



FOR JURISDICTIONS

Local Voters' Pamphlet & Resolution Filing Administrative Rules

2023

Whitman County Elections Office
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About This Guide

This guide should be used in conjunction with state and local laws, not in place of them. The Revised Code of Washington (RCW), the Washington Administrative Code (WAC) and other references are provided as sources for additional research. The material contained herein may change due to new legislation, judicial determination or rule changes.

The requirements described in this guide serve as the Local Voters' Pamphlet Administrative Rules for Whitman County as required by RCW 29A.32.230.

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General Local Voters' Pamphlet Information

Publication

A voters' pamphlet will be produced for all elections in Whitman County and will be available online and in printed format. The pamphlet will be distributed by mail to all households approximately three weeks before election day.

Jurisdictions or special districts with measures or candidates on the ballot are automatically included in the voters' pamphlet, unless the legislative authority of the jurisdiction or special district petitions the Board of County Commissioners to waive this requirement *due to financial hardship*.

For each measure, the pamphlet includes:

- Official ballot title and explanatory statement
- "For" and "Against" statements, if submitted
- Rebuttal statements, if submitted
- Committee contact information
- Full text of a resolution calling for an election

Each year, the Elections Office will notify all jurisdictions within Whitman County of its intent to publish a local voters' pamphlet.

Minimum Required Contents

The contents of the voters' pamphlet will include, at a minimum:

1. A cover page featuring the words "Whitman County Official Local Voters' Pamphlet" with the date of the election. It will also include the following statement, "Published by the Whitman County Auditor's Office."
2. A list of jurisdictions participating in the election. This may be in the form of a table of contents or index.
3. The text of each ballot measure submitted by the participating jurisdictions. If the measure is a county measure, it will be accompanied by an explanatory statement prepared by the Prosecuting Attorney's Office. If the measure is not a county measure, the explanatory statement will be prepared and approved by the attorney or bond counsel for the jurisdiction that submitted the measure.
4. The statements "for" and "against" each ballot measure and accompanying rebuttals, if submitted.
5. Statements and photographs of the candidates for elective office, if submitted.
6. Information on how a person may register to vote and obtain a

ballot.

7. A list of all student engagement hubs in the county. (This list will only appear in the General Election LVP)

Associated Costs

RCW 29A.04.410

RCW 29A.32.270

RCW 29A.32.220

The preparation of a local voters' pamphlet is an election cost. It is prorated, charged, and billed to all jurisdictions included in the pamphlet, in the same manner as other election costs.

The Whitman County Board of County Commissioners (BoCC) has the authority to waive financial responsibility for any jurisdiction where participation in the local voters' pamphlet would create an *undue financial hardship*. A petition from a jurisdiction must be submitted to the BoCC and County Auditor no later than 60 days before the publication of the local voters' pamphlet

Publication of the pamphlet is defined as the date on which the County Auditor signs the final pamphlet proof and sends it to the printer.

A jurisdiction receiving a waiver for the local voters' pamphlet costs will continue to be responsible for its remaining portion of the election cost.

Filing Resolutions with the Elections Office

Submittal Process for Resolutions

RCW 29A.04.330

Resolutions calling for an election by a jurisdiction shall be submitted on or before the resolution deadline established by state law. Resolutions calling for a special election in February or April must be submitted to the Elections Office at least 60 calendar days prior to the election date. Resolutions calling for an election in conjunction with the primary or general election must be submitted by the deadlines for those elections. See page 14 for resolution deadlines.

How to Submit a Resolution

To place a measure on the ballot, the following *resolution packet* must be received by the deadline:

- A signed copy of the resolution
- A Resolution Cover Sheet containing important contact information required by the Elections Office
- Explanatory statement
- “For” and “Against” Statements for the measure, along with the “For” and “Against” committee chairs and their contact information

This *resolution packet* may be delivered in person, mailed, or emailed to the Elections Office by the deadline.

Physical location:

Whitman County Elections
304 N. Main Street
Colfax, WA 99111

Mailing address:

Whitman County Elections
PO Box 191
Colfax, WA 99111

Email address: lv@whitmancounty.net

Upon receipt of the *resolution packet*, the Elections Office will email a notice of acknowledgment to the jurisdiction’s contact person.

Ballot Titles for Local Measures

RCW 29A.36.071

RCW 29A.72.050

For measures submitted to the voters of all taxing jurisdictions, the official ballot title should be prepared by the jurisdiction’s legal counsel. If the ballot title has not been prepared by legal counsel, then it will be reviewed by the Whitman County Prosecuting Attorney’s Office.

The format and content requirements for local measure ballot titles are very specific and must conform to state law. Each ballot title must contain all of the following elements:

- Identification of the enacting legislative body;

- A statement of the subject matter (up to 10 words);
- A concise description of the measure (up to 30 words);
- A question.

Resolutions submitted by jurisdictions that need a ballot title prepared by the Whitman County Prosecuting Attorney’s Office will be forwarded to that office.

Ballot Title Appeal

RCW 29A.36.090

Any person dissatisfied with the ballot title for a local measure written by the city attorney, town attorney or Prosecuting Attorney may appeal to the Whitman County Superior Court pursuant to RCW 29A.36.090.

Explanatory Statement for Local Measure

RCW 29A.32.241

Each ballot title for the voters’ pamphlet must be accompanied by an explanatory statement. The explanatory statement is prepared by the Prosecuting Attorney for county measures. If the measure is not a county measure, the explanatory statement is prepared by the attorney for the jurisdiction submitting the measure.

The purpose of an explanatory statement is to address the effect of the proposed measure if it is approved by the voters. It must be impartial, written in clear and concise language, avoid the use of legal and technical terms whenever possible, and conform to the formatting requirements discussed below. If prepared by the jurisdiction, proof of approval by the jurisdiction’s attorney must be submitted at the same time as the resolution.

If a jurisdiction doesn’t provide proof of its attorney’s approval in the form of a cover letter or an email, or if a jurisdiction doesn’t retain legal counsel, the statement shall be submitted to the Whitman County Prosecuting Attorney for review.

Length

Explanatory statements must be **100** words or less and must be in block paragraph format.

Format

Italics may be used to emphasize specific words or statements. Any other formats such as bold font, underlined font or all caps will be changed to italics. Lists or bullets are not allowed. Lists or bullets will be converted to a block paragraph with a semicolon to separate each item.

Submission

Explanatory statements may be submitted by email, in person or by mail and are due by the same deadline as the resolution and cover sheet. Please see page 14 for deadlines.

**Establishing Committees
“For” and “Against”
a Local Measure**

RCW 29A.32.280

For each measure from a jurisdiction that is to be placed on the ballot, the legislative authority of that jurisdiction is responsible to formally appoint committees “for” and “against” the measure.

The jurisdiction shall appoint people known to favor the measure to serve on the “for” committee and shall appoint people known to oppose the measure to serve on the “against” committee.

If such people are not immediately known, the jurisdiction is encouraged to formally notify the public that members of the “for” and “against” committees are being sought.

Each committee shall have no more than three members; however, a committee may seek the advice of other people.

The jurisdiction is responsible for providing the committee members with copies of the instructions, specifications and deadlines for all statements.

The committees are solely responsible for submitting their statements to the Elections Office in accordance with the specified timeline for each election. See page 14.

The committee shall elect a chairperson. Committees may select other people to serve in an advisory capacity, but only the names of the committee members and contact info will be listed in the local voters’ pamphlet.

It is not the responsibility of the Elections Office to coordinate communications between committee members or to arbitrate disagreements among them.

Once statements have been submitted, they are considered final and may not be amended.

Appointments by the Auditor

If a jurisdiction fails to appoint “for” and “against” committees by the deadline, the County Auditor will seek out and, whenever possible, appoint up to three members to each committee.

Requirements to be appointed by the Auditor:

- Read, understand and fulfill the obligations described in the Whitman County Local Voters’ Pamphlet Administrative Rules.
- Be a resident of, or own land in Whitman County.
- Have his/her name and contact information appear in the local voters’ pamphlet and thus, waive anonymity

Appointments will be made in the order that the requests from qualified applicants are received.

If the jurisdiction has appointed at least one member to a committee, the County Auditor will consider the committee to be formed. The County Auditor won’t seek or appoint additional members.

When the County Auditor is responsible for finding and appointing committee members, he/she may, in their sole discretion, seek appointments through emails, press releases and notices on the Elections Office website,

<https://www.whitmancounty.org/533/Jurisdictions>

“For” and “Against” Statements

Length

“For” and “against” statements must be **250** words or less and must be in block paragraph format.

If a “for” or “against” statement is received before the deadline and exceeds the word limit, the committee will be notified by email and asked to delete words, paragraphs or sentences. Only deletions are allowed. Changes or additions to the statement will not be allowed. The shortened statement must be received by the deadline.

If the deadline has passed and the statement exceeds the word limit, full sentences from the end will be deleted until the limit is reached.

Format

Up to four paragraphs may be used.

Up to four headings may be used. Headings will be included in the word count.

The Elections Office reserves the right to eliminate excessive paragraph returns if the statement doesn’t fit within the space provided.

Italics may be used to emphasize specific words or statements. Any other formats such as bold font, underlined font or all caps will be changed to italics.

Lists or bullets are not allowed. Lists or bullets will be converted to a block paragraph with a semicolon to separate each item.

The names of committee members, a contact phone number, an email address, and/or a website address will be printed in the local voters’ pamphlet, but will not be included in the 250 word count. At least one method of contact (phone, email, website address) must be provided to be printed in the local voters’ pamphlet.

Committee member names and the contact information for the committee chairperson will be provided to interested parties upon request.

Content

Pursuant to RCW 29A.32.230, the Elections Office may reject material submitted for publication. This material may be an explanatory statement, a “for” or “against” statement, a rebuttal statement or contact information that:

- Is obscene;

- Is libelous;
- Contains an advertisement;
- Contains content prohibited by law from distribution through the mail;
- Contains content that doesn't pertain to the measure;
- Contains content that is inappropriate or that does not comply with the law; or
- Was received after the submittal deadline.

How to Submit "For" or "Against" Statements

"For" or "against" statements must be submitted in writing (can be sent electronically) and are due by the deadline. Please see page 14 for deadlines.

Rebuttal Statements

If both "for" and "against" statements are submitted, the Elections office will email each statement to the committee that wrote the opposing statement.

Rebuttal statements are not required, but they are a way for a committee to provide a response to the opposing committee's statement.

Rebuttal statements **may not introduce new issues or arguments** and must only address issues and arguments noted in the opposing statement.

If a committee does not submit a "for" or "against" statement, the committee cannot submit a rebuttal statement.

Length

Rebuttal statements must be **75** words or less and must be in **one** block paragraph.

If the rebuttal statement exceeds the word limit, full sentences from the end will be deleted until the limit is reached.

Format

No headings may be used in rebuttal statements.

Italics may be used to emphasize specific words or statements. Any other formats such as bold font, underlined font or all caps will be changed to italics.

Lists or bullets are not allowed. Lists or bullets will be converted to a block paragraph with a semicolon to separate each item.

How to Submit Rebuttal Statements

Rebuttal statements must be submitted in writing (can be sent electronically) and are due by the deadline. Please see page 14 for deadlines.

General Provisions Applicable to All Statements

The contents of candidate statements, explanatory statements, “for” or “against” statements and rebuttal statements are the sole responsibility of the authors and do not represent the position of the Auditor’s Office or of Whitman County. The Auditor’s Office and Whitman County are not responsible for the validity or accuracy of statements.

Statements should be edited and prepared as carefully as one would edit and prepare a resume. Spelling, grammar and punctuation errors will not be corrected. Statement content will be printed exactly as it is received, as long as it complies with format specifications.

Microsoft Word will be used to verify the word count of each statement. Each part of a hyphenated or slashed word will be counted as a separate word, for example, “and/or” equals two words and “around-the-corner” equals three words.

Make sure the contact information that will be included in the pamphlet is accurate and functional.

Once statements have been submitted, they are considered final and may not be amended.

Public Inspection of Statements

RCW 29A.32.100

Statements submitted for publication in the local voters’ pamphlet are not available for public inspection or for copying until all statements pertaining to the specific ballot measure have been received or until the submission deadline has passed. Requests for public inspection of statements shall be made in the same manner as requests for public records.

Rejection and Appeal

RCW 29A.32.230

Rejection

Pursuant to RCW 29A.32.230, the Elections Office may reject certain materials submitted for publication in the local voters' pamphlet. These materials may include candidate statements, explanatory statements, "for" or "against" statements, rebuttal statements and contact information.

If an explanatory statement, candidate statement, "for" or "against" statement, rebuttal statement or any contact information is rejected by the Elections Supervisor or by the Prosecuting Attorney, a rejection notice will be emailed to the submitter not more than two business days after the deadline and will identify the grounds for the rejection.

Appeal

The submitter of material that has been rejected may appeal the rejection. A notice of appeal must be submitted in writing to the Auditor not more than 48 hours after the notice of rejection was sent and must declare the specific grounds for appeal. The Auditor will email a decision granting or denying the appeal not more than two business days after the appeal is submitted. The decision of the Auditor to grant or deny an appeal shall be final.

Statements at a Glance

Statement Type	Word Limit	Formatting	
Explanatory Statement	100	Allowed:	Italics
		Not Allowed:	Bold font , <u>underlined font</u> , ALL CAPS, lists, bullets
“For” and “Against” Statement	250 Headings are included in word limit.	Allowed:	Italics, up to four headings (each preceding a paragraph).
		Not Allowed:	Bold font , <u>underlined font</u> , ALL CAPS, lists, bullets
Rebuttal Statement	75	Allowed:	Italics
		Not Allowed:	Headings, Bold font , <u>underlined font</u> , ALL CAPS, lists, bullets
Contact Information	Does not count as part of word limit.	Allowed:	Committee member names; phone number; email address; website; committee name At least one method of contact (phone, email, or website) must be provided.
		Not Allowed:	Titles for committee members (Dr., President, Ph.D.)

Material submitted for publication in the local voters’ pamphlet may be rejected if:

- It is obscene;
- It is libelous;
- It contains an advertisement;
- It contains content prohibited by law from distribution through the mail;
- It contains content that doesn’t pertain to a measure;
- It contains matter that is otherwise inappropriate or that does not comply with applicable law; or
- It was received after the deadline.

2022 Submittal Deadlines

Deadlines are 4:30 pm on each designated day.

ELECTION DATES	Feb. 14, 2023	April 25, 2023	Aug. 1, 2023	Nov. 7, 2023
Jurisdiction's Responsibilities and Deadlines				
<u>Resolution Packet</u> <ul style="list-style-type: none"> • Resolution • Resolution Cover Sheet • Explanatory Statement • "For" and "Against" Committee Statements and members <i>(Member names and contact information must be included.)</i> • Rebuttal Statements by "For" and "Against" Committee 	Dec. 16, 2022 Dec. 16, 2022 Dec. 16, 2022 Dec. 16, 2022 Dec. 23, 2022	Feb. 24, 2023 Feb. 24, 2023 Feb. 24, 2023 Feb. 24, 2023 March 3, 2023	May 12, 2023 May 12, 2023 May 12, 2023 May 12, 2023 May 19, 2023	Aug. 1, 2023 Aug. 1, 2023 Aug. 1, 2023 Aug. 1, 2023 Aug. 8, 2023

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Elections Department***

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Ballot Title Contact Information

District:

Subject of Ballot Title:

Date of Election:

Contact Person:

Phone:

Email:

Additional Contact Person:

Phone:

Email:

Below is for office use only

Received By:

Date Received:

“For” Statement Received:

Date Received:

“Against” Statement Received:

Date Received:

Explanatory Statement Received:

Date Received:

Wavier Form Received:

Date Received: