

MARIPOSA COUNTY
BOARD OF SUPERVISORS

AGENDA
ACTION FORM

DATE: December 4, 2001
AGENDA ITEM #: CA-5

DEPARTMENT: County Clerk

BY: Marjorie Wass

PHONE: 966-2007

RECOMMENDED ACTION AND JUSTIFICATION (Policy Item: YES NOX.....)

Pursuant to Election Code Section 10515, when the number of candidates who have filed a declaration of candidacy, does not exceed the number of offices to be filled, the Supervising Authority shall appoint such persons (Election Code 10515 (a)).

Pass a resolution appointing Robert W. Mc Knight, Craig Konklin, David Radanovich, and Brian E. Muller to the Mariposa Public Utility District (MPUD) Board of Directors.

BACKGROUND AND HISTORY OF BOARD ACTIONS

The Board of Supervisors appoints those persons who have filed declarations pursuant to (Election Code 10515 (a)).

LIST ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION

Four vacancies will occur if no one is appointed.

COSTS: (X if not applicable)		SPECIAL INSTRUCTION:
A.	Budgeted current FY \$ _____	List the attachments and number the pages consecutively:
B.	Total anticipated costs \$ _____	Copy of Election Code 10515 (pg.1)
C.	Required additional funding \$ _____	Copy of Declaration of Candidacy (pgs. 2-5)
D.	Internal transfers \$ _____	_____
SOURCE: () 4/5th Vote Required		_____
A.	Unanticipated revenues \$ _____	_____
B.	Reserve for contingencies \$ _____	_____
C.	Source description: _____	_____
Balance in Reserve for Contingencies, if approved:		_____
\$ _____		_____

CLERK'S USE ONLY:

Res. No. 01339 Ord. No. _____

Vote = Ayes 5 Noes _____

Absent _____ Abstain _____

[Signature] () Approved () Denied

() Minute Order Attached () No Action Necessary

ADMINISTRATIVE OFFICER'S RECOMMENDATION

This item on agenda as:

_____ Recommended

_____ Not Recommended

_____ For Policy Determination

_____ Submitted with Comment

_____ Returned for Further Action

_____ Submitted with Comment

Comment: _____

CAO Initials [Signature]

The foregoing instrument is a correct copy of the original on file in this office.

DATE _____

ATTEST: _____

MARGIE WILLIAMS, Clerk of the Board
County of Mariposa, State of California

BY: _____

Deputy _____

Action Form Revised 5/92

with the declaration of candidacy.

The county elections official or district secretary, or a person designated by the county elections official or district secretary, shall administer the oath.

(Amended by Stats. 1998, c. 199, §39.)

10513. Examination of declaration of candidacy.

Upon filing each declaration of candidacy, the county elections official shall examine the declaration to determine if it conforms with the provisions of this part and shall certify whether it is sufficient. For this purpose, the elections official shall be entitled to obtain from any officer of an affected county all information necessary to make this determination.

(Added by Stats. 1994, c. 920, §2.)

10514. Qualification of candidate.

The qualifications of a candidate for elective office, and of an elective officer, of a district shall be determined by the principal act of that district.

(Added by Stats. 1994, c. 920, §2.)

10515. Appointment of candidates.

(a) If, by 5 p.m. on the 83rd day prior to the day fixed for the general district election: (1) only one person has filed a declaration of candidacy for any elective office to be filled at that election, (2) no one has filed a declaration of candidacy for such an office, (3) in the case of directors to be elected from the district at large, the number of persons who have filed a declaration of candidacy for director at large does not exceed the number of offices of director at large to be filled at that election, or (4) in the case of directors who must reside in a division but be elected at large, the number of candidates for director at large from a division does not exceed the number required to be elected director at large while residing in that division; and if a petition signed by 10 percent of the voters or 50 voters, whichever is the smaller number, in the district or division if elected by division, requesting that the general district election be held has not been presented to the officer conducting the election, he or she shall submit a certificate of these facts to the supervising authority and request that the supervising authority, at a regular or special meeting held prior to the Monday before the first Friday in December in which the election is held, appoint to the office or offices the person or persons, if any, who have filed declarations of candidacy. The supervising authority shall make these appointments.

(b) If no person has filed a declaration of candidacy for any office, the supervising authority shall appoint any person to the office who is qualified on the date when the election would have been held. The person appointed shall qualify and take office and serve exactly as if elected at a general district election for the office.

(c) Where a director must be appointed to represent a division, all or most of which is not within the county governed by the supervising authority, then the board of supervisors of the county within which all or most of that division is located shall be the body to which request for appointment is made and which shall make the appointment.

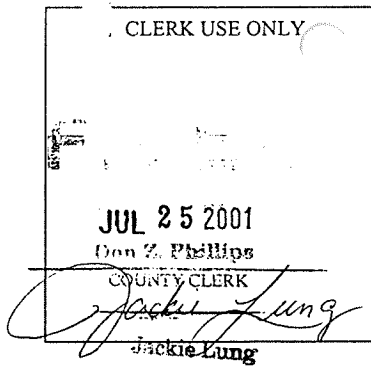
(Added by Stats. 1994, c. 920, §2.)

10516. Time extension if incumbent fails to file.

(a) Notwithstanding any other provision of law, in any district or agency election, if a declaration of candidacy for an incumbent elective officer of a district is not filed by 5 p.m. on the 88th day before the general district election, any person other than the person who was the incumbent on the 88th

2- Declaration of Candidacy
For Special District Office

Elections Code Section 10511



I, Robert W. McKnight do hereby declare myself as a candidate for
Name of Candidate
election to the office of Member, Board of Director of the Mariposa Public Utility
Name of district
District, N/A I am a registered voter. If elected, I will qualify and accept the office
Division or unit, if any
of Director and serve to the best of my ability. I request my name be placed
on the official ballot of the district for the election to be held on the 6TH day of November, 2001
and that my name appears on the ballot as follows:

(Print name above)

My current residence address is 5165 Mueller Road - Mariposa, CA 95338
and my telephone number is 209-966-4147.

I desire the following occupational designation to appear on the ballot under my name.

Retired

(Print desired designation, if any, above)

This occupational designation is true and in conformance with the requirements of Section 13107 of the Elections Coded.

Note: A ballot designation is optional. If no ballot designation is requested, write in the word "NONE" and initial in box as indicated.

Candidate, write none & initial
If preferring no ballot designation:

Candidate Statement

I do not elect to file a statement of qualifications as permitted by
Elections Code Sections 13307-13312.

Robert W. McKnight

Candidate: Sign here only if you do not choose to file a statement

I am aware that any person who files or submits for filing a declaration of candidacy knowing that it or any part of it has been made falsely is punishable by a fine or imprisonment, or both, as set forth in Section 18203 of the Elections Code. I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on July 25, 2001, at Mariposa, California

Robert W. McKnight
(Signature of Candidate)

FOR USE OF COUNTY ELECTIONS OFFICIAL ONLY

I hereby certify that I have examined this declaration pursuant to California Elections Code Section 10513 and find it to be sufficient.

Don Z. Phillips, County Clerk- Registrar of Voters

By

Jackie Lung
(Deputy)

Date: July 25, 2001

OATH OF AFFIRMATION

Code of Civil Procedure Section 2015.6
Elections Code Sections 10512

STATE OF CALIFORNIA) ss
County of Mariposa) ss

I, Robert W. McKnight, do solemnly swear (or affirm) that I will support
Name of candidate
and defend the Constitution of the United States and the Constitution of the State of California against all enemies,
foreign and domestic; that I will bear true faith and allegiance to the Constitution of the United States and the
Constitution of the State of California; that I take this obligation freely, without any mental reservation or purpose of
evasion; and that I will well and faithfully discharge the duties upon which I am about to enter.

Robert W. McKnight
Signature of candidate

(3) Subscribed and sworn (or affirmed) to before me, this 25 day of July, 20 01

DON Z. PHILLIPS, County Clerk

By: Joski Luna Deputy Clerk

(3) The county clerk or district secretary, or a person designated by the county clerk or district secretary shall administer the oath. (EC 10512)

Notes for Candidate:

If an optional occupational designation is specified, it must conform to the restrictions listed in (EC 13107). Immediately under the name of each candidate, and not separated from the name by any line, may appear at the option of the candidate only one of the following designations: (1) Words designating the office which you hold at the time of filing this declaration of candidacy; or (2) The word "incumbent" if you are a candidate for the same office which you hold at the time of filing this declaration of candidacy; or (3) No more than three words designating your principal professions, vocations, or occupations; or (4) The phrase "appointed incumbent" if you are a candidate for the same office you hold by virtue of appointment.

In addition, you may not use a designation which: (1) would mislead the voter; (2) would suggest an evaluation of a candidate, such as outstanding, leading, expert, virtuous, or eminent; (3) abbreviates the word "retired" or places it following any word or words which it modifies; (4) 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"); (5) uses the name of any political party, whether or not it has qualified for the ballot; (6) uses a word (s) referring to a racial, religious, or ethnic group; (7) it refers to any activity prohibited by law.

Please refer to Elections Code Section 13107 for a complete list of restrictions.

Notes for Candidate and Clerk:

Whenever other elections are consolidated with a regularly scheduled election, the period for the filing of this declaration of candidacy by candidates in elections consolidated with the regularly scheduled election shall commence on the 113th day prior to the election. This declaration of candidacy shall be filed not later than 5 p.m. on the 88th day prior to the regularly scheduled election in the office of the appropriate officer, during regular office hours. If a declaration of candidacy for an incumbent officer of a political subdivision are not filed by 5 p.m. on the 88th day before the election, any person other than the person who was the incumbent on the 88th day shall have until 5 p.m. on the 83rd day before the election to file a declaration of candidacy for the elective office. This section is not applicable where there is no incumbent eligible to be elected. (Elections Code Section 10407)

Forms for declarations of candidacy for all district offices shall be obtained from the office of the county elections official. The county elections official may, for convenience or necessity, authorize the district secretary to issue declarations of candidacy. The forms shall first be available on the 113th day prior to the general district election and shall be filed not later than 5 p.m. on the 88th day prior to the general district election in the office of the county elections official during regular office hours or may be filed by certified mail so that the forms reach the office of the county election official no later than the deadline for filing in that office. The county elections official shall record the date of filing upon the first page of each declaration of candidacy filed pursuant to this section. No candidate shall withdraw his or her declaration of candidacy after 5 p.m. on the 88th day prior to the general district election. On request of the district secretary, the county elections official shall provide the secretary with a copy of each declaration of candidacy filed pursuant to this section. (Elections Code Section 10510)

The qualifications of a candidate for elective office, and of an elective officer, of a district shall be determined by the principal act of that district. (Elections Code Section 10514)

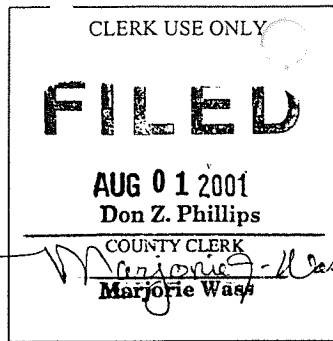
If, by 5 p.m. on the 83rd day prior to the day fixed for the general district election: (1) only one person has filed a declaration of candidacy for any elective office to be filled at that election, (2) no one has filed a declaration of candidacy for such an office, (3) in the case of directors to be elected from the district at large, the number of persons who have filed a declaration of candidacy for director at large does not exceed the number of offices of director at large to be filled at that election, or (4) in the case of directors who must reside in a division but be elected at large, the number of candidates for director at large from a division does not exceed the number required to be elected director at large while residing in that division; and if a petition signed by 10 percent of the voters or 50 voters, whichever is the smaller number, in the district or division if elected by division, requesting that the general district election be held has not been presented to the officer conducting the election, he or she shall submit a certificate of these facts to the supervising authority and request that the supervising authority, at a regular or special meeting held prior Monday before the first Friday in December in which the election is held, appoint to the office or offices the person or persons, if any, who have filed declarations of candidacy. The supervising authority shall make these appointments. If no person has filed a declaration of candidacy for any office, the supervising authority shall appoint any person to the office who is qualified on the date when the election would have been held. The person appointed shall qualify and take office and serve exactly as if elected at a general district election for the office. Where a director must be appointed to represent a division, all or most of which is not within the county governed by the supervising authority, then the board of supervisors of the county within which all or most of that division is located shall be the body to which request for appointment is made and which shall make the appointment (Elections Code Section 10515)

Notwithstanding any other provision of law, in any district or agency election, if a declaration of candidacy for an incumbent elective officer of a district is not filed by 5 p. m. on the 88th day before the general district election, any person other than the person who was the incumbent on the 88th day shall have until 5 p. m. on the 83rd day before the election to file a declaration of candidacy for the elective office. This section is not applicable, notwithstanding Section 10510, a candidate may withdraw his or her declaration of candidacy until 5 p. m. on the 83rd day before the general election. (Elections Code Section 10516)

Whenever a candidate has filed a declaration of candidacy, and the candidate's declaration of candidacy has been certified as sufficient pursuant to Section 10513, the name of the candidate shall be printed upon the ballot unless the candidate has died and that fact has been ascertained by the officer charged with the duty of printing the ballots, at least 68 days before the day of the election. (EC10529)

2- Declaration of Candidacy For Special District Office

Elections Code Section 10511



I, Craig Konklin do hereby declare myself as a candidate for
Name of Candidate

election to the office of Member, Board of Director of the Mariposa Public Utility
Name of district

District N/A I am a registered voter. If elected, I will qualify and accept the office
Division or unit, if any

of Director and serve to the best of my ability. I request my name be placed

on the official ballot of the district for the election to be held on the 6TH day of November, 2001

and that my name appears on the ballot as follows:

Craig Konklin
(Print name above)

My current residence address is 5015 Mariposa St. - Mariposa, CA 95338

and my telephone number is 209-966-8354

I desire the following occupational designation to appear on the ballot under my name.

Appointed Incumbent

(Print desired designation, if any, above)

This occupational designation is true and in conformance with the requirements of Section 13107 of the Elections Code.

Note: A ballot designation is optional. If no ballot designation is requested, write in the word "NONE" and initial in box as indicated.

Candidate, write none & initial
if preferring no ballot designation:

--

Candidate Statement

I do not elect to file a statement of qualifications as permitted by
Elections Code Sections 12307-12312.

Candidate: Sign here only if you do not choose to file a statement

I am aware that any person who files or submits for filing a declaration of candidacy knowing that it or any part of it has been made falsely is punishable by a fine or imprisonment, or both, as set forth in Section 18203 of the Elections Code. I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on August 1, 2001, at Mariposa, California

Craig Konklin
(Signature of Candidate)

FOR USE OF COUNTY ELECTIONS OFFICIAL ONLY

I hereby certify that I have examined this declaration pursuant to California Elections Code Section 10513 and find it to be sufficient.

Don Z. Phillips, County Clerk-Registrar of Voters

By *Marjorie Wass*
(Deputy)

Date: August 1, 2001

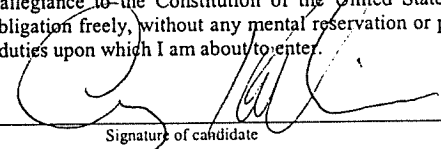
OATH OR AFFIRMATION

Code of Civil Procedure Section 2015.6
Elections Code Sections 10512

STATE OF CALIFORNIA) ss
County of Mariposa) ss

I, Craig Konklin, do solemnly swear (or affirm) that I will support
Name of candidate

and defend the Constitution of the United States and the Constitution of the State of California against all enemies, foreign and domestic; that I will bear true faith and allegiance to the Constitution of the United States and the Constitution of the State of California; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties upon which I am about to enter.


Signature of candidate

(3) Subscribed and sworn (or affirmed) to before me, this 1st day of August, 20 01

DON Z. PHILLIPS, County Clerk

By:  Deputy Clerk

(3) The county clerk or district secretary, or a person designated by the county clerk or district secretary shall administer the oath. (EC 10512)

Notes for Candidate:

If an optional occupational designation is specified, it must conform to the restrictions listed in (EC 13107). Immediately under the name of each candidate, and not separated from the name by any line, may appear at the option of the candidate only one of the following designations: (1) Words designating the office which you hold at the time of filing this declaration of candidacy; or (2) The word "incumbent" if you are a candidate for the same office which you hold at the time of filing this declaration of candidacy; or (3) No more than three words designating your principal professions, vocations, or occupations; or (4) The phrase "appointed incumbent" if you are a candidate for the same office you hold by virtue of appointment.

In addition, you may not use a designation which: (1) would mislead the voter; (2) would suggest an evaluation of a candidate, such as outstanding, leading, expert, virtuous, or eminent; (3) abbreviates the word "retired" or places it following any word or words which it modifies; (4) 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"); (5) uses the name of any political party, whether or not it has qualified for the ballot; (6) uses a word (s) referring to a racial, religious, or ethnic group; (7) it refers to any activity prohibited by law.

Please refer to Elections Code Section 13107 for a complete list of restrictions.

Notes for Candidate and Clerk:

Whenever other elections are consolidated with a regularly scheduled election, the period for the filing of this declaration of candidacy by candidates in elections consolidated with the regularly scheduled election shall commence on the 113th day prior to the election. This declaration of candidacy shall be filed not later than 5 p.m. on the 88th day prior to the regularly scheduled election in the office of the appropriate officer, during regular office hours. If a declaration of candidacy for an incumbent officer of a political subdivision are not filed by 5p.m. on the 88th day before the election, any person other than the person who was the incumbent on the 88th day shall have until 5p.m. on the 83rd day before the election to file a declaration of candidacy for the elective office. This section is not applicable where there is no incumbent eligible to be elected. (Elections Code Section 10407)

Forms for declarations of candidacy for all district offices shall be obtained from the office of the county elections official. The county elections official may, for convenience or necessity, authorize the district secretary to issue declarations of candidacy. The forms shall first be available on the 113th day prior to the general district election and shall be filed not later than 5p.m. on the 88th day prior to the general district election in the office of the county elections official during regular office hours or may be filed by certified mail so that the forms reach the office of the county election official no later than the deadline for filing in that office. The county elections official shall record the date of filing upon the first page of each declaration of candidacy filed pursuant to this section. No candidate shall withdraw his or her declaration of candidacy after 5p.m. on the 88th day prior to the general district election. On request of the district secretary, the county elections official shall provide the secretary with a copy of each declaration of candidacy filed pursuant to this section. (Elections Code Section 10510)

The qualifications of a candidate for elective office, and of an elective officer, of a district shall be determined by the principal act of that district. (Elections Code Section 10514)

If, by 5p.m. on the 83rd day prior to the day fixed for the general district election: (1) only one person has filed a declaration of candidacy for any elective office to be filled at that election, (2) no one has filed a declaration of candidacy for such an office, (3) in the case of directors to be elected from the district at large, the number of persons who have filed a declaration of candidacy for director at large does not exceed the number of offices of director at large to be filled at that election, or (4) in the case of directors who must reside in a division but be elected at large, the number of candidates for director at large from a division does not exceed the number required to be elected director at large while residing in that division; and if a petition signed by 10 percent of the voters or 50 voters, whichever is the smaller number, in the district or division if elected by division, requesting that the general district election be held has not been presented to the officer conducting the election, he or she shall submit a certificate of these facts to the supervising authority and request that the supervising authority, at a regular or special meeting held prior Monday before the first Friday in December in which the election is held, appoint to the office or offices the person or persons, if any, who have filed declarations of candidacy. The supervising authority shall make these appointments. If no person has filed a declaration of candidacy for any office, the supervising authority shall appoint any person to the office who is qualified on the date when the election would have been held. The person appointed shall qualify and take office and serve exactly as if elected at a general district election for the office. Where a director must be appointed to represent a division, all or most of which is not within the county governed by the supervising authority, then the board of supervisors of the county within which all or most of that division is located shall be the body to which request for appointment is made and which shall make the appointment (Elections Code Section 10515)

Notwithstanding any other provision of law, in any district or agency election, if a declaration of candidacy for an incumbent elective officer of a district is not filed by 5 p. m. on the 88th day before the general district election, any person other than the person who was the incumbent on the 88th day shall have until 5 p. m. on the 83rd day before the election to file a declaration of candidacy for the elective office. This section is not applicable, notwithstanding Section 10510, a candidate may withdraw his or her declaration of candidacy until 5 p. m. on the 83rd day before the general election. (Elections Code Section 10516)

Whenever a candidate has filed a declaration of candidacy, and the candidate's declaration of candidacy has been certified as sufficient pursuant to Section 10513, the name of the candidate shall be printed upon the ballot unless the candidate has died and that fact has been ascertained by the officer charged with the duty of printing the ballots, at least 68 days before the day of the election. (EC10529)

2- Declaration of Candidacy For Special District Office

Elections Code Section 10511

CLERK USE ONLY

FILED

AUG 08 2001
Don Z. Phillips

COUNTY CLERK
Jackie Lung
Jackie Lung

I, David Radanovich do hereby declare myself as a candidate for
Name of Candidate
election to the office of Member, Board of Director of the Mariposa Public Utility
Name of district
District: N/A I am a registered voter. If elected, I will qualify and accept the office
Division or unit, if any
of Director and serve to the best of my ability. I request my name be placed
on the official ballot of the district for the election to be held on the 6TH day of November, 2001
and that my name appears on the ballot as follows:

DAVID RADANOVICH
(Print name above)

My current residence address is 5115 Mueller Road - Mariposa, CA 95338
and my telephone number is no phone (209) 966-2101.

I desire the following occupational designation to appear on the ballot under my name.

David Radanovich
(Print desired designation, if any, above)

This occupational designation is true and in conformance with the requirements of Section 13107 of the Elections Code.

Note: A ballot designation is optional. If no ballot designation is requested, write in the word "NONE" and initial in box as indicated.

Candidate, write none & initial
If preferring no ballot designation:
none DR

Candidate Statement

I do not elect to file a statement of qualifications as permitted by
Elections Code Sections 13307-13312.
David Radanovich
Candidate: Sign here only if you do not choose to file a statement

I am aware that any person who files or submits for filing a declaration of candidacy knowing that it or any part of it has been made falsely is punishable by a fine or imprisonment, or both, as set forth in Section 18203 of the Elections Code. I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on Aug 8, 2001, at Mariposa, California

David Radanovich
(Signature of Candidate)

FOR USE OF COUNTY ELECTIONS OFFICIAL ONLY

I hereby certify that I have examined this declaration pursuant to California Elections Code Section 10513 and find it to be sufficient.

Don Z. Phillips, County Clerk- Registrar of Voters

By Jackie Lung
(Deputy)

Date: Aug 8, 2001

4

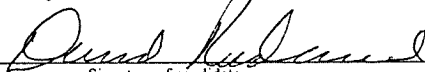
OATH OR AFFIRMATION

Code of Civil Procedure Section 2015.6
Elections Code Sections 10512

STATE OF CALIFORNIA) ss
County of Mariposa) ss

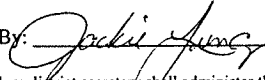
I, David Radanovich, do solemnly swear (or affirm) that I will support
Name of candidate

and defend the Constitution of the United States and the Constitution of the State of California against all enemies, foreign and domestic; that I will bear true faith and allegiance to the Constitution of the United States and the Constitution of the State of California; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties upon which I am about to enter.


Signature of candidate

(3) Subscribed and sworn (or affirmed) to before me, this 8 day of Aug., 2001

DON Z. PHILLIPS, County Clerk

By:  Deputy Clerk

(3) The county clerk or district secretary, or a person designated by the county clerk or district secretary shall administer the oath. (EC 10512)

Notes for Candidate:

If an optional occupational designation is specified, it must conform to the restrictions listed in (EC 13107). Immediately under the name of each candidate, and not separated from the name by any line, may appear at the option of the candidate only one of the following designations: (1) Words designating the office which you hold at the time of filing this declaration of candidacy; or (2) The word "incumbent" if you are a candidate for the same office which you hold at the time of filing this declaration of candidacy; or (3) No more than three words designating your principal professions, vocations, or occupations; or (4) The phrase "appointed incumbent" if you are a candidate for the same office you hold by virtue of appointment.

In addition, you may not use a designation which: (1) would mislead the voter; (2) would suggest an evaluation of a candidate, such as outstanding, leading, expert, virtuous, or eminent; (3) abbreviates the word "retired" or places it following any word or words which it modifies; (4) 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"); (5) uses the name of any political party, whether or not it has qualified for the ballot; (6) uses a word (s) referring to a racial, religious, or ethnic group; (7) it refers to any activity prohibited by law.

Please refer to Elections Code Section 13107 for a complete list of restrictions.

Notes for Candidate and Clerk:

Whenever other elections are consolidated with a regularly scheduled election, the period for the filing of this declaration of candidacy by candidates in elections consolidated with the regularly scheduled election shall commence on the 113th day prior to the election. This declaration of candidacy shall be filed not later than 5 p.m. on the 88th day prior to the regularly scheduled election in the office of the appropriate officer, during regular office hours. If a declaration of candidacy for an incumbent officer of a political subdivision are not filed by 5p.m. on the 88th day before the election, any person other than the person who was the incumbent on the 88th day shall have until 5p.m. on the 83rd day before the election to file a declaration of candidacy for the elective office. This section is not applicable where there is no incumbent eligible to be elected. (Elections Code Section 10407)

Forms for declarations of candidacy for all district offices shall be obtained from the office of the county elections official. The county elections official may, for convenience or necessity, authorize the district secretary to issue declarations of candidacy. The forms shall first be available on the 113th day prior to the general district election and shall be filed not later than 5p.m. on the 88th day prior to the general district election in the office of the county elections official during regular office hours or may be filed by certified mail so that the forms reach the office of the county election official no later than the deadline for filing in that office. The county elections official shall record the date of filing upon the first page of each declaration of candidacy filed pursuant to this section. No candidate shall withdraw his or her declaration of candidacy after 5p.m. on the 88th day prior to the general district election. On request of the district secretary, the county elections official shall provide the secretary with a copy of each declaration of candidacy filed pursuant to this section. (Elections Code Section 10510)

The qualifications of a candidate for elective office, and of an elective officer, of a district shall be determined by the principal act of that district. (Elections Code Section 10514)

If, by 5p.m. on the 83rd day prior to the day fixed for the general district election: (1) only one person has filed a declaration of candidacy for any elective office to be filled at that election, (2) no one has filed a declaration of candidacy for such an office, (3) in the case of directors to be elected from the district at large, the number of persons who have filed a declaration of candidacy for director at large does not exceed the number of offices of director at large to be filled at that election, or (4) in the case of directors who must reside in a division but be elected at large, the number of candidates for director at large from a division does not exceed the number required to be elected director at large while residing in that division; and if a petition signed by 10 percent of the voters or 50 voters, whichever is the smaller number, in the district or division if elected by division, requesting that the general district election be held has not been presented to the officer conducting the election, he or she shall submit a certificate of these facts to the supervising authority and request that the supervising authority, at a regular or special meeting held prior Monday before the first Friday in December in which the election is held, appoint to the office or offices the person or persons, if any, who have filed declarations of candidacy. The supervising authority shall make these appointments. If no person has filed a declaration of candidacy for any office, the supervising authority shall appoint any person to the office who is qualified on the date when the election would have been held. The person appointed shall qualify and take office and serve exactly as if elected at a general district election for the office. Where a director must be appointed to represent a division, all or most of which is not within the county governed by the supervising authority, then the board of supervisors of the county within which all or most of that division is located shall be the body to which request for appointment is made and which shall make the appointment (Elections Code Section 10515)

Notwithstanding any other provision of law, in any district or agency election, if a declaration of candidacy for an incumbent elective officer of a district is not filed by 5 p. m. on the 88th day before the general district election, any person other than the person who was the incumbent on the 88th day shall have until 5 p. m. on the 83rd day before the election to file a declaration of candidacy for the elective office. This section is not applicable, notwithstanding Section 10510, a candidate may withdraw his or her declaration of candidacy until 5 p. m. on the 83rd day before the general election. (Elections Code Section 10516)

Whenever a candidate has filed a declaration of candidacy, and the candidate's declaration of candidacy has been certified as sufficient pursuant to Section 10513, the name of the candidate shall be printed upon the ballot unless the candidate has died and that fact has been ascertained by the officer charged with the duty of printing the ballots, at least 68 days before the day of the election. (EC10529)

OATH OR AFFIRMATION

Code of Civil Procedure Section 2015.6
Elections Code Sections 10512

STATE OF CALIFORNIA) ss
County of Mariposa) ss

I, Brian Muller,
Name of candidate

do solemnly swear (or affirm) that I will support

and defend the Constitution of the United States and the Constitution of the State of California against all enemies, foreign and domestic; that I will bear true faith and allegiance to the Constitution of the United States and the Constitution of the State of California; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties upon which I am about to enter.

Brian Muller
Signature of candidate

(3) Subscribed and sworn (or affirmed) to before me, this _____ day of AUG 03 2001, 20 _____

DON Z. PHILLIPS, County Clerk

By: Jackie Lancy Deputy Clerk

(3) The county clerk or district secretary, or a person designated by the county clerk or district secretary shall administer the oath. (EC 10512)

Notes for Candidate:

If an optional occupational designation is specified, it must conform to the restrictions listed in (EC 13107). Immediately under the name of each candidate, and not separated from the name by any line, may appear at the option of the candidate only one of the following designations: (1) Words designating the office which you hold at the time of filing this declaration of candidacy; or (2) The word "incumbent" if you are a candidate for the same office which you hold at the time of filing this declaration of candidacy; or (3) No more than three words designating your principal professions, vocations, or occupations; or (4) The phrase "appointed incumbent" if you are a candidate for the same office you hold by virtue of appointment.

In addition, you may not use a designation which: (1) would mislead the voter; (2) would suggest an evaluation of a candidate, such as outstanding, leading, expert, virtuous, or eminent; (3) abbreviates the word "retired" or places it following any word or words which it modifies; (4) 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"); (5) uses the name of any political party, whether or not it has qualified for the ballot; (6) uses a word (s) referring to a racial, religious, or ethnic group; (7) it refers to any activity prohibited by law.

Please refer to Elections Code Section 13107 for a complete list of restrictions.

Notes for Candidate and Clerk:

Whenever other elections are consolidated with a regularly scheduled election, the period for the filing of this declaration of candidacy by candidates in elections consolidated with the regularly scheduled election shall commence on the 113th day prior to the election. This declaration of candidacy shall be filed not later than 5 p.m. on the 88th day prior to the regularly scheduled election in the office of the appropriate officer, during regular office hours. If a declaration of candidacy for an incumbent officer of a political subdivision are not filed by 5p.m. on the 88th day before the election, any person other than the person who was the incumbent on the 88th day shall have until 5p.m. on the 83rd day before the election to file a declaration of candidacy for the elective office. This section is not applicable where there is no incumbent eligible to be elected. (Elections Code Section 10407)

Forms for declarations of candidacy for all district offices shall be obtained from the office of the county elections official. The county elections official may, for convenience or necessity, authorize the district secretary to issue declarations of candidacy. The forms shall first be available on the 113th day prior to the general district election and shall be filed not later than 5p.m. on the 88th day prior to the general district election in the office of the county elections official during regular office hours or may be filed by certified mail so that the forms reach the office of the county election official no later than the deadline for filing in that office. The county elections official shall record the date of filing upon the first page of each declaration of candidacy filed pursuant to this section. No candidate shall withdraw his or her declaration of candidacy after 5p.m. on the 88th day prior to the general district election. On request of the district secretary, the county elections official shall provide the secretary with a copy of each declaration of candidacy filed pursuant to this section. (Elections Code Section 10510)

The qualifications of a candidate for elective office, and of an elective officer, of a district shall be determined by the principal act of that district. (Elections Code Section 10514)

If, by 5p.m. on the 83rd day prior to the day fixed for the general district election: (1) only one person has filed a declaration of candidacy for any elective office to be filled at that election, (2) no one has filed a declaration of candidacy for such an office, (3) in the case of directors to be elected from the district at large, the number of persons who have filed a declaration of candidacy for director at large does not exceed the number of offices of director at large to be filled at that election, or (4) in the case of directors who must reside in a division but be elected at large, the number of candidates for director at large from a division does not exceed the number required to be elected director at large while residing in that division; and if a petition signed by 10 percent of the voters or 50 voters, whichever is the smaller number, in the district or division if elected by division, requesting that the general district election be held has not been presented to the officer conducting the election, he or she shall submit a certificate of these facts to the supervising authority and request that the supervising authority, at a regular or special meeting held prior Monday before the first Friday in December in which the election is held, appoint to the office or offices the person or persons, if any, who have filed declarations of candidacy. The supervising authority shall make these appointments. If no person has filed a declaration of candidacy for any office, the supervising authority shall appoint any person to the office who is qualified on the date when the election would have been held. The person appointed shall qualify and take office and serve exactly as if elected at a general district election for the office. Where a director must be appointed to represent a division, all or most of which is not within the county governed by the supervising authority, then the board of supervisors of the county within which all or most of that division is located shall be the body to which request for appointment is made and which shall make the appointment (Elections Code Section 10515)

Notwithstanding any other provision of law, in any district or agency election, if a declaration of candidacy for an incumbent elective officer of a district is not filed by 5 p. m. on the 88th day before the general district election, any person other than the person who was the incumbent on the 88th day shall have until 5 p. m. on the 83rd day before the election to file a declaration of candidacy for the elective office. This section is not applicable, notwithstanding Section 10510, a candidate may withdraw his or her declaration of candidacy until 5 p. m. on the 83rd day before the general election. (Elections Code Section 10516)

Whenever a candidate has filed a declaration of candidacy, and the candidate's declaration of candidacy has been certified as sufficient pursuant to Section 10513, the name of the candidate shall be printed upon the ballot unless the candidate has died and that fact has been ascertained by the officer charged with the duty of printing the ballots, at least 68 days before the day of the election. (EC10529)