

## Kittitas County Local Voters' Pamphlet

### Administrative Rules

May 9<sup>th</sup>, 2024

#### 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 Requirement to Publish a Local Voters' Pamphlet

(RCW 29A.32.210)

Effective 7/1/2021, The County shall prepare a local voters' pamphlet for all special, primary & general elections for jurisdictions with an issue on the ballot. 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. If the required appearance in a county's voters' pamphlet of the offices or measures of a unit of local government would create undue financial hardship for the unit of government, the legislative authority of the unit may petition the legislative authority of the county to waive this requirement. The legislative authority of the county may provide such a waiver if it does so not later than sixty (60) days before the publication of the pamphlet and it finds that the requirement would create such hardship.

##### C. Costs associated with the Local Voters' Pamphlet

(RCW 29A.32.220, RCW 29A.32.270)

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.

#### **D. Notice of Deadlines and Requirements**

The County Auditor's Office will publish on their website 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)

The local voters' pamphlet shall include at a minimum:

1. A cover page containing the words "Official Local Voters' Pamphlet", "Kittitas County Auditor" 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). All explanatory statements for city, town, or district measures not approved by the attorney for the jurisdiction submitting the measure shall be reviewed and approved by the county prosecuting attorney or city attorney, when applicable, before inclusion in the pamphlet.
5. Arguments for and against each measure submitted by committees pursuant to RCW 29A.32.280.
6. Statements and photos submitted by candidates in races on the ballot. Exceptions:
  - PCO candidates are not included in this publication.
  - If no statement or photo submitted, then 'No Statement Submitted' or 'No Photo Submitted' shall appear for that candidate.

#### **F. Ballot Measure Explanatory Statements**

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

An explanatory statement addresses the anticipated effect of a measure if passed into law or approved by voters.

The statement may be no more than 150 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 Kittitas County Prosecuting Attorney's Office for review and final discretion on language.*

Any challenge to an explanatory statement must be filed no later than 3 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 Kittitas 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, Kittitas 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)

For each measure from a unit of local government that is included in a local voters' pamphlet, the legislative authority of that jurisdiction shall, ***not later than the resolution deadline***, formally appoint a committee to prepare arguments advocating voters' approval of the measure and shall formally appoint a committee to prepare arguments advocating voters' rejection of the measure. The committee members must be registered voters within the jurisdiction. The authority shall appoint persons known to favor the measure to serve on the committee advocating approval and shall, whenever possible, appoint persons known to oppose the measure to serve on the committee advocating rejection. Each committee shall have not more than three members, however, a committee may seek the advice of any person or persons. If the legislative authority of a unit of local government fails to make such appointments by the prescribed deadline, the county auditor shall whenever possible make the appointments. It is not the responsibility of the Auditor's Office to coordinate communications between committee members or to arbitrate disagreements among them.

The deadline for all pro/con committee appointments to be appointed is the same as the deadline for receiving the resolution. The deadline for arguments submittal is: 55 days before a special election, and 80 days before a Primary or General election.

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

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 200 words (hyphenated words count as two) and must be prepared by the committee formed pursuant to RCW 29A.32.280. The Auditor's Office will not edit or advise committees on statements. Committee members must be a registered voter within the applicable district.

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. Opposing committees have 3 days to submit

their rebuttal statement.

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.

\*For districts that cross county lines, Kittitas 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 (hyphenated words count as two). Each Biography shall be limited to 100 words.

Candidate statements should only address campaign issues, plans, and ideas of the candidate. Statements shall not contain obscene, inappropriate, or libelous language. Any statements by a candidate shall be limited to those about the candidate himself or herself. The County Auditor has the authority to reject statements that are deemed not in compliance per RCW 29A.32.230.

Only *italics* will be used to emphasize words or phrases. Bolding, underlining, and all caps are not allowed. Graphs, charts, photographs, cartoons, and tables. Bullets are allowed, but this may result in the candidate's statement being cut off due to limited space on each page.

Candidates may not submit new information for the General Election. The information submitted will be used for both the Primary & General. However, write in candidates who file after the submission deadline for the printed voter's pamphlet may submit a statement to the Auditor's Office for publication in the online version of the Local Voter's Pamphlet. The deadline for write in candidates to submit a statement for the online pamphlet is 18 days prior to the General Election.

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

Candidates 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. The Auditor's Office will attempt to reach out to candidates who have yet to submit statements within three (3) days of the submission deadline. The Office will use contact information submitted in the candidate filing to attempt to reach the candidate.

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.

You may submit one self-portrait of your head and shoulders.

Photos must be digital format (.JPEG or .tiff) and high resolution (300 dpi or larger) and may not be digitally altered. Scanned images will be rejected.

Clothing or insignias that suggest holding a public office are not permitted. For example: judicial robes, law enforcement or military uniforms.

A color photo is highly preferred. For the best results, use a light-colored background, but not white. Photos must be no more than five (5) years old.

The Auditor's Office will adjust and/or crop photos as necessary. Photos in the printed version of the voters' pamphlet are published in a black and white format. Photos should reflect the candidate in a professional and tasteful manner. Photos may be rejected at the discretion of the Auditor if they do not meet these requirements.

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 not in compliance with these rules. The Auditor's Office shall seek a second opinion from the County Prosecutor's office. If a statement, or portion of 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 Kittitas County Superior Court within 48 hours of notification. The decision on the appeal will be final.

**L. Format and distribution of the Local Voters’ Pamphlet**

The County Auditor’s Office retains complete control over content and format. This includes determining the type of publication- ie: ballot insert, household mailing, or in conjunction with the State Voter Pamphlet, as well as consolidation of candidates with no statements submitted. The requirements of RCW 29A.32 and these rules will be adhered to as much as is practical.

**M. Miscellaneous Items**

Superior Court Judges appear in the State Voters Pamphlet. In order to provide our voters with ease of finding local candidates, we too shall print the Superior Court Judge races in the LVP.

The cover of the LVP shall be of locations, events or ideas located within Kittitas County. The Auditor will work with local groups to select a unique cover- either photo, drawing, etc.

The Auditor shall be consistent with the naming of the edition for ease of archival purposes.

The Kittitas County Administrative Rules for the Local Voters’ Pamphlet are amended this 9<sup>th</sup> day of May, 2024 by Kittitas County Auditor Bryan Elliott.



Bryan Elliott, Kittitas County Auditor

**Amendments:**

4/20/2021

3/15/2023

5/9/2024