

Snohomish County Local Voters' Pamphlet

Administrative Rules

Adopted February 7, 2011 and Last Amended March 19, 2018

1. Purpose

The purpose of these Administrative Rules is to establish the rules and requirements for participation, production and distribution of the local voters' pamphlet.

2. Rules

A. Notice of Intent to Publish a Local Voters' Pamphlet

(RCW 29A.32.220. SCC 2.49.020)

The County shall prepare a local voters' pamphlet for all primary or general elections and upon request from a jurisdiction with an issue on the ballot, for a special election. The County shall notify all jurisdictions within the county of any changes to its intent to publish a local voters' pamphlet for a primary or election at least 90 calendar days before the publication and distribution of the local voters' pamphlet. Notification will be made via email or standard mail to the jurisdiction's contact on file with the Elections Division of the Auditor's Office.

B. Inclusion in the Local Voters' Pamphlet

(RCW 29A.32.220)

All jurisdictions with a race or measure on the ballot in a primary or election in which a local voters' pamphlet is produced will participate in the local voters' pamphlet. In the case of a city or town, the city or town as allowed by state law may opt to produce its own local voters' pamphlet. Inclusion in a special election voters' pamphlet is at the option of the jurisdiction.

C. Costs associated with the Local Voters' Pamphlet

(RCW 29A.32.220, RCW 29A.32.270, SCC 2.49.040, SCC 2.49.070)

The cost to produce, print and mail a local voters' pamphlet is an election cost that is included when jurisdictions with a race or measure on the ballot are billed for their portion of the cost of the election.

County Council has the authority to waive financial responsibility of any jurisdiction where participation in the local voters' pamphlet would create undue financial hardship. A petition from a jurisdiction must be submitted to the County Council no later than 60 days before the publication of the local voters' pamphlet. A jurisdiction receiving a waiver for local voters' pamphlet costs will continue to be responsible for their remaining portion of the cost of the election.

D. Notice of Deadlines and Requirements

The County Auditor's Office will notify jurisdictions of the publication date of the local voters' pamphlet as well as the deadlines for submission of materials to be included in the local voters' pamphlet. Candidates will be notified of all deadlines and requirements when they file for office.

E. Local Voters' Pamphlet Content

(RCW 29A.32.241, SCC 2.49.010)

The local voters' pamphlet shall include at a minimum:

1. A cover page containing the words "Official Local Voters' Pamphlet", "Snohomish County" and the date of the primary or election;
2. A list of jurisdictions that have measures or candidates in the pamphlet. This may be in the form of a Table of Contents or Index.
3. Information on how a person may register to vote and obtain a ballot.
4. The text of each measure accompanied by an explanatory statement prepared by the prosecuting attorney for any county measure(s) or by the attorney for the local jurisdiction submitting the measure (s).
5. Arguments for and against each measure submitted by committees pursuant to RCW 29A.32.080.
6. Statements and photos submitted by candidates in races on the ballot. Exception, PCO candidates are not included in this publication.

F. Ballot Measure Explanatory Statements

(RCW 29A.32.230, RCW 29A.32.241, SCC 2.49.060)

An explanatory statement addresses the anticipated effect of a measure if passed into law.

The statement may be no more than 200 words* and must be prepared by the attorney for the jurisdiction submitting the proposition or measure. A letter from the jurisdiction's attorney confirming they prepared and approve the explanatory statement is required.

If there is no letter from the jurisdiction's attorney or if a jurisdiction does not retain legal counsel for the review, the statement will be submitted to the Snohomish County Prosecuting Attorney's Office for review and final discretion on language.

Any challenge to an explanatory statement must be filed no later than 5 business days after the due date for explanatory statement submission. The challenge must be in the form of a petition to the

Superior Court of Snohomish County with a copy to the Auditor's Office and the attorney who prepared or reviewed the statement. The Superior Court decision will be final.

*For districts that cross county lines, Snohomish County will follow the word count of the county where the ballot measure is required to be filed.

G. Ballot Measure Argument (Pro/Con) Committees

(RCW 29A.32.280)

The legislative authority of a jurisdiction submitting a measure has the responsibility of appointing members to a committee that will write the statement for the measure and to a committee that will write the statement against the measure. Each committee is allowed up to 3 members, but can ask the advice of any number of individuals.

The Auditor's Office requests that all pro/con committee appointments be submitted by the deadline to submit measures and resolutions. State law requires that appointments be made no later than 45 calendar days prior to the publication of the local voters' pamphlet.

Each committee shall identify a chair who will serve as the primary contact for the County Auditor's Office.

In the event a jurisdiction does not submit a pro and/or a con committee for a ballot measure, the County Auditor's Office will make a good faith effort to identify interested individuals and appoint them to a committee.

For jurisdictions where committee members were not obtained, the LVP will contain a statement that no one came forward to prepare a statement and it will provide information on how to get involved in future committees.

H. Ballot Measure Arguments

A ballot measure argument is written to support or oppose a ballot measure. Each argument statement in support (Pro) or against (Con) a measure can be no more than 250 words* and must be prepared by the committee formed pursuant to RCW 29A.32.080. The Auditor's Office will not edit or advise committees on statements.

Arguments will be shared by the Auditor's Office with the opposing committee once both arguments have been received. Each committee has an opportunity to formulate a rebuttal statement containing no more than 75 words.* Rebuttal statements may only address the issues raised in the opposing statement without introducing new issues not previously addressed in either statement. Rebuttal statements are not shared with the opposing committee.

Argument and rebuttal statements must be signed or otherwise approved by all members of the committee. It is not the role of the Auditor's Office to coordinate between committee members. Once submitted, argument and rebuttal statements cannot be withdrawn or changed. If committee members

cannot agree on an argument or rebuttal statement, no argument or rebuttal statement will be presented in the voters' pamphlet. Failure to submit an argument statement will disqualify the committee from submitting a rebuttal statement.

The deadlines for each committee to submit their argument and rebuttal will be established by the Auditor's Office at least 30 calendar days in advance of the filing deadlines.

*For districts that cross county lines, Snohomish County will follow the word count of the county where the ballot measure is required to be filed.

I. Candidate Statements

(RCW 29A.32.230)

A statement may be submitted by a candidate on the ballot in a primary or election in which a local voters' pamphlet is produced, except for candidates that will be included in a state, judicial, city or other voters' pamphlet or for Precinct Committee Officer candidates.

Each statement shall be limited to 200 words and 4 paragraphs, unless the Auditor's Office utilizes the Secretary of State online Voters Pamphlet submission tools where by the word counts will be based on the office as outlined in RCW 29A.32.121.

Candidate statements should only address campaign issues, plans, and ideas of the candidate. Statements shall not contain obscene, inappropriate or libelous language. Candidate statements shall not comment on or make any judgments about opponents or incumbents. The County Auditor has the authority to reject statements that are deemed inappropriate per RCW 29A.32.230.

Only *italics* will be used to emphasize words or phrases. Bolding, underlining, and all caps are not allowed. Tables, lists, and bullets are not allowed. Text must be written in paragraphs.

The County Auditor's Office will not correct errors in spelling, grammar or punctuation.

Candidate contact information such as name, campaign address, phone number, email, and website that was provided by the candidate with their statement or taken from filing information will be listed separately from the candidate statement and will not count in word count. If this information is also included within the statement submission, it will be counted towards the word count and repeated in the contact area. Contact information is published even if no statement is submitted.

The Election Division of the Auditor's Office will provide information on statement length, due date, submission requirements and the statement appeals process to candidates at the time of filing for office.

Candidate statement deadlines will be established by the Auditor's Office at least 30 calendar days before candidate filing.

Candidates not submitting a statement will have “No statement submitted” printed in the LVP.

J. Candidate Photo

A photo may be submitted by a candidate on the ballot for a primary or election in which a local voters’ pamphlet is produced, except for candidates that will be included in a state, judicial, city or other voters’ pamphlet or for Precinct Committee Officer candidates.

Photo requirements will be provided to candidates at the time of filing.

The photo may not be more than 5 years old.

The photo may not be an informal candid photo, cartoon, caricature or any other image that does not accurately portray the candidate.

The photo cannot show the candidate wearing a uniform, judicial robe, hat, anything bearing an insignia or otherwise suggest holding of a public office. Sunglasses or other items obscuring the candidates face in the photo will not be accepted. Exceptions may be made in special circumstances with Auditor’s approval.

The Auditor’s Office will adjust and/or crop photos as necessary. Photos are published in a black and white format. Photos should reflect the candidate in a professional and tasteful manner. Candid/casual social media style photos are not recommended and may be rejected at the discretion of the Auditor.

Candidates not submitting a photo will have a “No photo submitted” statement printed in the LVP.

K. Rejection of Arguments or Statements

(RCW 29A.32.230)

The County Auditor’s Office reserves the right to reject any argument or statement if it does not meet requirements or if a statement or argument is deemed to be libelous or otherwise inappropriate. If a statement is rejected, the candidate or committee chair will be notified by email and given 48 hours from the time of notification to submit an adjusted statement. The time of notification will be the time the email was sent to the candidate or committee.

If the adjusted statement does not meet requirements, a “no statement submitted” notation will be printed for the candidate or measure.

Candidates or committee chairs may appeal the rejection of the statement by submitting a written appeal to the Snohomish County Prosecuting Attorney within 48 hours of notification. The Prosecuting Attorney’s decision on the appeal will be final.

L. Format and distribution of the Local Voters’ Pamphlet

(SCC 2.49.010)

The County Auditor's Office retains complete control over content and format including limiting the publication to an online electronic version or printed in combination with the Secretary of State Voters' Pamphlet. If the County produces an online version only or in combination with the state, the requirements of RCW 29A.32 and these rules will be adhered to as much as is practical.

The Snohomish County Administrative Rules for the Local Voters' Pamphlet are adopted this this 7th day of February, 2011 by Snohomish County Auditor Carolyn Weikel.

Revision adopted this 19th day of March, 2018.

Carolyn Weikel
Snohomish County Auditor