

**Document Code No.:** ELE-9-1-4-PR

**Title:** King County Local Voters' Pamphlet Administrative Rules

**Effective Date:** January 15, 2021

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

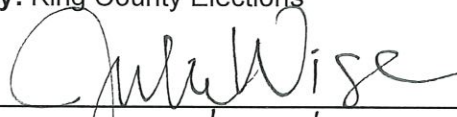
**Keywords:** Elections, Voters' Pamphlet, Local Voters' Pamphlet, Jurisdiction Manual, Candidate Manual, Local Voters' Pamphlet Packet

**Sponsoring Agency:** King County Elections

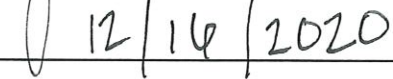


**King County**

**Signature:**



**Date signed:**



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## I. Purpose

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

### Applicability and Audience

This rule applies to:

1. Each city, town, and special purpose district located within King County;
2. The Metropolitan King County Council as the legislative authority of the county; and
3. 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 his/her designee.

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

**Jurisdiction:** 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 ballot measures and candidates for county elections and for other Participating 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.

Participating Jurisdiction: any jurisdiction participating in the publication and distribution of a King County local voters' pamphlet.

### **III. Policy**

#### **A. Intent and Notification**

1. King County will publish a local voters' pamphlet (LVP) as authorized by the County Council.
2. For every election for which an LVP will be published, the Director will notify all jurisdictions subject to participation not later than the deadlines for notification set forth in state law.

#### **B. Participation of Jurisdictions**

1. For each primary or election for which the County Council authorizes the publication of a local voters' pamphlet, each jurisdiction entirely within the County which has an elective office or measure on the ballot for that election or primary shall be a Participating Jurisdiction except as provided by state law.
2. Any jurisdiction exempted from participation in the LVP pursuant to state law, may enter into an interlocal agreement with the County to have offices or measures of that jurisdiction appear in the LVP.
3. A city, town, or district located in King County and another county, may participate in the LVP as provided in state law.

#### **C. Special Election – No County Voters' Pamphlet**

1. King County does not produce a voters' pamphlet for special elections unless directed to do so by the County Council, or requested to do so by a jurisdiction having a measure on the special election ballot.
2. If there is no county measure or elected county office on the ballot for a given election, a jurisdiction may request that a voters' pamphlet be prepared for that election at the jurisdiction's expense. The cost of producing the pamphlet will be added to the cost of the election. The request for the preparation and distribution of a LVP by a jurisdiction should be by means of a resolution or ordinance worded substantially as follows:

"Pursuant to RCW 29A.32.210, it is requested that the County Council authorize the publication and distribution of a local voters' pamphlet for this jurisdiction to cover the ballot measure (or measures) identified in this resolution. It is

understood that the cost of producing and distributing the pamphlet will be a cost of the election as provided in RCW 29A.32.280."

3. A copy of the resolution or ordinance requesting the LVP shall be delivered to the Director no later than the deadline set in state law for filing resolutions calling for the special election.

#### **D. Participation Deadlines**

1. Jurisdictions entirely within King County are considered participants for LVPs produced for primaries and general elections in odd-numbered years. 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.

#### **E. Establishment of Statement Committees – Deadline**

1. For each measure from a jurisdiction that is included in the LVP, 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 should select a spokesperson for that committee.

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. Participating 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.

#### **F. Deadlines for Submission of Material for Publication**

1. All candidates' statements and photographs must be submitted to the Director by the deadlines specified in the Candidate Manual.

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 deadline specified in the Jurisdiction Manual and the Local Voters' Pamphlet Packet.

#### **G. 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. Once submitted and received by the Director, arguments and rebuttals may not be withdrawn or changed except in response to a rejection under subsection (1)(3) below.

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.

#### **H. Submission of Material**

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

#### **I. 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 regarding the candidate or measure, or of

any material contained therein; nor is the County 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.

3. Explanatory Statements, arguments, candidate statements, statements for or against a measure, and rebuttal statements may be rejected if, in the opinion of the Director, any argument or statement offered for filing contains obscene, vulgar, profane, scandalous, libelous, defamatory, or treasonable matter; any language tending to provoke crime or a breach of the peace, or any language or matter the circulation of which through the mails is prohibited by any act of Congress.

4. The committee or candidate submitting a statement that is rejected in whole or in part by the Director under subsection (I)(3) 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.

#### **J. Rules and Guidelines**

The Director will prepare and distribute to Participating Jurisdictions 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 in which a LVP is to be produced 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.

#### **K. 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 January 15, 2021. 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