



Ballot Measures and PDC Guidelines

Avoiding common pitfalls when running a ballot measure

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Tip 1: Develop a Plan

What is the intended use of the revenue?

- Capital projects or maintenance and operations?
- Cash flow or long term need?

When are the funds needed?

- Property tax levies are set on an annual basis. All property taxes for upcoming year must be certified to the county assessor no later than November 30. Levy imposed as of January 1 following year.
- Sales tax rate changes occur January 1, April 1 or July 1, and generally may not take effect until 75 days

Planning ahead

- State law dictates election dates and filing deadlines
 - Keep in mind some ballot measures may only be submitted to the voters on a special, general, and/or primary election
- Plan ahead to achieve best results based on goals (level of community outreach and education, for example) in addition to obtaining required approvals by deadlines
- Plan to share in costs of election

Level of Public Support

- Is the measure likely to obtain simple majority approval (50% plus one), or the higher threshold of supermajority approval (60%)
- Success rate of similar ballot measures?
- What other measures will also be on the ballot?

Is there a Plan B or C?

- What to do if the ballot measure fails?



Tip 2: Know the Ballot Measure Requirements

Local Measure General Ballot Title Requirements

- Main sections
 - o Identification of the enacting legislative body;
 - o A statement of the subject matter (*no more than 10 words*);
 - o A concise description of the measure (*no more than 75 words*); and
 - o A question (essentially, whether or not the proposition should be approved)

The ballot language must be neutral, factual, and not persuasive, and needs to capture the bigger overarching purpose of the measure

Tip 2: Know Your Ballot Measure Requirements (cont.)

Other general ballot requirements to keep in mind

- For instance, single subject requirement

Statute governs content

- Requirements may include
 - Intended use of revenue
 - Levy rate (required for levy lid lifts)
 - Term of levy or bonds
 - Other requirements
 - Number of nuances between ballot measures for levy lid lifts and UTGO bond measures, for instance

Consult with City Attorney and Bond Counsel

Tip 2: Know Your Ballot Measure Requirements (cont.)

LEVY LID LIFT

The ____ City Council adopted Ordinance No. _____ concerning *funding for expanded aquatics, recreation, and parks facilities, operations, and programs*. This proposition *funds aquatics and recreation center operations, parks maintenance, year-round restrooms, park rangers, beach lifeguards, sports courts, teen services, and green loop trail networks by increasing the City's regular property tax levy to a maximum rate of \$_____/ \$1,000 of assessed valuation (generating approximately \$_____ for these purposes) for collection in 2024. The 2024 levy amount will be the basis to calculate subsequent levies (RCW 84.55). Qualifying seniors, disabled veterans, and others would be exempt (RCW 84.36).*

Should this proposition be approved?

UTGO BONDS

The Board of Commissioners of the _____ adopted Resolution No. ____ concerning *a proposition for aquatic and recreational facilities*. This proposition *authorizes the District to design, develop, and construct an aquatic recreation center, including pools, multipurpose rooms, and recreation and staff space; to issue up to \$_____ of general obligation bonds maturing within ____ years from issuance to finance such center; and to levy annual excess property taxes to repay such bonds, as provided in Resolution No. ____.*

Shall this proposition be approved?

Tip 3: Be Aware of Related Requirements

- **Explanatory Statement**

- To appear in voters' pamphlet
- Opportunity to give more of the reasons behind the need for proposition
- Must be clear, concise and not overly technical
- Similar to ballot measure, must be factual and not persuasive
- Word limit and other formatting requirements are determined by each county's election rules
- Deadline same as or close to resolution/ordinance filing deadline

- **Appointment of Pro and Con Committees**

- For each ballot proposition that is included in a voters' pamphlet, legislative body must formally appoint up to three members to a pro committee and a con committees no later than the resolution filing deadline
- Responsible for writing pro or con statement
- Appointees must be individuals who are known to favor or oppose the measure, as necessary
- Can seek advise of others
- If no appointment is made, the county auditor shall whenever possible make the appointments
 - *Tip: Seek volunteers using usual channels, such as website, newsletters, etc.*

Tip 4: Be Familiar with the ABCs of the PDC



“Publicity is justly commended as a remedy for social and industrial diseases. Sunlight is said to be the best of disinfectants; electric light the most efficient policeman.”

**—U.S. Supreme Court Justice Louis D. Brandeis,
“What Publicity Can Do,” *Harper’s Weekly*,
December 20, 1913**

Historical Background

Initiative 276

- Passed in 1972 with over 72% “yes” vote
- Overall goal: transparency and anti-corruption: “The People Have the Right to Know...”
 - Legislature had just passed the Open Public Meetings Act in 1971
- Origin of many “sunshine” laws:
 - Public Records Act
 - Campaign finance reporting requirements
 - Campaign finance limits
 - Regulations on lobbyists
 - Establishes PDC and gives it enforcement power



NOTE: New special toll-free telephone service offered to voters requesting in-depth information on state measures. See page 5 for details.

Statement for

The People Have the Right to Know . . .

Our whole concept of democracy is based on an informed and involved citizenry. Trust and confidence in governmental institutions is at an all time low. High on the list of causes of this citizen distrust are secrecy in government and the influence of private money on governmental decision making. Initiative 276 brings all of this out into the open for citizens and voters to judge for themselves.

Where Campaign Money Comes From and Where it Goes!!

Initiative 276 requires public disclosure of where campaign money comes from, who gets it and how much. All candidates and political committees are required to make regular, detailed reports of contributions and expenditures. Small contributions need not be reported by name. And, spending in any election campaign is limited to whichever is larger: ten cents per registered voter; \$5,000; or a sum equal to the total salary for the term of the office sought.

Which Lobbyists Spend How Much For What Purposes!!

Initiative 276 allows the public to know which special interests are spending how much to influence decisions made by the legislature and various state agencies. Professional lobbyists must register and report year-round (not just during legislative sessions) their terms of employment, legislation to which employment relates, itemized expenditures made, and

Disclosure—Campaign Finances —Lobbying—Records

AN ACT relating to campaign financing, activities of lobbyists, access to public records, and financial affairs of elective officers and candidates; requiring disclosure of sources of campaign contributions, objects of campaign expenditures, and amounts thereof; limiting campaign expenditures; regulating the activities of lobbyists and requiring reports of their expenditures; restricting use of public funds to influence legislative decisions; governing access to public records; specifying the manner in which public agencies will maintain such records; requiring disclosure of elective officials' and candidates' financial interests and activities; establishing a public disclosure commission to administer the act; and providing civil penalties.

financial transactions with legislators and public employees. Expenditures of state funds for lobbying are prohibited.

Where Conflicts of Interest Exist!!

Initiative 276 permits the voting public to judge for itself where potential conflicts of interest may lie. All elected officials and candidates are required to disclose directorships and offices held and substantial financial or ownership interests in any business, and in real estate investments.

How Governmental Decisions Are Really Made!!

Initiative 276 makes all public records and documents in state and local agencies available for public inspection and copying. Certain records are exempted to protect individual privacy and to safeguard essential governmental functions.

The People Have The Right To Know!! Vote For Initiative 276!!

Committee appointed to compose statement FOR Initiative 276:

BENNETT FEIGENBAUM, Coalition for Open Government, Sponsor; NAT WASHINGTON, State Senator, Ephrata; ART BROWN, State Representative, Seattle.

Advisory Committee: JOCELYN MARCHISIO, President, League of Women Voters of Washington; MARIANNE NORTON, American Association of University Women; JOAN THOMAS, President, Washington Environmental Council; LOREN ARNETT, Washington State Council of Churches.

Role of the PDC

Five member Commission appointed by the Governor and confirmed by the State Senate

Commission sets PDC policy and interprets and enforces the campaign finance and disclosure laws found in chapter 42.17A RCW and WAC 390

Mission is to promote confidence in the political process

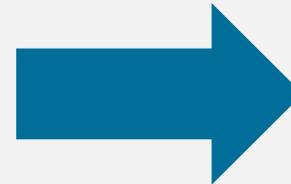
Has jurisdiction to investigate complaints of potential violations, to enforce the requirements concerning campaigns and elections, and impose penalties for violations

<https://www.pdc.wa.gov/rules-enforcement/enforcement/enforcement-guide>

The Law

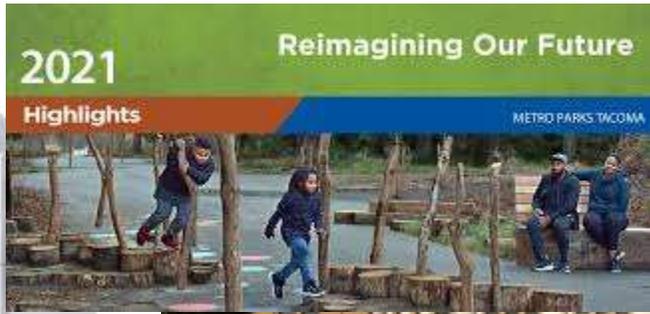
RCW 42.17A.550

- Part of original initiative, just a few sentences out of 11 pages in the voter's guide
- Fear of government officials misusing public resources for political gain
- “No elective official nor any employee of his or her office nor any person appointed to or employed by any public office or agency may use or authorize the use of any of the facilities of a public office or agency, directly or indirectly, for the purpose of assisting a campaign for election of any person to any office or for the promotion of or opposition to any ballot proposition.”



**No Public
Resources
May Be Used
for Political
Purposes**

What are “facilities of a public...agency”?



Our Classroom News

The Week of August 11th - 14th

Email: {teacher's email address}
Twitter: @twitteraccount Website: classwebsite.com

Upcoming Events	Reminders
August 11 th First Day of School Special: P.E.	Please return your child's Back to School forms by August 14 th .

Tip: Anything of Value Paid for with Public Money or Under Public Control



SOCIAL MEDIA WEBSITE

Math: practice using our math tools (unifix cubes, number frames, dry-erase markers/boards), identifying and talking about dot patterns (a foundation for breaking-apart numbers)

Writing: This week we will begin using our writing journals! We will brainstorm ideas for future writing and learn how to share our ideas using Oral Writing.

Welcome to the City of Seattle Utility Services Website

Already have a profile? The first time you sign in, you'll need to reset your password. Have questions? Look for our email with all the details.

Sign in or Register Now

Pay Bill

Pay Bill Go & Check

QUICK LINKS

- Water - Seattle City Light
- Water - Seattle Public Utilities
- MyEgg Maps
- Payment Plans



The Exceptions

Public entity can take a vote to support or oppose a ballot measure

- Must be in open public meeting
- Meeting notice must include title and number of measure
- Members of board and the public are afforded equal opportunity to present opposing view



The Exceptions

An elected official may make a statement in support or opposition to a ballot measure

- At an open press conference, or
- In response to a specific inquiry



The Exceptions

Cities & counties may:

- Make facilities available on a nondiscriminatory, equal access basis for political uses (i.e., providing meeting rooms if that is done for other external groups, hosting political forums if everyone is invited and given equal time)



The Exceptions

City and county employees:

- May express personal views on candidates and ballot measures...as long as it does not use public resources
- May wear campaign buttons (if such buttons are normally allowed)
- May hang posters on staff bulletin board
- But cannot use work hours to do campaign activity
- Should make clear any participation is personal, rather than officially sponsored



The Exceptions

Activities that are part of the city's or county's "normal and regular conduct"



Defined in WAC as: “conduct which is (1) lawful, i.e., specifically authorized, either expressly or by necessary implication, in an appropriate enactment, and (2) usual, i.e., not effected or authorized in or by some extraordinary means or manner.

The Exceptions

“Normal and regular conduct”

- No bright line rule
 - PDC will consider the entire context of the activities to determine if there is a violation
- Is this part of something the city normally does?
 - What is the timing, tone, and tenor of the activity?
 - Is frequency of messaging customary to other news or messaging?
 - Are there numerous activities closely tied to a citizen campaign committee and around the time of an election?
 - Has the city passed a resolution in support of the measure?

The Exceptions

“Normal and regular conduct”

- Can make an objective and fair presentation of the facts relevant to a ballot measure (should include costs and impacts)
- PDC presumes distributing one such countywide mailer regarding a ballot measure is normal and regular conduct
- Can also distribute facts, newsletters, social media postings, website, etc., if normal and regular conduct
 - [But see 2023 PDC enforcement for cautionary stories](#)
- Can always inform the community of the needs the city faces and needs that the community may not realize exist

Tip 5: Establish Normal and Regular Conduct Early

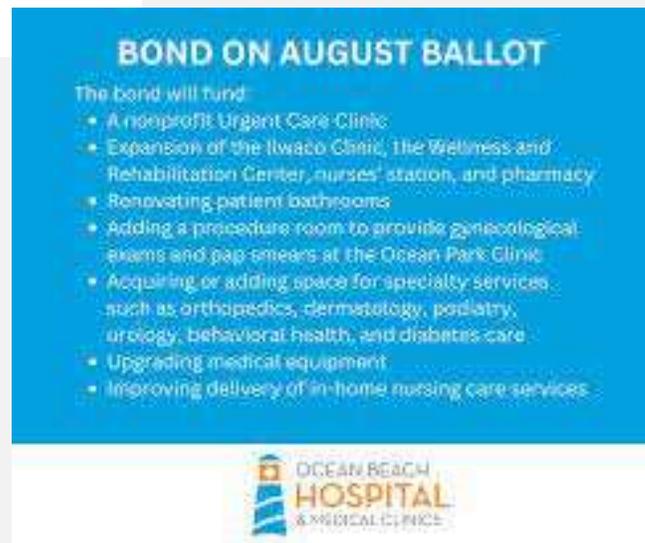


Q&A Dates ? ? ?

Wednesday, July 19 at 6 p.m.
Naselle Library
4 Parpala Road, Naselle

Saturday, July 22 at 10 a.m.
Ilwaco Community Room
in the Ilwaco Library
158 First Avenue N.

OCEAN BEACH HOSPITAL & MEDICAL CLINIC



BOND ON AUGUST BALLOT

The bond will fund:

- A nonprofit Urgent Care Clinic
- Expansion of the Ilwaco Clinic, the Wellness and Rehabilitation Center, nurses' station, and pharmacy
- Renovating patient bathrooms
- Adding a procedure room to provide gynecological exams and pap smears at the Ocean Park Clinic
- Acquiring or adding space for specialty services such as orthopedics, dermatology, podiatry, urology, behavioral health, and diabetes care
- Upgrading medical equipment
- Improving delivery of in-home nursing care services

OCEAN BEACH HOSPITAL & MEDICAL CLINIC

“Normal and regular conduct”

Update community members on a normal and regular basis

- Reminders to vote before every election (not just yours!)
- Reports on operations and capital expenditures and needs
- Updates on current levies/bonds project progress or investments
- Identifying current and future residential needs

You be the PDC Investigator!

A city would like to include information regarding its upcoming ballot measure on its website. As the PDC investigator, will you find a violation if the city:

- Puts factual information regarding the ballot measure on the city's website
- Includes information on the website that encourages voters to support the measure
- Creates a website titled www.citiesofexcellence.org specifically for the ballot measure

You be the PDC Investigator!

A city public works director would like to support a ballot measure that will fund capital improvements in their city. As the PDC investigator, will you find a violation if the director:

- Sends an email to encourage other employees to attend a rally in support of the measure, which will take place in a public park, through their city email account
- Leaves flyers encouraging colleagues to attend the rally in the employee lounge and posts them on a staff-only bulletin board
- Wears a t-shirt to work and puts a bumper sticker on their car that states: “Vote Yes on Proposition 1! Support our Neighborhoods!”

You be the PDC Investigator!

A city would like to put information regarding its upcoming ballot measure on the city's social media accounts. As the PDC investigator, will you find a violation if the city posts the following?

- “November 8, 2024 is Election Day. Remember to Vote!”
- “November 8, 2024 is Election Day. Vote YES on Prop 1!”
- “Thank you for supporting your city on Election Day!” after the election is over

You be the PDC Investigator!

A city would like to put information regarding its upcoming ballot measure on the city's social media accounts. As the PDC investigator, will you find a violation if the city posts the following?

- “Is making parks safer important to you?”
- “Our kids and the public deserve safer parks”
- “Our future is in your hands. What if the levy fails to pass ... again”

You be the PDC Investigator!

A city would like to create a flyer to provide information about its upcoming parks levy. As the PDC investigator, will you find a violation if the city includes the following?

- Renderings of new facilities based on designs provided to and approved by council
- Pictures of smiling, happy children playing nicely on a playground and on the splash pad
- Pictures of parks and facilities in disarray, full of criminal activity, and new shiny parks with flowers, facilities and happy patrons

You be the PDC Investigator!

City employees interact with city ballot measures in many ways. As the PDC investigator, will you find a violation if:

- A treasurer speaks at a community forum and presents a fair and objective description of the ballot measure during work hours
- The treasurer attends a meeting of the local campaign planning meeting during their lunch hour
- A treasurer asks members of their staff to take home “Vote Yes” campaign signs, which are located in their car parked across the street from city hall

Tip 6: Review the Guidelines

- Provide training to elected official and employees early in the process
- Create a fact sheet for your elected officials and employees
- Revisit the PDC guidelines and involve legal counsel at the beginning of your planning process
- General PDC guidelines are available online at: <https://www.pdc.wa.gov/rules-enforcement/guidelines-restrictions/guidelines-local-government-agencies-election-campaigns>

Questions

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