

Document Code No.: ELE-9-1-5-PR

Title: King County Local Voters' Pamphlet Administrative Rules

Effective Date: [30 days after filing with ARMMS]

Authorities: RCW 29A.32.230, King County Code Chapter 1.10

Keywords: Elections, Voters' Pamphlet, Local Voters' Pamphlet, Jurisdiction Manual, Candidate Manual, Local Voters' Pamphlet Packet

Sponsoring Agency: King County Elections



King County

Signature: _____

Date signed: _____

I. Purpose

This rule facilitates the provisions of state law and the King County Code regarding the production of a local voters' pamphlet.

Applicability and Audience

This rule applies to:

1. The County and each city, town, and special purpose district located within King County; and
2. The King County Department of Elections.

II. Definitions

Candidate Manual: the document prepared and updated by the Department of Elections that indicates specific deadline dates and other requirements regarding style and format of material to be submitted by candidates for inclusion in the LVP.

Director: the Director of Elections, or their designee.

Explanatory Statement: the statement prepared by the appropriate jurisdiction's attorney stating the effect of a ballot measure, if passed into law.

Jurisdiction: the County and any city, town or district located within King County for which elections are held.

Jurisdiction Manual: the document prepared and updated by the Department of Elections that indicates specific deadline dates and other requirements regarding style and format of material to be submitted by jurisdictions for inclusion in the LVP.

Local Voters' Pamphlet (LVP): a pamphlet prepared by the King County Department of Elections containing locally prepared information on all ballot measures and candidates for county elections and elections for all other jurisdictions within King County.

Local Voters' Pamphlet Packet: the document or set of documents prepared and updated by the Department of Elections that indicates specific deadline dates and other requirements regarding style and format of material to be submitted by committees appointed to prepare arguments in favor of or in opposition to any ballot measure.

III. Policy

A. Intent and Notification

1. King County will publish a local voters' pamphlet (LVP) as required by state law.
2. Before each primary or election, the Director will notify all jurisdictions subject to participation in the LVP not later than the deadlines for notification set forth in state law.

B. Participation of Jurisdictions

1. For each primary or election, including special elections, each jurisdiction in the County which has an elective office or measure on the ballot for that election or primary shall participate in the LVP, unless the County Council provides a jurisdiction with a waiver as provided by state law.
2. A city, town, or district located in King County and another county shall participate in the LVP as provided in state law.

C. Participation Deadlines

1. All jurisdictions in King County are considered participants for LVPs produced for all elections. Jurisdictions that have no measures on the primary ballot and whose candidates are exempted from the primary ballot will be exempted from the primary LVP.
2. Jurisdictions that expect to have a ballot measure or an elective office on the ballot shall notify the Director of their intentions to do so by the deadlines set forth in state law for filing resolutions with the Director calling for a special election.

D. Establishment of Statement Committees – Deadline

1. For each measure from a jurisdiction, the legislative authority of the jurisdiction shall formally appoint:
 - a. A committee to prepare arguments advocating voters' approval of the measure (the proponents); and
 - b. A committee to prepare arguments advocating voters' rejection of the measure (the opponents).
2. Each committee shall have no more than three members. However, a committee may seek the advice of any person or persons. Members shall be appointed from persons known to favor or oppose the measure as appropriate.

Each committee must designate a spokesperson for that committee with whom the Director will communicate on all matters related to the LVP.

a. If such persons are not immediately known, the jurisdiction shall employ some formal means of notifying the public that members for the proponent or opponent committee are being sought.

b. If the jurisdiction is unable to identify persons to serve on either or both statement committees, the jurisdiction shall notify the Director no later than the deadline date for committee appointments. Such notification shall detail the efforts made to establish the committee(s). The Director shall whenever possible make the appointments.

3. Jurisdictions responsible for establishing committees to prepare arguments in favor of or in opposition to any ballot measure shall submit the names of the committee members, the spokesperson for the committee, and how that person can be readily contacted, by the deadline set forth in state law filing resolutions with the Director calling for a special election.

4. Jurisdictions shall provide appointed committee members with a current copy of the Local Voters' Pamphlet Packet, which contains instructions, specifications, and deadlines regarding arguments and rebuttals.

E. Deadlines for Submission of Material for Publication

1. All candidates' statements, photographs, and other information for inclusion in the LVP must be submitted to the Director by the deadlines specified in the Candidate Manual. Statements, photographs, and other information for inclusion in the LVP may not be withdrawn or changed after the deadlines specified in the Candidate Manual except in response to a rejection as specified in subsection (H)(5) below.

2. The Explanatory Statement for any ballot measure and the statements prepared by committees opposing or favoring ballot measures shall be filed with the Director no later than the deadlines specified in the Jurisdiction Manual and the Local Voters' Pamphlet Packet. Statements and rebuttals prepared by committees opposing or favoring ballot measures may not be withdrawn or changed after the deadlines specified in the Jurisdiction Manual and the Local Voters' Pamphlet Packet except in response to a rejection as specified in subsection (H)(5) below.

F. Specifications

1. Explanatory Statement: An Explanatory Statement shall be prepared for each measure included in the voters' pamphlet. It shall be prepared by the responsible jurisdiction and must be approved by the jurisdiction's attorney. The statement shall not intentionally be an argument likely to create prejudice either for, or

against, the measure. The maximum length and formatting requirements for the statement shall be specified in the Jurisdiction Manual.

2. Committee Statements and Rebuttals: The maximum length and formatting requirements for committee statements and rebuttals shall be specified in the Jurisdiction Manual and the Local Voters' Pamphlet Packet.

3. Candidate Statements and Photographs: The maximum length and formatting requirements for candidate statements and the requirements for candidate photographs shall be specified in the Candidate Manual.

G. Submission of Material

Material shall be submitted as provided in the Candidate Manual or Jurisdiction Manual, as applicable.

H. General Provisions Regarding Submitted Material and Appeals

1. Arguments and statements prepared by candidates or committees for or against measures are the responsibility of the authors and are not considered to represent the position of the County or the Director regarding the candidate or measure, or of any material contained therein; nor is the County or the Director responsible for the validity or accuracy of the statements, arguments or rebuttals.

2. Statements by a candidate shall be limited to those about the candidate himself or herself. Candidate statements may be rejected if, in the opinion of the Director, they are not limited to those about the candidate himself or herself.

3. Explanatory Statements, arguments, candidate statements, statements for or against a measure, rebuttal statements, and contact information may be rejected if, in the opinion of the Director, any argument, statement, or contact information offered for filing contains:

- a. Obscene, vulgar, profane, scandalous, libelous, defamatory, or treasonable matter;
- b. Any language tending to provoke crime or a breach of the peace; or
- c. Any language or matter the circulation of which through the mails is prohibited by any act of Congress.

4. A candidate's photo may be rejected if, in the opinion of the Director, it does not meet the requirements set forth in the Candidate Manual.

5. If a statement, photo, or contact information is rejected in whole or in part by the Director under subsections (H)(2), (H)(3), or (H)(4) above, the Director shall send a written notice of rejection to the candidate or committee by email within

two business days of the submission deadline. The candidate or committee shall have one business day after the day the written notice of rejection is sent to submit an adjusted statement, photo, or contact information. If the adjusted statement or photo does not meet the requirements set forth in these rules, a "no statement submitted" or "no photo submitted" notation will be printed for the candidate or committee. If the adjusted contact information does not meet the requirements set forth in these rules, that contact information will not be printed for the candidate or committee.

6. No adjusted statement, photo, or contact information may be submitted if the statement, photo or contact information is rejected by the Director because it is not submitted by the appropriate deadline specified in the Candidate Manual, Jurisdiction Manual or Local Voters' Pamphlet Packet.

7. The committee or candidate submitting a statement, photo, or contact information that is rejected in whole or in part by the Director under subsections (H)(2), (H)(3), or (H)(4) above, may appeal the rejection to the King County Prosecuting Attorney within five business days of rejection by filing an appeal with the Director. The Prosecuting Attorney will render a decision within five business days of the appeal. The decision of the Prosecuting Attorney shall be final.

I. Rules and Guidelines

The Director will prepare and distribute to jurisdictions, candidates, and other interested parties a Candidate Manual, Jurisdiction Manual, and Local Voters' Pamphlet Packet. These documents will be updated by the Director as needed and shall indicate specific deadline dates for each election and shall include other requirements regarding style and format of material to be submitted for inclusion in the LVP. The Candidate Manual, Jurisdiction Manual, and Voters' Pamphlet Packet shall each be considered to be an extension of these rules and should any discrepancy exist between the documents and the public rules, the rules shall apply.

J. Alternative Versions of the LVP

1. The Director will publish the LVP in languages required by Federal Voting Rights Act, Sec. 203 and King County ordinance. A notice will be included in the LVP that such versions are available and the languages in which they are available.

2. LVP material will also be made available electronically on the Department of Elections web site and may be made available in alternate formats upon request.

IV. Implementation Plan

- A. This rule becomes effective for King County Elections on [30 days after filing with ARMMS]. King County Elections is responsible for implementation of this policy.

V. Maintenance

- A. This rule will be maintained by King County Elections, or its successor agency.

Appendices: None

Proposal