballot designation is a title printed underneath the candidate's name on the ballot. Any candidate who wishes to have a ballot designation printed on the ballot **must** complete a Ballot Designation Worksheet. (EC § 13107) This worksheet will also help a candidate determine an appropriate ballot designation. Please see the *Ballot Designation Guidelines* handout in your Candidate Packet for more information.

## **CODE OF FAIR CAMPAIGN PRACTICES**

**Must be filed at the same time as the Declaration of Candidacy is filed.**

At the time an individual is issued his or her Declaration of Candidacy, Nomination Paper/Petition, or any other paper evidencing an intention to be a candidate for public office, the elections office will give the individual a blank form of the Code of Fair Campaign Practices. The elections office shall inform each candidate for public office that subscription to the code is voluntary. (EC § 20440) By signing and returning the form, the candidate is voluntarily subscribing to the Code of Fair Campaign Practices.

The Legislature at this moment 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 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. (EC § 20400)

The purpose in creating the Code of Fair Campaign Practices is to give voters guidelines in determining fair play and encourage candidates to discuss issues instead of untruths and distortions. (EC § 20400)

In the case of a committee making an independent expenditure as defined in Section 82031 of the Government Code, the Secretary of State will 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 elections office will 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. (EC § 20442) Every code subscribed to by a candidate for public office pursuant to Chapter 6 of Division 20 of the Elections Code is a public record open for public inspection. (EC § 20443) In no event shall a candidate for public office be required to subscribe to or endorse the Code. (EC § 20444)

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

## **CANDIDATE'S STATEMENT OF QUALIFICATIONS**

**Must be filed and paid for at the same time as the Declaration of Candidacy is filed.**

**CANDIDATES ARE REQUIRED TO SUBMIT THEIR STATEMENT OF QUALIFICATIONS ELECTRONICALLY (DISC OR USB) IN WORD FORMAT AND ATTACH A WRITTEN COPY TO THE "STATEMENT OF QUALIFICATIONS" FORM PROVIDED BY THE ELECTIONS OFFICE.**

The candidate's Statement of Qualifications, published in the Sample Ballot Booklet, is optional and is left entirely up to candidates to determine if they wish to submit a statement. The Statement of Qualifications may include the name, age, and occupation of the candidate and a brief description, totaling no more than 200 words (250 words for candidates for legislative office who meet FPPC eligibility requirements to submit a statement), of the candidate's education and qualifications expressed by the candidate himself or herself. The statement must be filed at the time of filing the Declaration of Candidacy. No reference to political party affiliation, mention of political party membership, or activity in the partisan political organization is permitted for candidates for nonpartisan office. No mention of political opponents is allowed. The purpose of the statement is to explain to voters the candidate's qualifications and experience.

A candidate statement may be withdrawn, but not changed, during the period for filing nomination documents and until 5:00 p.m. of the next working day after the close of the nomination period. Statements are confidential until after the close of the nomination period.

California Elections Code intends for uniformity of appearance of each Statement of Qualifications. By preparing your statement in accordance with the above guidelines, each statement will be uniformly printed and allowed the same amount of space in the Sample Ballot Booklet. Uniformity will avoid favored composition or printing of one candidate's statement over another.

All statements shall be printed in a uniform size, darkness, and with uniform spacing. (EC § 13307) All statements will be set in a justified format, so as to fit within a 1/4-page space. Entire Statements of Qualifications or phrases in all capital letters, multiple indentations, circles, or arrows are prohibited. Generally any characters that can be produced by a standard keyboard are acceptable (e.g., !, @, \*, -, ( ), %, #).

Because California Elections Code mandates that all statements must be uniform, **bolded**, CAPITALIZED and underlined words are not acceptable. Indentations, bullets, or multiple underscoring will not be allowed. Items in a list will not be allowed unless the list is in the form of a paragraph. The candidate should check all Statement of Qualifications for spelling, punctuation, and grammar. The county elections official will not edit any material to correct mistakes. **Statements with spelling, punctuation, and grammatical errors will be printed precisely as submitted by the candidate.**

Nothing in the aforementioned shall be deemed to make any such statement or the authors thereof free or exempt from any civil or criminal action or penalty because of any false, slanderous or libelous statements offered for printing or contained in the Sample Ballot Booklet.

Copies of all candidate statements will be available for public inspection at the elections office after the expiration of the filing deadline. (EC § 13311)

**Note:** It is the responsibility of the candidate if he or she has any questions concerning the guidelines for filing a statement to request assistance or clarification. If a candidate statement is submitted and found not to be in compliance with these guidelines, the Nevada County Registrar will make the necessary formatting changes to bring the statement into compliance. However, the Nevada County Registrar will not correct spelling or grammatical errors.

If a candidate wishes to have a candidate's Statement of Qualifications appear in Spanish as well as English, the charge will be doubled, and the candidate will also pay for the translation (\$100) by an approved Spanish language translator retained by the state-certified company that prints Nevada County's Sample Ballot Booklets.

# **HOW TO COUNT WORDS FOR A CANDIDATE STATEMENT**

The county elections official uses the guidelines listed below for counting words.

- Name, age and office title (located at the top of the form) or signature (at the bottom) are not counted in the final word count.
- Punctuation marks are not counted as words.
- Geographical names such as cities, towns or states are counted as one (1) word. Examples: Los Angeles, City and County of San Francisco, Nevada County
- The words “a”, “I”, “and”, “the” and “an” are counted as individual words.
- A monetary amount such as \$1,000.00 is counted as one (1) word.
- Abbreviations are counted as one (1) word. Examples: UCLA, U.S.A.F., PTA, AFL-CIO
- Hyphenated words that appear in any generally available dictionary shall be considered as one word. Each part of all other hyphenated words shall be counted as a separate word.
- Numeric combinations are counted as one (1) word. Examples: 1999, 13½, 1998-99, 5%, 6/1/99
- Any number that is spelled out, such as “one” shall be considered as a separate word or words. “One” shall be counted as one word, whereas “one hundred” is counted as two words. “#1” is considered one word.

Words will be counted by elections staff when submitted. If the text exceeds the word limit, the author must delete or change a sufficient number of words or sentences until the statement is within the required word limit.

# CAMPAIGN DISCLOSURE INFORMATION

**The FPPC has recently simplified and/or consolidated filing forms. However, these changes are not reflected in FPPC manuals, and information therein does not always correspond with recently updated forms and filing requirements. It is the responsibility of the candidate or committee to clarify inconsistencies and/or solicit answers to questions by contacting the FPPC toll-free at 1-866-275-3772. All FPPC forms and instructions may be downloaded from the FPPC website: [www.fppc.ca.gov](http://www.fppc.ca.gov).**

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

It is the responsibility of candidates and/or committees to be aware of and to file the required campaign disclosure statements in a correct and timely manner. All candidates will sign an "FPPC Information Acknowledgement" Form. Reminders may be sent by the elections office. However, not receiving a reminder cannot be used as the reason for late or non-filing. The law provides for a \$10 per day late filing penalty for a statement filed after the prescribed deadline. The method of delivery, mail, in person, or fax, that is acceptable varies between deadlines. Any person who violates any provision of the Political Reform Act may be liable in an administrative proceeding for an amount up to \$5,000 per violation. (GC § 83116)

All disclosure statements are a matter of public record. They may be inspected at the elections office by anyone and copies may be purchased at ten cents (\$.10) per page.

The elections office has some Fair Political Practices Commission (FPPC) manuals and addenda for review. Candidates and/or treasurers should request their copies directly from the FPPC. It is strongly recommended that each candidate, treasurer, and committee, especially those who file Form 410, thoroughly review FPPC documents. If you have a question that is not answered by the documents, contact the FPPC toll-free at 1-866-275-3772.

A candidate who will not receive contributions from others, and whose only expenditures will be from personal funds for the filing fee and/or Statement of Qualifications in the Sample Ballot Booklet, does not need to file Form 501 nor Form 410. If the candidate has not already filed an annual Form 470, the candidate is encouraged to file a Form 470 at the time of filing nomination papers, and must do so no later than the first pre-election filing.

Candidates and officeholders who make campaign related expenditures from personal funds not to exceed \$2,000 must file Form 501. Candidates who plan to use personal funds exceeding \$2,000 to pay campaign related expenses, other than filing fees and/or statement of qualifications in the Sample Ballot Booklet, deposit those funds into an appropriate campaign bank account prior to making the expenditure and file Form 501 and Form 410.

**Before a candidate may solicit or receive any contributions from others**, a Form 501 – Candidate Intention Statement must be filed. If the candidate files a Form 470 and receives contributions, a bank account must be opened. If the candidate submits a Form 410 – Statement of Organization, the bank account information is provided on Form 410. Contributions of \$100 or more may not be received in cash, but must be on a written instrument that shows both the recipient’s and contributor’s names.

**Before a candidate may accept campaign donations from others** a bank account must be opened. However, personal funds may be used for the following transactions: (1) filing fee, (2) candidate Statement of Qualifications fee, and/or (3) up to the first \$2,000 for campaign expenditures as long as no contributions were received from others.

A Form 470 may be filed annually when submitting a Declaration of Candidacy, or no later than the deadline for the first pre-election campaign statement if the officeholder or candidate does not have an active controlled committee and will not receive \$2000 in contributions during the year.

If an officeholder or candidate files a Form 470 in connection with an election, and subsequently receives more than \$2000 in contributions, a Form 470 Supplement must be filed with the Secretary of State, the local filing officer, and with each opposing candidate within 48 hours. Regular mail may not be used.

If an officeholder or candidate receives \$2000 in contributions, including personal funds used for campaign related expenses, a Form 410 – Statement of Organization must be filed. See the FPPC manual for deadlines.

Once a Form 410 has been filed, the officeholder or candidate must file a Form 460 – Officeholder/Candidate/Controlled Committee Campaign Statement for all pre-election and semi-annual filings, whether or not it is an election year. The controlled committee is considered active until the Form 410 Termination has been filed. Whenever there is a change in any of the information contained in a previously filed Form 410 – Statement of Organization, an amended Form 410 must be filed with the Secretary of State and a copy filed with the local elections officer within 10 days to reflect the change.

## **FPPC CAMPAIGN DISCLOSURE FORMS**

Depending on the form, the forms listed below or copies of the originals must be filed with the elections office, the Secretary of State, and/or the Fair Political Practices Commission. Each form specifies where it must be filed and/or the filing location is described in the FPPC Manual. Amendments to forms must be filed in the same place(s) as the original form was filed.

Form 410 – Statement of Organization

Form 460 – Officeholder/Candidate/Controlled Committee Campaign Statement – Long Form

Form 462 – Verification of Independent Expenditures

Form 465 – Supplemental Independent Expenditure Report

Form 470 – Candidate and Officeholder Campaign Statement – Short Form

Form 495 – Supplemental Pre-Election Statement

Form 496 – 24-hour Independent Expenditure Report

Form 497 – 24-hour Contribution Report

Form 501 – Candidate Intention Statement

Form 700 – Statement of Economic Interests

It is the responsibility of each candidate to timely file any and all required FPPC disclosure statements. We strongly encourage each candidate to visit the FPPC website for any questions and information: <http://www.fppc.ca.gov>. The Nevada County Elections Staff cannot provide FPPC Disclosure Statement information.

## **NEVADA COUNTY FPPC ELECTRONIC FILING DISCLOSURE INFORMATION**

Nevada County Elections has presented an ordinance to the County Board of Supervisors to require electronic filing of FPPC disclosure statements. If the ordinance passes it will become law on February 11, 2016. The system we plan on implementing is named NetFile.

Training on the new system will be offered either the middle of January or February 2016. Training dates will be posted on our website, [www.mynevadacounty.com/nc/elections](http://www.mynevadacounty.com/nc/elections), and published in both of the following newspapers: *The Union* and *Sierra Sun*.

NetFile will also provide training for filers. We strongly encourage that you either attend a county provided training or contact NetFile for their phone training. The NetFile system link will be available for use after the county training.

# FPPC ELECTION FILING SCHEDULE

**Candidates for Local Office**  
**Committees Primarily Formed to Support/Oppose Local Candidates**  
**Committees Primarily Formed to Support/Oppose Local Measures**  
**being voted on June 7, 2016**

Filing Deadline	Statement Period	Form	How to File
<b>Feb.1, 2016</b> <i>Semi-Annual</i>	Thru – 12/31/15	<u>460</u> <u>470</u>	<ul style="list-style-type: none"> <li>▪ Nevada County prefers electronic filing of FPPC disclosure statements. You will need to access the system by going to the Nevada County Elections website: <a href="http://www.mynevadacounty.com/nc/elections">www.mynevadacounty.com/nc/elections</a>.</li> <li>▪ Will accept a paper filing by personal delivery or mail.</li> </ul>
<b>Mar. 22, 2016</b> <i>Pre-Election</i>	1/1/16 – 3/17/16	<u>460</u> <u>470</u>	<ul style="list-style-type: none"> <li>▪ Nevada County prefers electronic filing of FPPC disclosure statements. You will need to access the system by going to the Nevada County Elections website: <a href="http://www.mynevadacounty.com/nc/elections">www.mynevadacounty.com/nc/elections</a>.</li> </ul>
<b>May 26, 2016</b> <i>Pre-Election</i>	3/18/16 – 5/21/16	<u>460</u>	<ul style="list-style-type: none"> <li>▪ Nevada County prefers electronic filing of FPPC disclosure statements. You will need to access the system by going to the Nevada County Elections website: <a href="http://www.mynevadacounty.com/nc/elections">www.mynevadacounty.com/nc/elections</a>.</li> </ul>
<b>Within 24 Hours</b> <i>Contribution Reports</i>	3/9/16 – 6/6/16	<u>496</u> <u>497</u>	<ul style="list-style-type: none"> <li>▪ File personal delivery, guaranteed overnight service, or fax.</li> <li>▪ 496: File if independent expenditures of \$1,000 or more are made. See note below. <b>Do not file for expenditures on your committee's behalf.</b></li> <li>▪ 497: File if a contribution of \$1,000 or more is received.</li> <li>▪ 497: File if a contribution of \$1,000 or more is made to <i>another</i> candidate or <i>another</i> measure being voted on June 7, 2016, or made to a political party committee.</li> <li>▪ The recipient of a non-monetary contribution of \$1,000 or more must file a Form 497 within 48 hours from the time the contribution is received.</li> </ul> <p><i>File with the filing officer (s) who would receive campaign statements if you were a committee primarily formatted to support or oppose the candidate or measure.</i></p>
<b>Aug. 1, 2016</b> <i>Semi-Annual</i>	5/22/16 – 6/30/16	<u>460</u>	<ul style="list-style-type: none"> <li>▪ Nevada County prefers electronic filing of FPPC disclosure statements. You will need to access the system by going to the Nevada County Elections website: <a href="http://www.mynevadacounty.com/nc/elections">www.mynevadacounty.com/nc/elections</a>.</li> </ul>

- **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.
- **A controlled committee** of a candidate may not make an independent expenditure to support or oppose another candidate.
- **Local jurisdictions** may impose contribution limits and additional filing requirements.
- **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.
- **Form 470:** Candidates that did not have a committee or raise/spend \$2,000 in 2016 may file Form 470 on or before February 1, 2016. Form 470 cannot be filed for other deadlines if the candidate has a committee or has raised/spent \$2,000 or more in 2016. After filing a Form 470, if the candidate raises/spends \$2,000 or more in 2016, see Chapter 4 of the *Campaign Disclosure Manual 2* available on the FPPC website for additional required filings.
- **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 elected and whether a campaign committee is maintained.
- **Late Statements:** Except for deadlines that fall on a Saturday, Sunday, or an official state holiday, filing deadlines may not be extended. Late statements are subject to a \$10 per day late fine.
- **All statements are public documents.** Paper reports may be mailed by first class mail unless otherwise noted.

For relevant information refer to [www.fppc.ca.gov](http://www.fppc.ca.gov).

# CANDIDATE/VENDOR SERVICES

All services must be **paid for when ordered** except vote by mail ballot services. Vote by mail ballot services will be provided upon receipt of the request. Please make checks payable to Nevada County Elections Office with an amount stating “Not to exceed \$\_\_\_\_\_” written below the line provided for the dollar amount. Leave the space after the dollar sign blank.

xxxxxxx xxxxxxx xxxxxxx
Pay to the order of <i>Nevada County Elections Office</i> \$ _____
_____ Dollars
<i>Not to exceed &lt;amount&gt;</i>

A running balance will be maintained. You will be notified to submit an additional check if the balance reaches the maximum amount noted on the first check. All payments are non-refundable. Allow at least 24 hours for processing. Staff will make every reasonable effort to provide a completion time when you place an order. Requests for data not associated with an impending election may be postponed until after the election.

When ordering voter registration information, you must complete a Secretary of State application form and provide a copy of the driver's license of the person completing the application form. The applicant must swear the voter registration information will be used only for election, governmental, or research purposes as defined by Title 2, Division 7, Article 1, Section 19003 of the California Code of Regulations, and Elections Code section 2194 and Government Code section 6254.4.

## **PRINTED ALPHABETIZED VOTER LISTS AND STREET INDEXES**

Voter lists can be countywide or by district/precinct. Lists are in alphabetical order last name within each precinct, district, or countywide. Walking lists are in alphabetical order by street name within each precinct. Lists can be limited to a particular political party. There are minor differences between lists of voters eligible for a specific election and lists not associated with an election. **The following fees will be applicable for digital or printed lists: \$50 for countywide list and \$37 for single district/precinct list.**

## **VOTE BY MAIL BALLOT ISSUED AND RETURNED LISTS**

Vote by mail lists include the names of all people who have requested a vote by mail ballot for an upcoming election. The lists indicate whether a voter has returned a ballot and whether the elections office has checked the ballot for the correct signature and address. Lists of registrants for mail ballot precincts are available as soon as precinct consolidation has been finalized for an upcoming election, which is usually two months before an election. Lists of permanent vote by mail voters are available at all times. Vote by mail ballot services will be provided upon receipt of the request if accompanied by a check made payable to the Nevada County Elections Office for an amount "Not to exceed \$\_\_\_\_\_". A running balance of the total cost will be maintained. **The first fee is \$37. An additional fee of \$8/thousand names will be charged for each report after the initial run.**

## **STATEMENT OF VOTE**

The Statement of Vote is the final, official election results. **Printed copies are \$.10 per page.**

Other services include:

Certified photocopy of any original paper record on file in the elections office, unless otherwise specified.	<b>\$11.00</b>
Photocopy of Campaign Finance Reports and Statements of Economic Interests (FPPC)	<b>\$ .10 per page</b>
Certified copy of affidavit of voter registration.	<b>\$1.50</b>

# RESOURCES

## **NEVADA COUNTY ELECTIONS OFFICE**

Office: (530) 265-1298

Toll-free: 1-888-395-1298

Fax: (530) 265-9829

Website: [www.mynevadacounty.com/nc/elections](http://www.mynevadacounty.com/nc/elections)

Email: [elections.mail@co.nevada.ca.us](mailto:elections.mail@co.nevada.ca.us)

Contact the elections office for information regarding the nomination process or any information listed in this handbook.

## **FAIR POLITICAL PRACTICES COMMISSION**

1. Technical Assistance Division: 1-866-275-3772

Fax: (916) 322-0886

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

Contact the Technical Assistance Division for information concerning Campaign Disclosure, Conflict of Interest Disclosure and state contribution limits.

2. FPPC Legal Division: 1-866-275-3772

Contact the Legal Division for information concerning Conflict of Interest disqualification and proper use of campaign funds.

3. FPPC Enforcement Division: 1-866-275-3772

Contact the Enforcement Division for information concerning how to file a complaint under the Political Reform Act.

## **STATE FRANCHISE TAX BOARD**

Customer Service: (800) 852-5711 Automated Service: (800) 338-0505

Website: <http://www.ftb.ca.gov>

Contact the Franchise Tax Board for information concerning committee tax status, tax-deductible contributions, non-profit charitable groups or any other tax related questions. If a campaign receives goods donated in-kind and then sells those goods, the proceeds from the sale may be subject to sales tax.

## **SECRETARY OF STATE (SOS)**

1. Political Reform Division: (916) 653-6224

Fax: (916) 653-5045

Website: <http://www.sos.ca.gov>

Contact the Political Reform Division for information concerning Forms 501 or Form 410, political reform, campaign committee ID numbers and termination of campaign committees.

2. Elections Division: (916) 657-2166

Fax: (916) 653-3214

Email: [elections@sos.ca.gov](mailto:elections@sos.ca.gov)

Contact the Elections Division for information concerning the Elections Code, certified list of candidates and statewide elections results.

## **OFFICIAL CALIFORNIA LEGISLATIVE INFORMATION**

Website: <http://leginfo.legislature.ca.gov/>

Information on current Election, Government, Education, etc., Codes referenced in this candidate handbook.

## **FEDERAL ELECTIONS COMMISSION**

1 (800) 424-9530 Website: <http://www.fec.gov>

Contact the Federal Elections Commission for information concerning Federal Campaign Disclosure requirement or contributions from national banks, national corporations and foreign nationals.

# POLL WATCHERS GUIDELINES

A *Poll Watchers Guide* has been prepared by the Nevada County Elections Office. One copy is available for each campaign free of charge.

Poll watchers may not interfere in any way with the conduct of the election or the closing of the polls. Any person who interferes with the conduct of the election or interferes with a voter is punishable by incarceration for 16 months to three years. (EC § 18502)

The election must be orderly. Do not talk in a loud voice, cause confusion, or congregate inside the polls. Do not ask to use the telephone or other facilities. The elections office must have the means of direct contact to all of our polling places at all times. The area between the official table and the voting booths is for voters only and may not be used as a poll watcher post. (EC § 14221) Poll watchers may not sit at the official table or handle any official voting equipment, supplies, or ballots. (EC § 14223) One index, in alphabetical order, is posted near the entrance to the polling place for reference by the public or any poll watchers. One of the two indexes is updated hourly to indicate persons who have voted.

Poll watchers may not wear candidate/measure badges, discuss candidates/measures or bring any campaign material into the polling place. This activity constitutes electioneering and is illegal. Electioneering may not be conducted within 100 feet of a polling place, defined as 100 feet from the room or rooms in which voters are signing the Roster-Index and casting ballots. The "Polling Place 100 Feet" signs that are posted outside of each polling place indicate the 100 foot boundary for electioneering. (EC § 18370)

NOTE: Because the lobby of the elections office in Nevada City serves as a polling place from 29 days before the election through Election Day, the above guidelines apply.

## NEWS MEDIA EXIT POLLS

Members of the news media are permitted to conduct voter surveys outside of polling places on Election Day. Surveys may take place no closer than 25 feet from the door to the polls.

# LEGISLATIVE INTENT/CAMPAIGN LITERATURE

## **Elections Code § 20400. The intent of Legislature**

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 that 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.

## **Government Code § 84305. The manner of sending mass mailings (200 or more of identical or nearly identical pieces of mail)**

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 such 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 instead of a street address if the organization's address is a matter of public record with the Secretary of State. 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).

## **Elections Code § 20008. Political Advertisement Requirements**

Any paid political advertisement that refers to an election or 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, the words "Paid Political Advertisement". The words shall be, at least, half as large as the type or lettering of the advertisement or in 10-point roman type, whichever is larger. 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 § 20009. Simulated Ballot Requirements**

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 such statement or words or in 10-point roman type, whichever is larger, in a printed or drawn box and set apart from any other printed matter, the following statement:

### NOTICE TO VOTERS (Required by Law)

This is not an official ballot or an official sample ballot prepared by the county elections official or the Secretary of State. This is an unofficial, marked ballot prepared by (insert name and address of the person or organization responsible for preparation thereof).

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

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.

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.

## **Elections Code § 16. Literature Requirements**

The elections official shall provide a copy of Section 84305 of the Government Code to each candidate or his or her agent at the time of filing the declaration of candidacy and to the proponents of a local initiative or referendum at the time of filing the petitions.

## **Elections Code § 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 required by EC § 20009 or that uses an official seal or insignia in violation thereof, is guilty of a misdemeanor.

### **Elections Code § 18302. Distribution of Precinct Polling Place Information**

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 such mailing or distribution.

### **Elections Code § 20202. Authorization To Use Candidate or Committee Name**

It is unlawful for any person who solicits funds for the purpose of supporting or promoting any candidates or committees to include in any part of its name the name of that candidate or committee unless that person shall have previously obtained the authorization of the candidate or committee or the candidate's or committee's designated agent to use the candidate's or committee's name in the name of that person.

Authorization by a candidate or committee shall not be construed as rendering the person soliciting funds a controlled committee as defined by Section 82016 of the Government Code.

### **Elections Code § 20203. Notice of Non-authorization To Be Included In Fundraising Communication**

Any person who solicits or receives contributions on behalf of any candidate or committee for the purported and exclusive use of that committee or the candidate's election campaign and who is not authorized by the candidate or committee or the candidate's or committee's designated agent to do so, shall include a notice in any fundraising communication, whether through any broadcasting station, newspaper, magazine, printed literature, direct mailing, or any other type of general public advertising, or through telephone or individual oral fundraising appeal, clearly and conspicuously stating that the person is not authorized by the candidate or committee and that the candidate or committee is not responsible for the actions of that person.

### **Elections Code § 18576. Willful Interference With Return Of Vote by Mail Ballot Application**

Any person who willfully (a) interferes with the prompt delivery of a completed vote by mail ballot application, (b) retains a completed vote by mail ballot application, without the voter's authorization, for more than three days excluding weekends and state holidays, or by the deadline for return of vote by mail voters' ballot applications, whichever is earlier, or (c) denies an applicant the right to return his or her own completed vote by mail ballot application to the local elections official having jurisdiction over the election, is guilty of a misdemeanor.

# FREQUENTLY ASKED QUESTIONS

## **CAN A CANDIDATE FILE FOR MORE THAN ONE OFFICE?**

A candidate may file for only one office at the same election. (EC § 8003)

## **HOW MUCH ARE FILING FEES?**

A filing fee of 1 percent of the annual salary of the office shall be paid to the county elections official by each candidate for a judicial office or a county office. This shall not apply to any candidate for any office for which the annual salary is two thousand five hundred dollars or less. (EC § 8104)

## **CAN DOCUMENTS BE ISSUED TO SOMEONE OTHER THAN THE CANDIDATE?**

Nomination documents cannot be issued to or accepted by an unauthorized person. The authorization must be in writing and signed by the candidate. (EC § 8028)

## **WHAT NOMINATION DOCUMENTS DOES A CANDIDATE FILE AND WHEN?**

February 16, 2016 – March 11, 2016 (E-112 – E-88)

The Declaration of Candidacy and nomination paper period opens for the June 7, 2016, Statewide Presidential Primary election on Tuesday, February 16, 2016. March 11, 2016, is the deadline for filing Declaration of Candidacy and nomination documents.

Only official nomination documents issued by the Nevada County Elections Office may be used. The forms are available at the Nevada County Elections Office, Eric Rood Administrative Center, 950 Maidu Avenue, Second Floor, Suite 210, Nevada City. Our office is open Monday – Friday, 8:00 a.m. – 5:00 p.m., excluding official holidays.

State law requires that all nomination documents contain the candidate's name and elective office title to which he or she is seeking nomination or election and be signed by the election official at the time of issuance.

## **HOW CAN MY NAME APPEAR ON THE BALLOT?**

The ballot name may be designated as follows:

- First, middle and last name.
- Initials only and last name.
- A nickname may be included but must be in quotation marks, not parentheses.
- A familiar short version of the first name, such as “Bill” for “William”, “Dick” for “Richard” or “Jim” for “James”.
- No title or degree shall appear on the same line on a ballot as a candidate’s name, either before or after the candidate’s name. (EC § 13106)
- A change in legal name is not allowed unless the change was made by marriage or by court decree. (EC § 13104)

## **ARE THERE ANY RESTRICTIONS FOR BALLOT DESIGNATIONS?**

Listing a vocation, occupation, profession or elected position below your name on the ballot is optional. If you choose to do so, you must adhere to the following requirements:

- Elective Office Title – You may use an elective title if you were elected to the office and are still in that office at the time of filing. You may use the term “incumbent” if running for the same office. If you were appointed, you must use “appointed incumbent” or the word “appointed” and the title of the office held. Exception: Candidates appointed to office in lieu of an election do not have to use the word “appointed”.
- Principal Occupation – You are limited to three words to describe your principal profession, vocation, or occupation.
- You may not use the following: (a) any designation that would mislead the voter; (b) any suggested evaluation, such as “outstanding”, “leading expert”, “virtuous” or “eminent”; (c) words indicating a prior status, such as “former” or “ex”. You may not use the name of any political party.
- As of January 1, 2003, the ballot designation “community volunteer” is permissible IF a candidate’s community volunteer activities constitute his or her principal profession, vocation, or occupation and the candidate is not engaged concurrently in another principal profession, vocation, or occupation. The ballot designation of “community volunteer” may not be used in combination with any other principal profession, vocation, or occupational designation.
- If you choose to supply a ballot designation, please fill out and return the Ballot Designation Worksheet.

There are other restrictions, but these are the most common. The candidate will be notified by the elections office if a ballot designation is in violation of the above requirements and/or restrictions. If an alternative designation is not provided within the deadline set by the County Clerk, NO designation will appear on the ballot. (EC § 13107)

### **HOW MANY NOMINATION SIGNATURES DOES A CANDIDATE NEED?**

The number of signatures required varies for each office (see *Qualifications for Offices to Be Elected*). No more than the maximum number of signatures shown will be filed. The minimum number indicates the valid signatures required for qualification. Each signature and residence address is checked against the voter's affidavit of registration. If a person signs nomination paper/petitions for more candidates than there are offices to be filled, the signatures are counted only on those nomination papers which, taken in the order filed, do not exceed the number of offices to be filled. The candidates will be notified immediately if there are any irregularities or if he or she is disqualified. Signatures on the Petition In-Lieu of Filing Fee may be used as signatures for the nomination paper/petition.

### **IS THERE AN EXTENSION FOR THE NOMINATION PERIOD?**

Notwithstanding EC § 8020 or any other provision of the law, if nomination documents for an incumbent officer of a county are not delivered by 5:00 p.m. on the 88<sup>th</sup> day before the Statewide Presidential Primary Election, any person other than the individual who was the incumbent on the 88<sup>th</sup> day shall have until 5:00 p.m. on the 83<sup>rd</sup> day before the election to file nomination documents for the elective office. This section is not applicable where there is no incumbent eligible to be elected. (EC § 8024)

### **CAN A CANDIDATE WITHDRAW HIS OR HER NAME?**

At least 88 days prior to the election, each candidate shall leave with the officer with whom his or her nomination papers are required to be left, a declaration of candidacy which states that the candidate will not withdraw as a candidate before the election. (EC § 8800)

### **WHAT IF THERE IS AN INSUFFICIENT NUMBER OF CANDIDATES?**

If there is only one candidate for a county position, the candidate's name will appear alone on the ballot. For information regarding whether a municipal candidate's name is printed on the ballot if there is only one candidate, contact the respective City or Town Clerk. (EC § 10229)

### **CAN A CANDIDATE CREATE HIS OR HER OWN VOTE BY MAIL APPLICATIONS?**

Any person, including candidates and members of campaign organizations, can distribute applications for vote by mail ballots as long as the application meets the requirements of California Elections Code § 3006 as to its contents. **All forms must be pre-approved by the County Clerk.** The name of any organization that authorizes the distribution of the applications must be included on the form.

# POLITICAL SIGNS

A political sign is any posted advertisement used to promote or defeat a candidate and/or measure for an election. **Political signs are not allowed within 100 feet of the entrance to a polling place on Election Day.** It is highly recommended that candidates retain a list of Nevada County polling places so they can remove any signs within 100 feet of a polling place the day BEFORE Election Day.

## **STATE:**

The State Department of Transportation is prepared to answer questions about state regulation of campaign signs. For information call (916) 654-6473. The Nevada County Elections Office will provide a Cal Trans hand-out prepared for candidates.

## **COUNTY OF NEVADA:**

Political signs or temporary signs not exceeding 32 square feet per sign are permitted, providing that such signs are not posted more than 90 days preceding the election and are removed within 10 days following the election. (Nevada County Zoning Ordinance § L-II, 4.2.12)

## **CITY OF GRASS VALLEY:**

No person shall post, stick, stamp, paint or otherwise fix, or cause the same to be done by any person, any notice, placard, card, poster, advertisement or other paper or device calculated to attract the attention of the public, to or upon any sidewalk, crosswalk, curb or curbstone, flagstone, or any other portion or part of any public way or public place, or any lamp post, electric light, telegraph, telephone or trolley line pole, or railway structure, hydrant, shade tree or tree-box or upon the piers, columns, trusses, girders, railings, gates or other parts of any public bridge or viaduct, or other public structure or building, or upon any pole, box or fixture of the fire alarm or police telegraph system except such as may be authorized or required by the laws of the United States, or state, and the ordinances of the city. (GV City Code § 5.28.020)

Temporary political signs shall be allowed without a sign permit. No political sign shall be erected prior to 90 days before the election to which the sign pertains. In residential zones, no political sign shall exceed four square feet in total area. In commercial, industrial, and other non-residential zones, each political sign and the total of all political signs on a parcel shall not exceed 32 square feet in total sign area. No political sign shall be located within a public right-of-way. All political signs shall be removed within 5 days after the election to which the signs pertain. (GV Zoning Ordinance § 17.38.040)

## **CITY OF NEVADA CITY:**

Political signs may be erected within the city limits, but outside the Historical District. No single sign shall exceed 12 square feet in size. If the sign is two-sided, the area of both sides shall be counted toward the maximum size. The area of an irregular sign shall be the area of the smallest rectangle which can wholly contain the sign. Political signs shall not contain any flashing, blinking or moving letters, characters or other elements, the sign itself shall not move, and shall not contain any outline tubing. Signs should be removed no later than six (6) days following the election. (Nevada City Ordinance 2007-04)

## **TOWN OF TRUCKEE:**

Temporary political signs not exceeding sixteen (16) square feet total for each property in residential zones and thirty-two (32) square feet total for each property in non-residential zones, provided that campaign signs are not posted more than sixty (60) days preceding the election and are removed within fourteen (14) days following the election (Town of Truckee Zoning Ordinance). The Public Works Department will coordinate the size and number of signs allowed per parcel with the Planning Department. The public right-of-way frontage of a parcel will be considered the same as the property line for the adjoining private property. For sight distance or right-of-way obstruction, the candidate will be requested to relocate the sign. Failure to relocate will result in removal of offending sign by Town staff.