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Candidate Services

Information for Ballot Arguments for Measure K Appearing in the November 6, 2012 Presidential General Election

The California Elections Code governs the preparation and submittal of primary ballot arguments and rebuttal arguments in favor of or against measures placed on the ballot through the district initiative process. The Placer County Office of Elections has prepared this guide to help answer questions regarding the ballot argument preparation and submittal process. It is distributed with the understanding that the Office of Elections is not rendering legal advice and, therefore, the information packet is not to be a substitute for legal counsel for the individual using it. In case of conflict, the law, regulation, or rule will apply. If you have questions not answered by the information below, please contact the Placer County Office of Elections.

Any references to "E.C." refer to the California Elections Code.

BALLOT ARGUMENTS:

The persons filing an initiative petition may file a written argument in favor of the ordinance. The district board may submit an argument against the ordinance. No argument shall exceed 300 words in length. (E.C. 9315)

Title: The arguments shall be titled either "Argument In Favor of Measure _____" or "Argument against Measure _____." (E.C. 9315)

Number of Words: Arguments cannot exceed 300 words in length. Attached is Elections Code Section 9 to help you determine the number of words in the text of any argument. (E.C. 9315)

Signatures: A ballot argument *shall not be accepted* unless accompanied by the name or names of the person or persons submitting it, or, if submitted on behalf of an organization, the name of the organization and the name of at least one of its principal officers. A Ballot Argument Statement is provided in the packet for this purpose.

No more than five signatures shall appear with any argument submitted. In case more than five persons sign any argument, the signatures of the first five shall be printed. (E.C. 9164)

Argument Not Accepted without Consent from Person Included in Text: An argument that includes in its text the name or title of a person, other than the author of

the argument, who is represented as being for or against a measure, shall not be accepted unless the argument is accompanied by the signed consent of that person. The consent of a person, other than an individual, shall be signed by an officer or other duly authorized representative. "Person" as used in this section means an individual, partnership, corporation, association, committee, labor organization, and any other organization or group of persons.

Withdrawal of Argument: An argument may be withdrawn by its proponents at any time prior to and including the final day fixed for filing argument. (E.C. 9601)

Public Examination Period: The Office of Elections will make a copy of the arguments available to the public for a period of 10 days immediately following the filing deadline. During the 10-calendar-day public examination period, any voter in the jurisdiction in which the election is being held may seek a writ of mandate or an injunction requiring any material to be amended or deleted. The writ of mandate or injunction request shall be filed no later than the end of the 10-calendar-day public examination period. (E.C. 9380)

The deadline for filing primary arguments is: August 23, 2012 by 5:00 PM

REBUTTAL ARGUMENTS:

When the county clerk has selected the arguments for and against the measure, which will be printed and distributed to the voters, the clerk shall send copies of the argument in favor of the measure to the authors of the argument against, and copies of the argument against to the authors of the argument in favor. (E.C. 9317)

Rebuttal arguments written by an individual other than the author of the primary argument will need to be accompanied by written authorization from the author of the primary argument. (E.C. 9317)

Title: Rebuttal arguments shall be titled either "Rebuttal to Argument In favor Of Measure ____" or "Rebuttal to Argument against Measure ____." (E.C. 9317)

Number of Words: Rebuttal arguments are limited to 250 words. (E.C. 9317)

Signatures: See "Signatures" paragraph above.

Argument Not Accepted Without Consent From Person Included In Text:
See "Argument Not Accepted without Consent from Person Included in Text" paragraph above.

Withdrawal of Argument: See "Withdrawal of Argument" paragraph above.

Public Examination Period: See "Public Examination Period" paragraph above.

The deadline for filing rebuttal arguments is: August 29, 2012 by 5:00 PM
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WORD COUNT GUIDELINES

(E.C. 9)

Counting of words, for purposes of this code, shall be as follows:

1. Punctuation is not counted.
2. Each word shall be counted as one word except as specified in this section.
3. All geographical names shall be considered as one word; for example, "City and County of San Francisco" shall be counted as one word.
4. Each abbreviation for a word, phrase, or expression shall be counted as one word.
5. Hyphenated words that appear in any generally available standard reference dictionary, published in the United States at any time within the 10 calendar years immediately preceding the election for which the words are counted, shall be considered as one word. Each part of all other hyphenated words shall be counted as a separate word.
6. Dates consisting of a combination of words and digits shall be counted as two words. Dates consisting only of a combination of digits shall be counted as one word.
7. Any number consisting of a digit or digits shall be considered as one word. Any number which is spelled, such as "one," shall be considered as a separate word or words. "One" shall be counted as one word whereas "one hundred" shall be counted as two words. "100" shall be counted as one word.
8. Telephone numbers shall be counted as one word.
9. Internet website addresses shall be counted as one word.

BALLOT ARGUMENT STATEMENT FORM
Election Code Section 9600

All arguments concerning measures filed pursuant to California Elections Code Division 9, commencing with Section 9000, shall be accompanied by the following form statement, to be signed by each proponent and by each author, if different, of the argument:

The undersigned proponent(s) or author(s) of the _____
(primary/rebuttal to)
argument _____ ballot proposition _____
(in favor of/against) (name or number)
at the _____
(title of election)
for the _____
(jurisdiction)
to be held on _____ hereby state that such argument is
(date of election)
true and correct to the best of _____ knowledge and belief.
(his/her/their)

Signed _____ Date _____

Printed name _____ Title _____

Signed _____ Date _____

Printed name _____ Title _____

Signed _____ Date _____

Printed name _____ Title _____

Signed _____ Date _____

Printed name _____ Title _____

Signed _____ Date _____

Printed name _____ Title _____

AUTHOR INFORMATION

Signed _____ Date _____

Printed name _____ Title _____

Mailing Address _____

AUTHORIZATION FORM

(For Rebuttal Arguments Only)

I, _____, as the author on the primary argument in favor _____ or argument against _____ do hereby authorize the following person to sign in my place on the rebuttal to the argument in favor _____ or rebuttal to the argument against _____.

The following must be completed with the information on the new author:

Print Name: _____

Residence Address: _____

Mailing Address: _____

City / Zip Code: _____

The following must be completed with the information on the original author:

Print Name: _____

Residence Address: _____

Mailing Address: _____

City / Zip Code: _____

(Signature of Original Author)

Statement of Responsibility for Political Signs

The placement of political signs in county territory is subject to regulations established by the Placer County Code Chapter 17 Zoning, Section 17.54.190 (B). It requires that: No signs shall be posted earlier than 60 days prior to the election to which they pertain, and shall be removed no later than 21 days after the election. No signs shall be posted in any county roadway rights-of-way. To guarantee removal, a refundable deposit of \$200.00 will be paid to the Office of Elections before any signs are posted.

Candidate's/Proponent's Name: _____

Office Sought or Measure Letter: _____

Election Date: _____

Date Received: _____ Receipt No: _____

The undersigned accepts responsibility for removal of any signs posted in reference to the above candidate (or proposition) as stated above and in accordance with Placer County Code Chapter 17 Zoning, Section 17.54.190 (B). If all signs are not removed by 21 days after the election to which they pertain, violations are punishable under the provisions in Article 17.62 (enforcement). The punishment is a fine not to exceed \$500.00 per violation, with each day constituting a separate violation, or not more than six months in jail and forfeit of the sign deposit.

The Office of Elections will begin processing all refunds the 22nd day after the election if there are no outstanding complaints.

Name: _____ Daytime Telephone: () _____

Signature: _____

Dated: _____

Make Refund Payable to: _____

Mail Refund to: _____

For Office Use Only

RE Deposit Date: _____ RE Number: _____

Coding: Dept. 07, OCA 000730, PCA 00711, GL2202, PCELEC _____

Refund Amount: \$200

Refund Date: _____ Refund Doc#: _____