

Chapter 2.14 ELECTION PAMPHLETS

2.14.010 Election pamphlet.

- A. The Executive Director of the Seattle Ethics and Elections Commission ("Executive Director") shall prepare, publish, and mail to each residence or registered voter within the City an election pamphlet as soon as practical prior to each primary, special or general election. Alternatively, the Executive Director may arrange with the appropriate King County officials, on terms satisfactory to the Executive Director and consistent with this Chapter, for the contents of the city's election pamphlet to be included in a pamphlet published and mailed by King County pursuant to RCW Chapter 29.81A. The pamphlet shall contain:
1. For each measure, the identification by serial number, the ballot title, the text, an explanatory statement, and arguments for and against the passage of the measure;
 2. The photographs and campaign statements of the candidates for the offices of Municipal Court Judge, City Councilmember and City Attorney, and the Mayor, whose names are listed on the ballot;
 3. Information from other jurisdictions which participate in the pamphlet;
 4. A sample ballot;
 5. Information about election laws of participating jurisdictions, qualifications for voting, voter registration, obtaining and using an absentee ballot or an application for an absentee ballot; and
 6. When candidates are included, a brief explanation of how voters may participate in the election campaign process and of disclosure requirements that apply to campaign contributions.
- B. The Executive Director shall determine, among other matters, the organization, size, dimensions, format, and the layout of the pages of the pamphlet subject to the guidelines in this chapter. Whenever applicable, the election pamphlet shall comply with the provisions of RCW Chapter 29.81A and RCW Chapter 29.81 regarding the publication of the State candidates' and voters' pamphlets. The Executive Director is authorized to produce and make publicly available the election pamphlet in electronic format.
- C. The Executive Director shall perform the duties that RCW Chapter 29.81A imposes on a "city clerk" of a first-class city, except that the Seattle Ethics and Elections Commission rather than the Executive Director shall adopt administrative rules concerning the election pamphlet.

(Ord. 120833 § 1, 2002; Ord. 117629 § 1, 1995; Ord. 116368 , § 29, 1992; Ord. 116005 , § 4, 1991; Ord. 112962 § 1, 1986; Ord. 112213 § 1(part), 1985.)

2.14.020 Material on propositions and initiatives.

- A. Measures shall appear in the election pamphlet in the order in which they appear on the sample ballot.
- B. The identification by serial number and ballot title shall precede the explanatory statement on a measure; and the explanatory statement shall precede the arguments for and against passage. The names of the members of a committee which prepares an argument shall follow it.
- C. Arguments in favor of passage shall precede those against it. Whenever practical, the arguments for and against passage shall be placed side-by-side on facing pages.

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- D. The text of a measure may accompany the arguments on the measure or appear in a separate section of the pamphlet.
 - E. Each argument on a measure shall contain a principal statement and, where an opposing argument is made, a rebuttal. The principal statement may be four hundred (400) words but not longer and the rebuttal may be one hundred fifty (150) words but not longer.
 - F. No obscene, profane, libelous, or defamatory matter, or language which may impair the circulation of the election pamphlet through the mails shall be accepted.

(Ord. 121543 §§ 1, 3, 2004; Ord. 120833 § 2, 2002; Ord. 117629 § 2, 1995; Ord. 112213 § 1(part), 1985.)

2.14.030 Explanatory statement.

- A. The City Attorney shall prepare an explanatory statement on each City measure, describing in clear and concise language, the law as it presently exists and the effect of the measure if approved. No explanatory statement need accompany an advisory referendum.
- B. Within five (5) days after its filing with the Executive Director, anyone dissatisfied with the explanatory statement prepared by the City Attorney may appeal to the Seattle Ethics and Elections Commission by filing an objection with the Executive Director and serving a copy of the objection upon the City Attorney. The objection shall identify the appellant's grievance and contain a proposed amendment or substitution. The Seattle Ethics and Elections Commission shall convene as soon as practical to consider the explanatory statement and the objection; and its decision shall be final. There shall be no appeal to the Hearing Examiner.

(Ord. 117629 § 3, 1995; Ord. 112213 § 1(part), 1985.)

2.14.040 Committees to prepare arguments.

- A. The City Council President shall appoint committees to prepare arguments on City measures in the election pamphlet. Each committee shall be comprised of three (3) members, who are known to support the argument to be made. The Executive Director shall make a recommendation for the membership of the committees to the President of the City Council. If a political committee has filed a statement of organization as contemplated by SMC Section 2.04.160 for or against a measure, the Executive Director shall first solicit recommendations from the committee.
- B. Each committee shall prepare and submit to the Executive Director an opening argument, and, if an opposing argument is submitted, after reviewing the opposing argument, the committee shall submit a rebuttal. The opening argument and the rebuttal argument shall be submitted within the respective deadlines established pursuant to SMC Section 2.14.100. The Committee may also submit an address, phone number, e-mail address, and web address for publication in the election pamphlet that the public may use in communicating with the committee or, with the organization's consent, an organization selected by the committee.
- C. Each committee shall elect its own presiding officer and arrange for the conduct of its affairs. A committee may fill a vacancy occurring in its membership by appointment. A committee may appoint a nonvoting advisory committee containing not more than five (5) members. Neither the members of a committee appointed to prepare an argument nor the members of an advisory committee shall be compensated for their service. The term of office of a committee member shall expire and the committee shall be dissolved upon completion of its task.

(Ord. 120833 § 3, 2002; Ord. 117629 § 4, 1995; Ord. 112213 § 1(part), 1985.)

2.14.050 Information on candidates.

- A. City offices and candidates' photographs and statements shall appear in the election pamphlet in the same order as they appear on the sample ballot.
- B. Photographs and statements shall appear only for those City office candidates whose names are scheduled to appear on the ballot of the election for which that pamphlet is published and distributed.

(Ord. 120833 § 4, 2002; Ord. 115283 § 1, 1990; Ord. 112213 § 1(part), 1985.)

2.14.060 Candidates' submissions.

- A. To participate in the election pamphlet, a candidate shall file with the Executive Director (1) a photograph taken within the past two (2) years and (2) a campaign statement. The filing shall be in the form and within the deadlines established by rules promulgated pursuant to Section 2.14.100. The candidate may also submit an address, phone number, e-mail address, and web address for publication in the election pamphlet that the public may use in communicating with the candidate or the candidate's political committee.
- B. The photograph shall show the candidate's face, or face, neck and shoulders in the manner of a portrait. It shall exclude other images, such as the candidate's hands, anything held in the candidate's hands, or other people. The candidate shall not wear a uniform or hat or bear an insignia. The background shall be plain. The photograph shall be of a size or quality suitable for reproduction. Informal snapshots, cartoons, caricatures, or images that do not accurately portray the candidate shall be rejected.
- C. The candidate's statement may be four hundred (400) words but not longer. No obscene, profane, libelous or defamatory matter, or language, which may impair circulation of the pamphlet through the mail, shall be accepted.

(Ord. 121543 §§ 2, 4, 2004; Ord. 120833 § 5, 2002; Ord. 117629 § 5, 1995; Ord. 115283 § 2, 1990; Ord. 112213 § 1(part), 1985.)

2.14.070 Editorial authority—Appeals.

- A. Upon notice to the candidate or an argument committee, in lieu of an outright rejection, the Executive Director may edit a statement with too many words down to the maximum permitted, crop a photograph or other graphics to delete improper material, and/or otherwise remove material, which would be cause for rejection of the statement.
- B. Any candidate or committee aggrieved by a decision or action of the Executive Director may within five (5) days thereafter appeal the matter to the Seattle Ethics and Elections Commission, which shall convene as soon as practicable. The Commission shall consider the matter under the procedures established for contested cases in SMC Section 3.02.090, subsections B through I inclusive, and subsection M. The decision of the Commission shall be final; there shall be no appeal to the Hearing Examiner.

(Ord. 117629 § 6, 1995; Ord. 112213 § 1(part), 1985.)

2.14.080 Preparation and circulation.

Among other activities, the Executive Director shall inform the candidates and argument committees about the election pamphlet and their opportunities to submit material; the Executive Director shall prepare an audio tape transcript in English and distribute it without charge, upon request, to any visually handicapped person or organization affiliated or working with such people; the Executive Director shall prepare a copy in Spanish and

distribute it in sufficient quantities through the Seattle Public Library and Hispanic organizations to those conversant in Spanish; and the Executive Director shall prepare a copy in Chinese, and insofar as funds permit, in other Asian languages for which the Executive Director determines that the need for a translated copy is greatest, and distribute the same through the Seattle Public Library and organizations serving the Asian community in Seattle. Foreign language translations may contain a summary rather than the full text of a proposition, initiative, referendum or Charter amendment.

(Ord. 120833 § 6, 2002: Ord. 117629 § 7, 1995: Ord. 116368 , § 30, 1992: Ord. 112213 § 1(part), 1985.)

2.14.090 Participation of additional jurisdictions.

At least ninety (90) days before the publication of the election pamphlet, the Executive Director shall notify all taxing districts located wholly within Seattle that the City will produce an election pamphlet and invite the district to participate as authorized by RCW 29.81A.010 through 29.81A.020 and RCW 29.81A.070. The notice shall contain the deadline established pursuant to RCW 29.81A.030(1) for responding. If another jurisdiction located wholly within the City of Seattle elects to participate in a City election pamphlet, the Executive Director shall work with the participating government to produce a joint pamphlet or arrange for inclusion of information from the participating jurisdiction in the City pamphlet. A participating government shall provide for appeals from the actions of its officials on material submitted.

(Ord. 120833 § 7, 2002: Ord. 117629 § 8, 1995: Ord. 116368 , § 31, 1992: Ord. 112213 § 1(part), 1985.)

2.14.100 Deadlines—Rules.

The Seattle Ethics and Elections Commission with the assistance of the Executive Director, and any participating jurisdiction, shall establish deadlines by calendar date in accordance with the procedures of the Administrative Code (SMC Chapter 3.02; Ordinance 102228 , as amended) for the submission of arguments; for transfer by the Executive Director of principal statements between committees making opposing arguments; and for submission of rebuttal arguments. The Seattle Ethics and Elections Commission shall promulgate other rules and regulations in accordance with the Administrative Code (SMC Chapter 3.02; Ordinance 102228 , as amended) to carry out this chapter, including among other matters, the manner of applying the word limitations.

(Ord. 120833 § 8, 2002: Ord. 117629 § 9, 1995: Ord. 116368 , § 32, 1992: Ord. 112213 § 1(part), 1985.)

2.14.110 Cost prorated.

The cost of the election pamphlet shall be considered an election cost to those jurisdictions included in the pamphlet and shall be prorated in the manner provided for in RCW 29.13.045.

(Ord. 112213 § 1(part), 1985.)