

SISKIYOU COUNTY

GUIDE FOR SUBMITTING ARGUMENTS AND REBUTTALS FOR LOCAL MEASURES

DISCLAIMER

This informational booklet was developed in an effort to provide answers to questions frequently asked of the Siskiyou County Clerk's Office concerning arguments and rebuttals for measures. It is for general information only and does not have the force and effect of law, regulations or rule. In case of conflict, the law, regulation or rule will apply. Persons using this booklet must bear full responsibility to make their own determinations as to all legal standards and duties.

Contact Information:

Colleen Setzer, Siskiyou County Clerk
510 N. Main St.
Yreka, CA 96097
Phone: (530) 842-8084
Fax: (530) 841-4110
Website: www.sisqvotes.org
Email: colleen@sisqvotes.org

Office Hours:

Monday – Friday, 9:00a.m. – 12:00p.m. and 1:00p.m. - 4:00p.m.

What is a Measure? A measure is an ordinance, question or issue submitted to a vote of the people at any election. Local (county, city or district) questions, issues or amendments are referred to as “Measures,” while those that are voted upon statewide are called “Propositions.”

Information provided in this booklet is applicable to the filing of arguments and rebuttals concerning measures in Siskiyou County only. Arguments and/or rebuttals involving measures are filed with the Siskiyou County Clerk’s Office, 510 N. Main Street, Yreka, CA; during normal business hours.

SUBMITTING A MEASURE FOR THE BALLOT The local deadline for jurisdictions to submit a measure to County Clerk’s Office is 113 days prior to an election.

DUE DATES FOR ARGUMENTS AND REBUTTALS The California Elections Code provides that the county elections official shall establish deadlines for the filing of arguments and rebuttals based on the time reasonably necessary to allow for the 10 day required public examination period, and to prepare, print and mail the Voter Information Guide. Each measure is treated separately. The due dates for arguments and rebuttals will be determined by the county elections official for each individual measure and will be included in the Notice of Election for the measure that is published in local newspapers. All original arguments and rebuttals, including the original signatures of the proponents, for county, municipal (city), special districts and school districts measures must be filed in the office of the county elections official by 4:00 p.m. on the applicable deadline. Call (530) 842-8084 to obtain the due dates. (EC 9163)

FILERS OF ARGUMENTS The “filer” of an argument must be from either the governing body, a bona fide association of citizens or be a registered voter in the district. However, *the signers of an argument need not meet these criteria*. For example, if the governing body of a district placing a measure on the ballot (filer) wishes to have other individuals sign (signer) the argument, they may do so. However, filer’s authorization must be submitted with the argument. The authorization may be in the form of a governing body resolution, minute order or letter signed by the filer(s). Authorization is needed whenever there are signers who are not the filers.

COUNTY MEASURES

The board of supervisors or any member or members of the board, or an individual voter who is eligible to vote on the measure, or bona fide association of citizens, or a combination of these voters and associations may file a written argument for or against any county measure.

CITY MEASURES

For measures placed on the ballot by petition, the persons filing an initiative petition pursuant to this article may file a written argument in favor of the ordinance, and the legislative body may submit an argument against the ordinance.

For measures placed on the ballot by the legislative body, the legislative body, or a member or members of the legislative body authorized by that body, or an individual voter who is eligible to vote on the measure, or bona fide association of citizens, or a combination of voters and associations, may file a written argument for or against any city measure.

DISTRICT MEASURES

The governing board of the district or any member or members of the board, or any individual voter who is eligible to vote on the measure, or bona fide association of citizens, or any combination of such voters and associations may file a written argument in favor of or against any measure.

REQUIRED STATEMENT TO ACCOMPANY ANY ARGUMENT AND/OR REBUTTAL TO ARGUMENT

Election law requires that all arguments and rebuttals be accompanied by the following form statement, to be signed **by each** proponent and **by each** author, if different, of the argument (EC 9600). This statement is **not** printed in the Voter Information Guide, but is retained in the file with other measure documentation. *Completion of the "Ballot Argument Signature Statement" satisfies this requirement.*

"The undersigned proponent(s) or author(s) of the

_____ (primary/rebuttal)

argument _____ (in favor of/against)

ballot measure _____ (name or number)

at the _____ (title of election)

election for the _____ (jurisdiction)

to be held on _____ hereby state that such argument is
(date)

true and correct to the best of _____ knowledge and belief."
(his/her/their)

Signed _____ Date _____

**SELECTION OF
ARGUMENT TO
APPEAR IN
VOTER
INFORMATION
GUIDE**

One argument in favor of and one argument against any measure will be printed in the Voter Information Guide. If more than one argument in favor of, or more than one argument against any measure is filed with the county elections official within the time prescribed, the county elections official shall select one of the arguments in favor of and one of the arguments against the measure for printing and distribution to the voters. In selecting the argument, the county elections official shall give preference and priority in the following order:

County Measures

1. The Board of Supervisors or a member or members of the board.
2. The individual voter or bona fide association of citizens, or combination of voters and associations, who are the bona fide sponsors or proponents of the measure.
3. Bona fide associations of citizens.
4. Individual voters who are eligible to vote on the measure. (EC 9166)

City Measures:

For measures placed on the ballot by petition the persons filing an initiative petition pursuant to this article may file a written argument in favor of the ordinance, and the legislative body may submit an argument against the ordinance.

For measures placed on the ballot by the legislative body:

1. The legislative body, or a member or members of the legislative body authorized by that body.
2. The individual voter, or bona fide association of citizens, or a combination of voters and associations, who are the bona fide sponsors or proponents of the measure.
3. Bona fide association of citizens.
4. Individual voters who are eligible to vote on the measure. (EC 9287)

School District Measures:

1. The governing board of the district or a member or members of the board.
2. Individual voters who are eligible to vote on the measure
3. Bona fide association of citizens, or combination of voters and associations. (EC 9501)

Special District Measures:

1. The governing board of the district or a member or members of the board.
2. The individual voter or bona fide association of citizens, or combination of voters and associations, who are the bona fide sponsors or proponents of the measure.
3. Bona fide associations of citizens.
4. Individual voters who are eligible to vote on the measure. (EC 9503)

REBUTTALS

When an argument in favor of and an argument against a measure have been selected for publication in the Voter Information Guide, the official responsible for conducting the election shall send copies of the argument in favor of the measure to the authors of the argument against the measure and copies of the argument against the measure to the authors of the argument in favor of. The authors may prepare and file the rebuttal argument not exceeding 250 words, or may authorize in writing any other person or persons to prepare, file or sign the rebuttal argument. Written authorization must specifically designate the name of the substitute signer and must be signed by the original signer. *See Rebuttal Argument Alternate Signer Authorization form*. The rebuttal argument shall be filed with the elections official conducting the election no later than a date designated by the elections official. Words used in the title may not be counted when determining the length of any rebuttal argument. (EC 9167, 9317, 9504)

CHANGE TO AND/OR WITHDRAWAL OF ARGUMENTS

Arguments may be changed or withdrawn by their proponents at any time prior to and including the final date fixed by the elections official. (EC 9316, 9601)

If an argument is changed, the newly signed original argument must be completed and filed by the above-mentioned deadline.

If an argument is withdrawn, the withdrawal must be in writing and signed by the Filer and/or Signers and must be filed by the above-mentioned deadline.

INFORMATION THAT MUST ALSO BE FILED WITH THE ARGUMENT

All original arguments and/or rebuttals with original signatures must be filed at the Siskiyou County Clerk's Office by 4:00 p.m. on the applicable deadline.

A ballot argument shall not be accepted unless accompanied by the printed name(s) and signature(s) of the person or persons submitting it, or, if submitted on behalf of an organization, the name of the organization and the printed name and signature of at least one of its principal officers. No more than five signatures shall appear with any argument. In case any argument is signed by more than five persons, the signatures of the first five shall be printed. (EC 9164) Completing the *Ballot Argument Signature Statement* satisfies this requirement.

In addition to the Ballot Argument Signature Statement, the following information is needed, either printed or typed on a separate piece of paper:

- The printed name of each signer. *
- The address where each of the signers is registered to vote, including the city and zip code.*
- The mailing address of each of the signers (if different from the registered address).*

This information is not printed in the Voter Information Guide. It is needed to verify eligibility and to send any necessary correspondence. **This information is not required to be filed with the rebuttal argument.*

**ELECTRONIC
COPY OF
ARGUMENT**

In addition to the original hard copy, submit the argument in WORD format on disk/thumb-drive or via email to colleen@sisqvotes.org.

**CHALLENGE OF
ARGUMENT/
REBUTTAL
CONTENTS**

There is a 10-calendar day public examination period after the close of both of these filing periods whereby the arguments, rebuttals and impartial analyses may be reviewed and copies obtained for a fee.

During the 10-calendar day public examination period provided for by law, any voter of the jurisdiction in which the election is being held, or the county elections official may seek a writ of mandate or an injunction requiring any or all of the materials to be amended or deleted. The writ of mandate or injunction request shall be filed no later than the end of the 10 calendar day public examination period.

A peremptory writ of mandate or an injunction shall be issued only upon clear and convincing proof that the material in question is false, misleading, or inconsistent with the requirement of law, and that issuance of the writ or injunction will not substantially interfere with the printing or distribution of official election materials as provided by law.

The county elections official shall be named as respondent and the person or official who authored the material in question shall be named as real party in interest. In the case of the county elections official bringing the mandamus or injunctive action, the board of supervisors of the county shall be named as the respondent and the person or official who authored the material in question shall be named as the real party in interest.

(EC 9190)

Note: Should this be your course of action, contact the County Clerk's Office immediately at (530) 842-8084. Timelines for Sample Ballot Pamphlet printing are critical at this point. Whatever you choose to do, it must be done as quickly as possible. We will also give you a contact number for County Counsel, who must be notified and can let you know what else they may need.

FORMATTING YOUR ARGUMENT

GUIDELINES – FORM OF SUBMISSION

Arguments are to be submitted in a block paragraph style. Arguments are limited to 300 words and Rebuttals are limited to 250 words. Refer to the “Counting of Words” section on how the word count is determined. The heading and the signature(s) blocks are not included in the word count.

The following statement, as applicable, must be printed as the heading of the argument:

“Argument in Favor of Measure _____”
“Argument Against Measure _____”
“Rebuttal to Argument in Favor of Measure _____”
“Rebuttal to Argument Against Measure _____”

SIGNATURE BLOCKS

The following are examples of suitable signature blocks:

Signed: _____ Date: _____

William T. Smith, Chairman
Better Schools Committee

Signed: _____ Date: _____

Alice Jones
Concerned Citizen

The signatures of the authors of any argument or rebuttal must be identical to the printed name in the signature block. For example, Mr. Smith above needs to sign his name “William T. Smith,” not “Bill Smith.”

DO NOT USE THE FOLLOWING ATTRIBUTES IN THE ARGUMENT:

- Bullets
- Tables
- Other formatting requiring indentation
- Multiple punctuation (examples are: “.....” or “-----” or “!!!!”)

You may only capitalize YES or NO once in your Argument or Rebuttal. Such as, “vote YES on Measure A”

Arguments and rebuttals that are not in compliance with these formatting guidelines will be rejected by the elections official. The elections official bears no responsibility for the corrected format of arguments and rebuttals and does not proof for errors.

COUNTING OF WORDS

Elections Code §9 specifies the counting of the number of words submitted on any document whose content is limited by statute:

1. Punctuation is not counted.
2. Each word shall be counted as one word except as specified in this section.
3. All proper nouns, including geographical names shall be considered as one word; for example, “City and County of San Francisco” shall be counted as one word.
4. Each abbreviation for a word, phrase or expression shall be counted as one word.
5. Hyphenated words that appear in any generally available standard reference dictionary, published in the United States at any time within the 10 calendar years immediately preceding the election for which the words are counted, shall be considered as one word. Each part of all other hyphenated words shall be counted as a separate word.
6. Dates shall be counted as one word.
7. Any number consisting of a digit or digits shall be considered as one word. Any number which is spelled, such as “one,” shall be considered as a separate word or words. “One” shall be counted as one word, whereas “one hundred” shall be counted as two words. “100” shall be counted as one word.
8. Telephone numbers shall be counted as one word.
9. Internet website addresses shall be counted as one word.

EXAMPLE OF ARGUMENT FORMAT

Argument in Favor of Measure Q

Two years ago, voters strongly supported Measure Q, which created a fair and impartial method of resolving contract disputes between the City of Jefferson and its police officers. The process is called binding arbitration. Recently, over 65,000 Jefferson Citizens signed petitions to extend binding arbitration to our County Deputy Sheriffs. This arbitration procedure will only be used as a last resort, when all other attempts to settle labor contracts between the County and the Deputy Sheriffs have failed.

Here is how arbitration will work: Upon declaration of an impasse, all unresolved issues will be submitted to a three member Board of Arbitrators.

The Board of Arbitrators will be fairly constructed—one representative from the County, one from the Deputy Sheriffs' Association, and a neutral arbitrator who is agreed decision by both sides.

The Board will determine, by majority vote, which of the final positions on each issue is the realistic. Parties will then have ten days to mutually amend the Panel's decision or accept it as final.

Protects Taxpayers: This measure requires that the County's financial condition must be considered as part of any settlement recommendations. The Board of Arbitrators cannot raise taxes or fees. And the Board cannot reduce other County services to fund a Deputies' settlement.

Protects Residents: Public safety will be protected since the Deputies guarantee that under this new law there will be no work stoppage or strikes.

Protects Fairness: Binding arbitration does not favor either side in a labor dispute. It simply recognizes that everyone benefits by ending gridlock and reaching timely, fair out of court conclusions in labor negotiations.

John T. Doe,
Pres. Sacramento County Probation Association

Jane Doe,
Pres. Sacramento County Deputy Sheriffs' Association

Mary L. Smith,
Pres. Sacramento Police Officers Association

William T. Smith,
Small Business Owner

Alice Jones,
Member of the State Assembly from Sacramento

**CAMPAIGN
DISCLOSURE
REQUIREMENTS**

Individuals who support or oppose a ballot measure may form a “committee.” An individual, group of individuals, organization or any other entity is a “committee” if it makes or receives “contributions” or makes “independent expenditures” as defined in the Political Reform Act. Committees are required to file periodic campaign disclosure statements with the appropriate filing officer(s) disclosing contributions received and expenditures made. Types of committees involved with ballot measures include:

Recipient Committees: Individuals and organizations that receive contributions (\$2,000 or more in a calendar year) to support or oppose state or local candidates, or to qualify, support or oppose state or local ballot measures, including initiative, referendum and recall measures (either primarily formed to support or oppose a single candidate or ballot measure, or more than one candidate or measure being voted on in a single election, or general purpose to support or oppose a variety of candidates and/or measures);

Major Donor Committees: Individuals or entities that use their own money (i.e., personal funds, corporate or business funds) to make contributions totaling \$10,000 or more in a calendar year to candidates or to committees supporting or opposing candidates or ballot measures;

Independent Expenditure Committees: Individuals or entities that use their own money to make “independent expenditures” totaling \$1,000 or more in a calendar year to support or oppose candidates or measures (e.g., Jane Brown uses personal funds to send a mailing to voters or to purchase an advertisement supporting a candidate, but she does so independently, not in coordination with the candidate or his or her campaign committee).

Any individual, or group of individuals, who anticipate receiving and/or spending funds to support or oppose a ballot measure, should view the current **Fair Political Practices Commission Information Manual on Campaign Disclosure Provisions of the Political Reform Act** at www.fppc.ca.gov. Forms may also be downloaded from the website. Additionally, there are legal requirements pertaining to “mass mailings.”

QUESTIONS

If you have any questions, call the Siskiyou County Clerk’s Office at (530) 842-8084.

Elections Code References:

County Measures §§312, 9100-9190

Municipal (City) Measures §§306, 9200-9295

District Measures §§9300-9380

Bond Issue Measures §§9400-9405

School Measures §§350, 9500-9509

General Provisions applicable to all measures §§9600-9610

CHECK OFF LIST: This list is compiled to assist you in the filing of your argument.

ARGUMENTS:

_____ The original Argument – 300 words maximum, in the required format, containing original signatures, to be filed in the County Clerk’s Office no later than 4 p.m. on the date specified in the Notice of Election

_____ Authorization from Filer (if applicable)

_____ Completed Ballot Argument Signature Statement

_____ Separate piece of paper containing: The printed name of each signer, the address where each signer is registered to vote, including the city and zip code, and the mailing address of each of the signers (if different from the registered address)

_____ Electronic Copy of Argument in WORD format, either on disk/thumb-drive or emailed to Colleen Setzer, at colleen@sisqvotes.org

REBUTTAL ARGUMENTS:

_____ The original Rebuttal Argument – 250 words maximum, in the required format, containing original signatures, to be filed in the County Clerk’s Office no later than 4 p.m. on the date specified in the Notice of Election

_____ Completed Rebuttal Argument Alternate Signer Authorization Form (if applicable)

_____ Completed Ballot Argument Signature Statement

_____ Electronic Copy of Argument in WORD format, either on disk/thumb-drive or emailed to Colleen Setzer, at colleen@sisqvotes.org

Ballot Argument Signature Statement

The Siskiyou County Clerk's Office requires this statement be completed and submitted with the argument. Names and titles listed will be printed in the order provided, and will appear as indicated. In addition, no more than 5 names may be printed following the written argument statement in the Voter Information Pamphlet.

Argument/Rebuttal Filed by (Check any of the following that apply)

- Board of Supervisors or any member(s) of the Board
- City Council or any member(s) of the Council
- District Governing Body or any member(s) of the District Governing Body
- School District Governing Board or any member(s) of the School District Governing Board
- Proponent(s) of a County, City, School District or District Measure
- Individual voter who is eligible to vote on the Measure
- Bona Fide Association of Citizens

Ballot Argument Contact:

Name: _____

Mailing Address: _____

Day Phone: _____ Evening Phone: _____

Cell Phone: _____ Fax: _____

Work Phone: _____ E-mail: _____

The undersigned Proponents or Author(s) of the:

- Argument in Favor of**
- Argument Against**
- Rebuttal to the Argument in Favor of**
- Rebuttal to the Argument Against**

Ballot Measure letter _____, to be voted on at the (Primary General or Special) election to be held on _____ in the County of Siskiyou, hereby state that this argument is true and correct to the best of his/her/their knowledge and belief.

Each person must clearly print and sign as indicated below. Printing will be in the order as submitted.

	Print Name Clearly	Print Title and Name of Organization	Signature	Date
1				
2				
3				
4				
5				

