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CLARK COUNTY
WASHINGTON

ELECTION GUIDE FOR JURISDICTIONS

Includes Local Voters' Pamphlet Administrative Rules

2024

Clark County Elections Department

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Local Voters' Pamphlet

Publication of Local Voters' Pamphlet

A voters' pamphlet will be available online and in printed format for all elections in Clark County. The Presidential Primary pamphlet will be produced by the Secretary of State's Office. The Elections Department also produces an audio version of the pamphlet for all elections for visually impaired voters.

Election	Online Pamphlet	Audio Pamphlet	Printed Pamphlet
February special	✓	✓	✓
March Pres. Primary	✓	✓	✓
April special	✓	✓	✓
August primary	✓	✓	✓
November general	✓	✓	✓

The Elections Office will determine how the printed local voters' pamphlet will be distributed based on the size of the election and the number of jurisdictions participating in it. The local voters' pamphlet may be distributed in one of the following ways:

- By mail to all households (saturation)
- By mail to all registered voter households (one per household)
- By mail, enclosed within the ballot packet

For the Presidential Primary and the general election, the Office of the Secretary of State will publish a state voters' pamphlet, including statewide measures and state and federal offices. If it is determined to be more cost effective, the voters' pamphlet for Clark County may be combined with the state voters' pamphlet for the general election.

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 Councilors to waive this requirement *due to financial hardship*. The deadline for the primary and the general election voters' pamphlet is **Tuesday, May 14, 2024**.

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

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

Rules and Regulations for the Clark County Local Voters' Pamphlet

The contents of the voters' pamphlet are as follows:

1. The printed version will feature the words "Clark County Official Local Voters' Pamphlet" with the date of the election. It will also include the following statement, "Published by the Clark County Auditor's Office."
2. A list of jurisdictions participating in the election will be printed, as space allows.
3. An introductory letter from the Clark County Auditor will appear in the pamphlet for the Primary and General election only.
4. A table of contents will be included only in the Primary and General elections voters' pamphlets.
5. A complete copy of any ballot language submitted by a jurisdiction will be included. 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.
6. The statements "for" and "against" each ballot measure will be included and the accompanying rebuttals, if submitted.
7. Statements and photographs of the candidates for elective office will be included, if submitted.
8. Any ordinance, which could be repealed or revised by a ballot measure, will be included.
9. A list of all ballot deposit locations will either be listed in the voters' pamphlet or on the instructions included in the ballot packet.
10. Information about registering to vote. A Washington State Voter Registration Form may also be included, if space allows.
11. A disclaimer will be included that states that the Elections Office does not make corrections of any kind or verify statements for truth or fact.

Cost of Participating in an Election

RCW 29A.04.410

RCW 29A.32.270

Each jurisdiction is responsible for paying its proportionate share of election costs. Clark County will bill the jurisdiction directly for these costs.

The State Auditor's Office has established uniform procedures for allocating election costs to each jurisdiction. The cost is based upon the percentage each jurisdiction's registered voter population comprises of the registered voters in all jurisdictions participating in that election.

Election costs vary from one election to the next depending on a variety of factors. However, the primary variable is the number of participating jurisdictions and their respective sizes. For example, an election shared by 10 jurisdictions will likely cost more per voter than an election with 40 jurisdictions.

Special elections in February and April are often shared by a smaller number of jurisdictions. Thus, the proportionate share of the cost is often greater, and in some cases may be 100% of the cost (e.g., a single jurisdiction election).

A specific cost or quote cannot be provided in advance of an election. The cost allocation is dependent upon the number of jurisdictions and registered voters participating in the election. Estimates can be provided and will be based on a reasonable range, taking into account historical information and specific information known about a particular election date.

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

If a mandatory recount is required for a candidate in a specific jurisdiction, the cost of the recount is billed to that jurisdiction.

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 16 for resolution deadlines.

How to Submit a Resolution

To place a measure on the ballot, the following 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 (available at clarkvotes.org)
- Explanatory statement
- Names of committee members who will write statements “for” and “against” the measure

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

Physical location:
Clark County Elections
1408 Franklin Street
Vancouver

Mailing address:
Clark County Elections
PO Box 8815
Vancouver, WA 98666

Email address: elections@clark.wa.gov

Upon receipt of the resolution, cover sheet, explanatory statement and committee member names, the Elections Office will mail a notice of acknowledgment to the jurisdiction’s contact person.

Withdrawal of Filed Ballot Issues

The allowance to withdraw a ballot resolution is based on the timeline necessary to design, print and distribute ballots and voters’ pamphlets. There is a point in the timeline when changes can no longer be made to the ballot and voters’ pamphlet without jeopardizing the performance of the election.

Only the governing body that originally authorized the filing resolution can withdraw the ballot issue. The rescission must be done in the same format as the filing – by resolution approved in an open public meeting. The rescission resolution must be delivered to the Elections Office by 4:00 pm no later than seven calendar days after the deadline to file the resolution for that election.

**Ballot Titles for
Local Measures**

RCW 29A.36.071
RCW 29A.72.050

For measures submitted to the voters of a city or town, the official ballot title is prepared by the city or town attorney. For measures submitted to the voters of a unit of local government other than a city or town (e.g., a county, a fire district or a school district), the official ballot title is prepared by the bond counsel for the jurisdiction. The ballot title is then reviewed by the Clark County Prosecuting Attorney’s Office.

For jurisdictions where Clark County is the filing officer, Clark County Elections will assign the resolution a proposition number.

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 75 words)
- A question

Resolutions submitted by jurisdictions that need a ballot title prepared by the Clark 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 Clark County Superior Court pursuant to RCW 29A.36.090.

**Explanatory Statement
for Local Measure**

RCW 29A.32.241

Each ballot title for the voters’ pamphlets 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. Explanatory statements submitted for the voters’ pamphlet shall contain the name, address and phone number of the person submitting the statement.

The purpose of an explanatory statement is to state 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 Prosecuting Attorney for review or preparation.

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.

How to Submit an Explanatory Statement

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 16 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 shall formally appoint committees “for” and “against” the measure. This must be done by the statutory deadline.

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 not have more than three members; however, a committee may seek the advice of other people.

Once the “for” and “against” committees for the measure are appointed, the voters’ pamphlet coordinator for the Elections Office will email the members of the committees with deadlines, a link to this guide, the full text of the resolution, explanatory statements and final ballot titles.

The committees are solely responsible for submitting their statements to the Elections Office by email at elections@clark.wa.gov in accordance with the specified timeline for each election. See page 16.

Appointments by the Auditor

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

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

When the Elections Office is responsible for finding and appointing committee members, it may, in its sole discretion, seek appointments through emails, press releases and notices on the Elections Office website, clarkvotes.org.

The county Auditor shall have the authority to grant any deadline extension which the Auditor feels is in the best public interest. If an extension is granted to a committee, it will also be granted to the opposing committee. Extensions will not be granted for failure to submit materials by the deadlines listed on page 16.

The committee shall elect a chairperson and shall immediately notify the Elections Office by email of the names, addresses, email addresses and telephone numbers of the committee members. Committees may select other people to serve as an advisory committee. Only the names of the three committee members 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.

If a committee member wishes to withdraw before a statement has been submitted, he or she must notify the Elections Office in writing at least 24 hours prior to the submittal deadline for the statement. Should a committee member wish to withdraw after the statement has been submitted, the withdrawal will be honored provided at least one member remains on the committee.

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

Resolution Cover Sheet Sample

Find this on our website located at: www.clark.wa.gov/elections/jurisdictions



RESOLUTION COVER SHEET

This form MUST accompany each original or certified copy of the resolution. Contact person or persons should have the authority to approve changes and to answer questions.

Name of District: _____

District Address: _____

Mailing Address: _____

Date of Election: _____

Contact Person: _____ Title: _____

Contact Phone Number: _____ Contact Email: _____

2nd Contact Person: _____ Title: _____

2nd Contact Phone Number: _____ 2nd Contact Email: _____

Attorney for District: _____

Attorney Phone Number: _____

Attorney Email Address: _____

Type of election (levy, bond, lid lift, etc.): _____

Please state the pass/fail requirements for this measure (i.e., simple majority, 60% super majority, etc.)

as determined by your legal counsel, together with applicable statutory references: _____

“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 email address for the committee chairperson will be provided to interested parties upon request. The request can be by email or phone. A formal “Request for Public Information” is not required for this information.

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 a candidate, a measure or a political office;
- 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 and are due by the deadline. Please see page 16 for deadlines.

Rebuttal Statements

If both “for” and “against” statements are submitted, the voters’ pamphlet coordinator 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 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 and are due by the deadline. Please see page 16 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 Clark County. The Auditor’s Office and Clark 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 in writing, 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 Director of the Elections Office 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 five 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.)

All Statements

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 candidate, to a measure or to a political office;
- It contains matter that is otherwise inappropriate or that does not comply with applicable law; or
- It was received after the deadline.

2024 Submittal Deadlines

Deadlines are 3 pm on each designated day.

The Presidential Primary is not applicable since no jurisdiction may call for a special election in conjunction with this nominating primary.

ELECTION DATES	Feb. 13, 2024 Special Election	March 12 Presidential Primary	Apr. 23, 2024 Special Election	Aug. 6, 2024 Primary	Nov. 5, 2024 General Election
Jurisdiction's Responsibility and Deadlines					
<ul style="list-style-type: none"> • Resolution • Resolution Cover Sheet • Explanatory Statement • "For" and "Against" Committee Appointments <i>(Member names and contact information must be emailed by this date.)</i> 	Dec. 15, 2023	N/A	Feb. 23, 2024	May 3, 2024	Aug. 6, 2024
Committee's Responsibility and Deadlines					
Statement "For" or Statement "Against"	Dec. 22, 2023	N/A	Mar. 1, 2024	May 15, 2024	Aug. 16, 2024
Rebuttal Statement	Dec. 27, 2023	N/A	Mar. 6, 2024	May 21, 2024	Aug. 21, 2024

Bond and Levy Validation

Bond and Levy Validation

State Constitution,
Article VII, Section 2

Passing a bond or levy issue isn't always a simple matter of "majority rules." State law requires a 60% super majority for bond issues and excess levies to pass. Other levies such as levy lid lifts, sales and use tax levies, and school levies only require a simple majority.

Bond Validation

Bond issues must meet two separate criteria to pass.

First, the minimum turnout of voters must be met for passage. For bonds, turnout must equal or exceed 40% of the number of voters who voted in the last general election.

Second, the issue must receive at least 60% approval to pass. A bond measure could get the required percentage of "Yes" votes but could still fail if not enough people vote in the election.

Example – Bond Validation

There were 10,000 voters in the jurisdiction who voted in the last general election.

To pass the bond issue:

- The jurisdiction must have a turnout of at least 4,000 **TOTAL voters**.

$$(10,000 \times 40\% = 4,000)$$

- And -

- At least **60%** of the ballots voted must be "**YES**" votes.

Excess Levy Validation (excluding school levies)

Excess Levy issues must meet two separate criteria to pass.

First, excess levies do not need to meet the minimum turnout requirements if a levy receives at least the minimum number of “Yes” votes required by the minimum turnout calculation (60% of 40% of the votes cast in the district at the last general election).

Second, the issue must receive a 60% favorable majority which means at least 60% of the ballots voted must be “Yes” votes.

Example – Excess Levy Validation

There were 10,000 voters in the jurisdiction who voted in the last general election.

To pass the levy issue:

- The district must receive at least 2,400 “**YES**” votes.

$$(10,000 \times 40\% = 4,000)$$

$$(4,000 \times 60\% = 2,400)$$

- And -

- At least **60%** of the ballots voted must be “**YES**” votes.

Levies Requiring Only a Simple Majority to Pass

Levy lid lifts, school levies, and sales and use tax levies require only a simple majority (a majority of YES votes equal to at least 50% plus one YES vote of the total votes cast). School *bond* issues must still validate and require a 60% super majority to pass.

Validation Summary

The validation summary will be posted on the Elections Office website after the general election is certified.

Requests for Election Data

Types of Data Available

Requests for elections-related data (voter registration lists, daily ballot returns and challenge reports, etc.) must be submitted to the Secretary of State Elections Division. This information is no longer available from the Clark County Elections Office. This is the result of recently enacted law (RCW 29A.08.105(3)).

SB 5459 added paragraph (3) under Section 2 to RCW 29A.08.105 with the following language:

(3) Requests for records from, or any existing standard reports generated by, the statewide voter registration database must be submitted to and fulfilled by the secretary of state per Title 42 RCW. If a county elections office receives a request for records from, or any existing standard reports generated by, the statewide voter registration database, the county elections office is not required to produce any records in response to the request, but shall, by the deadline set forth in RCW 42.56.520, direct the requestor to submit the request to the Secretary of State.

The link below to the Secretary of State's Data and Statistics page provides many standard reports already available. You may also reach out to the Public Records Office which would be a valuable resource for obtaining those records.

sos.wa.gov/elections/data-research/election-data-and-maps/data-and-statistics

For all future requests for data, please contact the Office of the Secretary of State.

Washington Secretary of State Elections Division

Public Records Office

PublicRecords@sos.wa.gov

PO Box 40224

Olympia, WA 98504-0224

Phone: (360) 704-5220

Election and voter registration data provided by the Secretary of State Elections Division is either statewide or countywide. In order to divide the data into the jurisdictions you are interested, please contact Clark County Elections Department for a District Code table which lists all jurisdictions and the precincts associated with them.

Maps are available at the Clark County Geographic Information Systems (GIS) office. The GIS office is located on the second floor of the Public Service Center at 1300 Franklin Street, Vancouver. Call their office at 564-397-2002 for more information. An estimate of the cost will be provided at the time of inquiry.

Restricted Use of Voter Data

RCW 29A.08.740

State law dictates the rules and restrictions on the use of registered voter data. Voter information may not be used for commercial or other nonpolitical purposes.

RCW 29A.08.740 states: “Any person who uses registered voter data for the purpose of mailing or delivering any advertisement or offer for any property, establishment, organization, product, or service or for the purpose of mailing or delivering any solicitation for money, services or anything of value is guilty of a class C felony punishable by imprisonment in a state correctional facility for a period of not more than five years or a fine of not more than ten thousand dollars or both such fine and imprisonment, and is liable to each person provided such advertisement or solicitation, without the person’s consent, for the nuisance value of such person having to dispose of it, which value is herein established at five dollars for each item mailed or delivered to the person’s residence.”

Election Results

Where and When Elections Results are Available

Online - Election results will be online at approximately 8:15 pm on election night at clarkvotes.org.

In-person - Election results are available at approximately 8:15 pm on election night at the Clark County Elections Office, 1408 Franklin Street, Vancouver. To be present for the results, citizens must arrive before closing time at 8:00 pm.

After Election Day

Elections Office staff will continue to verify, open, and count ballots received with valid postmarks and will update election results until the election is certified.

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, the Washington Administrative Code and other sources are offered as references for additional research. The material contained herein may change due to new legislation, new judicial determinations or rule changes.

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