

## Nomination Papers

Candidates begin the nomination process by obtaining signatures on the nomination paper. The City Clerk will furnish the nomination paper. At the time of issuance, the name of the candidate will be typed on the form, and the City Clerk will sign and date the form.

To be nominated to the Office of Member of the City Council, the candidate must:

- ☞ Be a registered voter in the City of Laguna Hills at the time the nomination paper is issued; and
- ☞ Obtain 20 **valid** signatures of registered voters **residing in the City of Laguna Hills**.

### Circulator

Circulators are persons who perform the task of obtaining signatures of registered voters on the nomination paper. A candidate may either circulate his/her own nomination paper or may appoint another person to act as circulator. **Any person 18 years of age or older may circulate the nomination paper.**

In addition to collecting signatures, circulators are required to execute a sworn statement that all the signatures they obtained on the nomination paper were made in their presence and that, to the best of their knowledge and belief, each signature is the genuine signature of the person whose name it purports to be. Accordingly, **only one person may obtain signatures on a nomination paper.** After the circulator signs the sworn statement as to the validity of the signatures, the candidate should complete and file the nomination paper along with the other required documents with the City Clerk.

**Note:** ☞ **If the circulator fails to obtain the signatures in accordance with law, the candidate's right to be placed on the ballot could be questioned. Candidates and circulators need to be aware of laws regarding signatures.**

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#### Nomination Signatures

Between July 16, 2018, and August 10, 2018, both days included, voters may nominate candidates for election by signing a nomination paper.


- ⌘ Each candidate shall be proposed by not less than 20 or more than 30 voters, but only one candidate may be named in any one nomination paper. Each signer of the paper must be a registered voter of the City of Laguna Hills. Both the candidate and the circulator can sign the paper.
- ⌘ There are three vacancies for Member of the City Council; therefore, a registered voter can sign no more than three nomination papers. If a registered voter signs more than three nomination papers, the voter's signature shall only count on the first three nomination papers **filed with the City Clerk.**
- ⌘ Voters must sign the nomination paper as they are registered. All signatures on each nomination paper must be on the same sheet of paper, and each signer must print his or her name and add the place of residence, giving the street and number, if any. Otherwise, the place of residence should be designated in such a manner as to enable its location to be readily ascertained.
- ⌘ Every nomination paper shall include an affidavit of the person who circulated it to the effect that he or she **saw written** all the signatures appended thereto and knows that they are the signatures of the persons whose names they purport to be and the dates between which all signatures to the paper were obtained.
- ⌘ A verified statement of the candidate that he or she will accept the nomination and also accept the office in the event of his or her election shall accompany each nomination paper.

Once the nomination documents have been submitted to the City Clerk, the Clerk will verify the signatures of the signers on the nomination paper with the registration affidavits on file in the office of the Registrar of Voters. Any signature that does not appear in the same handwriting as appears on the affidavit of registration will be marked **"NOT SUFFICIENT."**

Once the minimum requisite number of signatures has been verified, the verification process ceases. The City Clerk will notify the candidate of the verification results.

#### Supplemental Nomination Papers

Once a nomination paper is filed with the elections official, the nomination paper may not be returned to the candidate to obtain additional signatures. If the candidate fails to obtain the correct number of valid signatures on his or her nomination paper, the elections official shall retain the original nomination paper, and issue one supplemental nomination paper to the candidate, on which the candidate may collect additional signatures. The supplemental nomination paper must be filed no later than 5:00 p.m. on the last day for filing for office, August 10, 2018, or by 5:00 p.m. on August 15, 2018, if the nomination period is extended.

**Note:**  **Until 5:00 p.m., on August 10, or 5:00 p.m. on August 15 if the nomination period is extended, a candidate may withdraw the nomination paper after it is filed with the City Clerk. You are not permitted to officially withdraw after that date, and your name will appear on the ballot.**

#### Ballot Designation

A ballot designation is a brief description, generally three words, which candidates provide to describe themselves on the ballot. The ballot designation is found on Page 4 of the nomination paper. Major points of the *Elections Code* pertaining to ballot designations are summarized below. Additional information regarding ballot designations is contained in the attached *Secretary of State Ballot Designation Regulations*. This publication from the Secretary of State's Office is merely advisory for candidates in local elections. A Ballot Designation Worksheet is included in the folder of materials provided to you at the time of pulling nomination papers. The Worksheet is required and is intended to assist in the prompt evaluation of requested ballot designations.

**Acceptable Ballot Designations**

The candidate may choose any **one** of the options listed below for his/her ballot designation ([EC §13107](#) and [EC §13107.5](#)):

- ⌘ Words designating the elective city, county, district, state, or federal office that the candidate holds at the time of filing the nomination papers to which he or she was elected by a vote of the people. There is no word for the official title of the office. A candidate may choose to include the name of his/her elective office with another profession, vocation, or occupation, but that ballot designation is limited to no more than three words.
- ⌘ The word "incumbent" if the candidate is a candidate for the same office which he or she holds at the time of filing the nomination papers, and was elected to that office by a vote of the people. **The word "incumbent" must be used as a noun and must stand alone.**
- ⌘ The phrase "appointed incumbent" if the candidate holds an office other than a judicial office by virtue of appointment, and the candidate is a candidate for election to the same office, or, if the candidate is a candidate for election to the same office, or to some other office, the word "appointed" and the title of the office. In either instance, the candidate may not use the unmodified word "incumbent" or any words designating the office unmodified by the word "appointed." **The words "appointed incumbent" must stand alone. However, the phrase "appointed incumbent" shall not be required of a candidate who seeks reelection to an office which he/she holds and to which he/she was appointed, as a nominated candidate, in lieu of an election pursuant to Education Code Sections [5326](#) and [5328](#) or Elections Code Sections [7228](#), [7423](#), [7673](#), [10229](#), or [10515](#).**
- ⌘ No more than three words designating the current principal professions, vocations, or occupations of the candidate, or the principal professions, vocations, or occupations of the candidate during the calendar year immediately preceding the filing of nomination papers.
- ⌘ For the purposes of this section, all California geographical names shall be considered to be one word. The names of school and special districts and political subdivisions are not geographical names. Punctuation shall

be limited to use of a comma. 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.

- ⌘ "Principal", as that term is used in [Elections Code § 13107](#) (a)(3), means a substantial involvement of time and effort such that the activity is one of the primary, main or leading professional, vocational or occupational endeavors of the candidate. The term "principal" precludes any activity which does not entail a significant involvement on the part of the candidate. Involvement which is only nominal, pro forma, or titular in character does not meet the requirements of the statute. The ballot designation must accurately state the candidate's principal professions, vocations, or occupations and must be factually accurate and descriptive, and neither confusing nor misleading.
- ⌘ "Profession" means a field of employment requiring special education or skill and requiring specific knowledge of a particular discipline. The labor and skill involved in a profession is predominantly mental or intellectual, rather than physical or manual. Recognized professions generally include, but are not limited to: law, medicine, education, engineering, accountancy, and journalism. Examples of an acceptable designation of a "profession", as defined in [Elections Code § 13107](#) (a)(3) include, but are not limited to: Attorney, physician, accountant, architect, and teacher.
- ⌘ "Vocation" means a trade, a religious calling, or the work upon which a person, in most but not all cases, relies for his/her livelihood and spends a major portion of his/her time. As defined, vocations may include, but are not limited to: Religious ministry, child rearing, homemaking, elderly and dependent care, and engaging in trades such as carpentry, cabinetmaking, plumbing, and the like. Examples of an acceptable designation of a "vocation", as defined in [Elections Code § 13107](#) (a)(3) include, but are not limited to: Minister, priest, mother, father, homemaker, dependent care provider, carpenter, plumber, electrician, and cabinetmaker.

- ⌘ "Occupation" means the employment in which one regularly engages or follows as the means of making a livelihood. Examples of an acceptable designation of an "occupation" as defined in [Elections Code § 13107](#) (a)(3) include, but are not limited to: Rancher, restaurateur, retail salesperson, manual laborer, construction worker, computer manufacturing executive, military pilot, secretary, and police officer.
- ⌘ If a candidate is licensed by the State of California to engage in a profession, vocation or occupation, the candidate is entitled to consider it one of his/her "principal" professions, vocations, or occupations if (a) the candidate has maintained his/her license current as of the date he/she filed his/her nomination documents by complying with all applicable requirements of the respective licensure, including the payment of all applicable license fees and (b) the status of the candidate's license is active at the time he/she filed his/her nomination documents. A candidate who holds a professional, vocational, or occupational license issued by the State of California may not claim such professional, vocation or occupation as one of his/her "principal" professions, vocations, or occupations if (a) the candidate's licensure status is "inactive" at the time the candidate files his/her nomination documents, or (b) the candidate's license has been suspended or revoked by the agency issuing the license at the time the candidate files his/her nomination documents.
- ⌘ A candidate may engage in multiple principle professions, vocations or occupations. If a candidate proposes a ballot designation including multiple principal professions, vocations or occupations, the proposed ballot designation must comply with the following provisions: (1) The three-word limitation specified in [Elections Code § 13107](#) (a)(3); (2) each such proposed profession, vocation or occupation shall be separately considered and must independently qualify as a "principal" profession, vocation, or occupation; and (3) when multiple professions, vocations or occupations are proposed as a ballot designation, they shall be separated by a slash ("/")

- ⌘ "Community Volunteer" means a person who engages in an activity or performs a service for or on behalf of, without profiting monetarily, one or more of the following: (1) A charitable, educational, or religious organization as defined by the [U.S. Internal Revenue Code § 501 \(c\)\(3\)](#); (2) a government agency; or (3) an educational institution. The activity or service must constitute substantial involvement of the candidate's time and effort such that the activity or service is the sole, primary, main, or leading professional, vocational or occupational endeavor of the candidate. The words "Community Volunteer" must stand alone. If the volunteer work is considered an "avocation", then "Community Volunteer" may not be used as the ballot designation.
- ⌘ The use of the word "retired" is generally limited for use by individuals who have permanently given up their chosen principal profession, vocation, or occupation. These factors will be taken into consideration: (a) prior to retiring from his/her principal profession, vocation or occupation, the candidate worked in such profession, vocation or occupation for more than five years; (b) the candidate is collecting, or eligible to collect, retirement benefits or other type of vested pension; (c) the candidate has reached at least the age of 55 years; (d) the candidate voluntarily left his/her last professional, vocational, or occupational position; (e) if the candidate requests a ballot designation that he/she is a retired public official, he/she must have previously voluntarily retired from public office, not have been involuntarily removed from office, not have been recalled by voters, and not have surrendered the office to seek another office or failed to win reelection to the office; (f) the candidate has not had another more recent, principal profession, vocation or occupation; (g) the candidate's retirement benefits are providing him/her with a principal source of income; and (h) the candidate possesses another more recent, intervening principal profession, vocation, or occupation.

### **Unacceptable Ballot Designations**

The following types of activities are distinguished from professions, vocations, and occupations and are not acceptable as ballot designations pursuant to [Elections Code §13107](#):

- **Avocations:** An avocation is a casual or occasional activity, diversion or hobby pursued principally for enjoyment and is in addition to the candidate's principal profession, vocation or occupation. Avocations may include, but are not limited to: Hobbies, social activities, volunteer work, and matters pursued as an amateur. Example: (a) if a person is a PTA President (not a paid position) and does not have a principal profession, vocation, or occupation, then that person could use "Community Volunteer" as his/her ballot designation but could not use "PTA President". "PTA President" is considered a "status"; (b) If the person is a PTA President and also has a principle profession, vocation, or occupation, he/she must use his/her principle profession, vocation, or occupation as his/her ballot designation; (c) if the person is a PTA President and also has a principle profession, vocation, or occupation, he/she could not use both the principle profession, vocation, or occupation and "Community Volunteer" (even if the designation meets the three-word requirement) because "Community Volunteer" must stand alone.
- **Pro Forma Professions, Vocations, and Occupations:** Pro forma professions, vocations or occupations are positions held by the candidate which consume little or none of the candidate's time and which, by their nature, are voluntary or for which the candidate is not compensated. Pro forma professions, vocations and occupations may include, but are not limited to: Honorary peace officer, honorary chairperson, honorary professor, goodwill ambassador, official host or hostess, and the like.
- **Statuses:** A status is a state, condition, social position or legal relation of the candidate to another person, persons or the community as a whole. A status is generic in nature and generally fails to identify with any particular specificity the manner by which the candidate earns his or her livelihood or spends the substantial majority of his or her time. Examples of a status include, but are not limited to: Veteran, proponent, reformer, scholar, founder, philosopher, philanthropist, mother of eleven, activist, patriot, taxpayer, concerned citizen, Kiwanis Club President, PTA President, husband, and wife.



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- ⌘ A ballot designation which abbreviates the word "retired" or places it following any word or words which it modifies. Examples of impermissible designations include, but are not limited to: Ret. Army General; Major USAF, Retired; and City Attorney, Retired.
- ⌘ 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 per [Elections Code § 13106](#). Examples include, but are not limited to: Ph.D., M.A., B.A., B.S., and M.D.
- ⌘ A ballot designation may not comprise or include commercial identification information, such as a trademark, service mark, trade name, or the specific name of a business, partnership, corporation, company, foundation, or organization. Examples of an improper use of commercial identification information include, but are not limited to: Acme Company President, Universal Widget Inventor, Director, Smith Foundation, UCLA Professor, and the like.
- ⌘ Pursuant to [Elections Code § 13107\(b\)\(2\)](#), a ballot designation which would suggest an evaluation of the candidate's qualifications, honesty, integrity, leadership abilities or character. Any laudatory or derogatory adjectives which would suggest an evaluation of the candidate's qualifications shall not be permitted. Such impermissible adjectives include, but are not limited to: Senior, emeritus, specialist, magnate, outstanding, leading, expert, virtuous, eminent, best, exalted, prominent, famous, respected, honored, honest, dishonest, corrupt, lazy, advocate, and the like.
- ⌘ A ballot designation which uses a word or prefix to indicate a prior profession, vocation, occupation or elected, appointed, or judicial office previously held by the candidate. These include, but are not limited to: Ex-, former, past, and erstwhile. Examples of impermissible designations include: Former Congressman, Ex-Senator, and Former Educator.
- ⌘ A ballot designation indicating that a candidate is a member of the state or county central committee of a political party, or an officer of a state or county central committee of a political party, are improper, as such positions do not constitute elective county or state as specified in [Elections Code § 13107\(a\)\(1\)](#).


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- Ⓜ A ballot designation which uses the name of any political party, whether or not it has qualified for recognized ballot status.
- Ⓜ A ballot designation which uses a word or words referring to a racial, religious or ethnic group or implies any ethnic or racial slurs or ethnically or racially derogatory language.
- Ⓜ If the candidate is a member of the clergy, the candidate may not make reference to his/her specific domination. However, the candidate may use his/her clerical title as a ballot designation (e.g. Rabbi, Pastor, Priest, Bishop, Deacon, Monk, Nun, Imam, etc.)
- Ⓜ Neither the Secretary of State nor any other election official shall accept a designation of which any of the following would be true:
  - Would mislead the voter;
  - Would suggest an evaluation of a candidate, such as outstanding, leading, expert, virtuous, or eminent;
  - Abbreviates the word, "retired" or places it following any word or words which it modifies;
  - Uses a word or prefix, such as "former" or "ex-," which means a prior status, the only exception is the use of the word "retired";
  - Uses the name of any political party, whether or not it has qualified for the ballot;
  - Uses a word or words referring to a racial, religious, or ethnic group;  
or
  - Refers to any activity which activity is prohibited by law.

**IMPORTANT:** Each candidate who submits a ballot designation shall file a Ballot Designation Worksheet that supports the use of that ballot designation by the candidate. The Ballot Designation Worksheet shall be filed with the Registrar of Voters at the same time that the candidate files his/her Declaration of Candidacy. The Ballot Designation Worksheet is public record and shall be available for inspection and copying. [CA Admin Code §20711](#)

If a candidate requests a change to his or her ballot designation pursuant to [Elections Code §13107\(e\)](#), that request shall be accompanied by a new Ballot Designation Worksheet. [CA Admin Code §20711](#)

**Note:**  In the event that a candidate fails to file a Ballot Designation Worksheet, no Designation shall appear under the candidate's name on the ballot. [EC § 13107.3\(c\)](#)

If the City Clerk finds the ballot designation submitted by a candidate violates any of the restrictions set forth in this section, the City Clerk will notify the candidate by registered mail or certified mail, return receipt requested, addressed to the mailing address appearing on the candidate's nomination documents. The candidate shall, within three days, excluding Saturday, Sunday, and state holidays, from the date of receipt of the notice, appear before the City Clerk and provide an alternate designation.

**Note:**  In the event the candidate fails to provide an alternate designation, no designation will appear after the candidate's name.

### Changing Ballot Designations

No ballot designation given by a candidate shall be changed by the candidate except when specifically requested by the City Clerk to change an unacceptable designation.