

Guide to Filing Measure Arguments

For County, Cities, School Districts and Special Districts



2016

Contra Costa County Elections Division

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DISCLAIMER

This informational guide was developed in an effort to provide answers to questions frequently asked concerning the processing of a local measure once it is filed. This document contains general information only and does not have the force or effect of law, regulations or rule. In case of conflict, the law, regulation or rule will apply. Persons using this guide accept responsibility for all legal standards and duties. For information on city measures, please contact your local City Clerk as guidelines may vary.

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PURPOSE OF THIS GUIDE

Local Measures are published in the Voter Information Guide with an Impartial Analysis. Arguments In Favor and Against those Measures, as well as rebuttals are also published.

This booklet is intended to be a guide to political entities, interested organizations and individuals on how to participate in this process.

VOTER INFORMATION GUIDE/FORMAT

The following components comprise the information provided to voters in the Voter Information Guide:

Measure Wording

The Measure Wording is a 75-word ballot question that appears on the Official Ballot and in the Voter Information Guide.

EC 9051

Impartial Analysis

The County Counsel prepares an Impartial Analysis of a county or school measure showing the effect of the measure on the existing law and the operation of the measure. The City Attorney prepares an Impartial Analysis of a city measure.

The Impartial Analysis may be up to 500 words.

EC 9160, 9280, 9313, 9314, 9500

Tax Rate Statement (if applicable)

A Tax Rate Statement is supplied for each bond measure which constitutes a lien on a property within the jurisdiction.

The Tax Rate Statement follows the Impartial Analysis in the Voter Information Guide. There is no word limit for Tax Rate Statements.

EC 9401, 9402

Fiscal Analysis (if applicable)

The County Auditor-Controller may be requested to prepare a Fiscal Analysis by the Board of Supervisors.

The Fiscal Analysis Statement may be up to 500 words.

EC 9160

Arguments In Favor or Against a Measure

Arguments In Favor or Against a Measure are filed with the Elections Office. For all city measures, arguments are filed with the appropriate City Clerk's office. The Registrar of Voters establishes the deadlines for the arguments for all consolidated elections. Cities establish deadlines only when the election is not consolidated with other entities.

The arguments may be up to 300 words.

EC 9162, 9315

Rebuttal Argument

A Rebuttal Argument is a statement which refutes an Argument In Favor or Argument Against a Measure.

Rebuttal Arguments may be up to 250 words.

EC 9167, 9317

Full Text (optional)

The full text of the measure being voted upon may be published to provide voters more information than the 75-word measure which appears on the Official Ballot. The full text is usually a resolution or ordinance that explains additional information regarding the measure.

The full text, when included, follows the arguments in the Voter Information Guide.

There is no word limit for the full text.

ORDER OF APPEARANCE

Arguments, Rebuttal Arguments and analyses are printed in the Voter Information Guide which is mailed to all registered voters in the jurisdiction eligible to vote for the particular measure.

The information will appear in the following order:

1. Measure Wording
2. Impartial Analysis
3. Fiscal Analysis or Tax Rate Statement (if applicable)
4. Argument In Favor
5. Argument Against
6. Rebuttal to Argument In Favor
7. Rebuttal to Argument Against
8. Full Text (optional)

Order of Measures in the Voter Information Guide

The order of precedence for state propositions and local measures on the ballot is:

1. State Initiatives, Amendments and Referenda
2. School Measures
3. County Initiatives and Referenda
4. City Initiatives and Referenda
5. Local District Measures

EC 13109

LETTER ASSIGNMENTS

Letters designating the order a measure will appear on the ballot are assigned to local measures to identify them and to prevent voter confusion.

EC 13116

Timeline for Assigning Measure Letters

The Registrar of Voters assigns measure letters the Thursday (E-82) following the deadline to submit a measure (E-88).

Multiple Jurisdictions (County, City, School and Special Districts) on Ballot

When there are multiple jurisdictions on the ballot, the jurisdictions are arranged in alphabetical order within each type of jurisdiction before the letters are assigned.

Assignment of Letters

- All letters will be assigned in alphabetical order, beginning with the letter "A" and continuing through the alphabet to the letter "Z". It is the policy of Contra Costa County not to designate the letters "I" and "F".
- When the year is complete all leftover letters will remain unused. Each year begins with the letter "A".
- If during the year all letters have been used, lettering will continue with "AA", "BB", etc.

When a Jurisdiction Covers Two or More Counties

When a jurisdiction covers two or more counties, the Registrar of Voters in each county may mutually agree to use the same letter for the measure.

If a Measure is Withdrawn

A legislative body may amend or withdraw its measure by filing a resolution stating the specifics concerning the amendment or withdrawal not later than 83 days before an election. An initiative or referendum measure may be withdrawn by filing a "Notice of Withdrawal" signed by all proponents. If a measure is withdrawn after the letters have been assigned, the letter which was assigned to that measure will not be used by other measures.

EC 9604, 9605

WHO CAN SUBMIT AN ARGUMENT

The governing board (i.e. Board of Supervisors, School Board or Special District Board), any individual voter who is eligible to vote on the measure, a bona fide association of citizens, or any combination of these voters and associations may file a written Argument In Favor or Argument Against any county, school, or district measure placed on the ballot by the governing body or by initiative.

What is a Bona Fide Association of Citizens?

A bona fide association of citizens is a recognized group of citizens bound together by a common interest or cause such as:

1. A group or organization primarily formed as a ballot measure committee to support or oppose a measure.
2. An organization that meets on a regular basis.

The individuals signing an argument on behalf of a bona fide association do not have to be registered voters in the jurisdiction.

If More Than One Argument In Favor or Argument Against Is Filed

Only one Argument In Favor and one Argument Against any measure will be printed in the Voter Information Guide. If more than one Argument In Favor or more than one Argument Against any measure is filed, a single argument will be selected by the Registrar of Voters.

In selecting a single argument, the Registrar gives preference and priority to arguments submitted by:

1. Members of the governing board.
2. 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.

Parties are encouraged to collaborate when multiple arguments are submitted.

EC 9166, 9503

Rebuttal Arguments

Arguments In Favor and Against the Measure are sent immediately after the submission deadline to those arguing the opposite position for the purpose of preparing a rebuttal statement.

Rebuttal Arguments must be signed by the same authors of the arguments unless the original signers of the arguments authorize, in writing, others to sign the Rebuttal Arguments. A "Release for Rebuttal Argument" should be filed with the Rebuttal Arguments. The authorization may be accepted after the filing deadline.

Rebuttal Arguments have a 250 word limit.

EC 9069, 9167, 9285, 9317, 9504

ARGUMENT SUBMISSION DEADLINES AND INFORMATION

Place to File Arguments: Contra Costa County Registrar of Voter's Office
555 Escobar Street
Martinez, CA 94553

Submitting by FAX or Email: Signatures on arguments and rebuttal arguments must appear on the same page as the argument or rebuttal arguments. Faxing or emailing must be completed prior to the 5pm on the day of the deadline. The FAX number is (925) 335-7842. Email is cfile@vote.cccounty.us.

Confidentiality: Arguments, rebuttals and analyses shall remain confidential until 5pm on the date they are due.

Withdrawal/Changes: Arguments, rebuttals and analyses may be changed or withdrawn until the final submission deadline.

EC 9163, 9316, 9317, 9601

Public Review: Following the final deadline for filing documents, arguments and rebuttals are available at the Registrar of Voter's Office for a 10-day public review period.

There is no administrative challenge of arguments, rebuttals and analyses.

A Writ of Mandate or injunction challenging any or all of the materials may be sought from the Superior Court to require amendments or deletions. A Writ of Mandate or an injunction will be issued by the Superior Court upon clear and convincing proof that the material in question is false, misleading, or inconsistent.

EC 9190, 9295, 9380, 9509

There is no administrative challenge of arguments, rebuttals and analyses.

ARGUMENT & REBUTTAL GUIDELINES

- The page must be labeled with the type of argument being submitted in the heading title. (ex. Argument in Favor of Measure A) This is not part of the word count.
- Arguments and rebuttal arguments, including the names and titles of the signers, must be typed.
- Documents will be printed as submitted. Spelling, punctuation and grammatical errors will not be corrected by the Elections Office.
- An argument or rebuttal argument must be written to address a single measure on the ballot. A document combining statements pertaining to more than one measure will not be accepted.
- No more than five signatures will appear with any argument. If more than five are submitted, the first five will be printed.
- Signatures must appear on the same page as the argument. Multiple pages with signatures are acceptable.
- No profanity or other objectionable language may be used.
- The heading for all arguments is standardized. Subheadings and deviations from the standardized heading will not be accepted.

See Attachment C – Primary Argument Samples

EC 9164, 9501

SUBMITTING ARGUMENTS

In addition to filing a hardcopy, an editable text format of the argument must be emailed to the following email address: cfile@vote.cccounty.us.

The argument will be formatted for the Voter Information Guide to appear as closely as possible to the hardcopy submitted.

ATTACHMENT A - 2016 MEASURE KEY DATES

June 7, 2016 Primary Election

Filing Period	
March 11 <i>E-88</i>	Last day to place a measure on the ballot
March 17 <i>E-82</i>	Local Measure Letter assigned
March 23 <i>E-76</i>	Deadline for Primary Arguments
March 28 <i>E-71</i>	Deadline for Rebuttal Arguments
April 28 <i>E-40</i>	Estimated Voter Information Guide mailing

November 8, 2016 General Election

Filing Period	
August 12 <i>E-88</i>	Last day to place a measure on the ballot
August 18 <i>E-82</i>	Local measure Letter assigned
August 24 <i>E-76</i>	Deadline for Primary Arguments
August 29 <i>E-71</i>	Deadline for Rebuttal Arguments
September 29 <i>E-40</i>	Estimated Voter Information Guide mailing

ATTACHMENT B - WORD COUNT GUIDELINES

The following are the guidelines for computing the word count for measures.

Abbreviations - UCLA, PTA	one word
Abbreviations - U.C.L.A. P.T.A.	four words three words
California Geographical names: Examples: County of Contra Costa, Contra Costa Community College District, → Antioch Unified School District, East Bay Regional Park District, Bay Area Rapid Transit District.	one word
Contra Costa County Fire Protection District →	one word
Bay Area →	one word
Whole Numbers - Digits (1 - 10 - 100, etc.)	one word
Number combinations (1990, 1990-1991, 100%)	one word
Dates - all digits (11/5/96) Word and digits (June 2, 1998)	one word two words
Monetary amounts: If the dollar sign is used with figures - \$1,000 Spelled out numbers - One Hundred, Ten Thousand are counted as separate words.	one word one for each word
Regularly 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.	one word
Normal punctuation	not counted
Telephone Numbers	one word
Website Addresses (i.e. www.com.etc) / email	one word

ATTACHMENT C - PRIMARY ARGUMENT SAMPLES

(Each Argument may have up to 5 Signers)

**PRIMARY ARGUMENT IN FAVOR
OF MEASURE _____**

**ARGUMENT
TEXT**

The undersigned Proponent(s) or Author(s) hereby state that such argument is true and correct to the best of their knowledge and belief.

Print Name _____	Print Name _____
Title _____	Title _____
Signature _____	Signature _____
Print Name _____	Print Name _____
Title _____	Title _____
Signature _____	Signature _____
Print Name _____	
Title _____	
Signature _____	

**PRIMARY ARGUMENT AGAINST
MEASURE _____**

**ARGUMENT
TEXT**

The undersigned Proponent(s) or Author(s) hereby state that such argument is true and correct to the best of their knowledge and belief.

Print Name _____	Print Name _____
Title _____	Title _____
Signature _____	Signature _____
Print Name _____	Print Name _____
Title _____	Title _____
Signature _____	Signature _____
Print Name _____	
Title _____	
Signature _____	

IMPORTANT CONTACT INFORMATION

Main Number (925) 335-7800
Toll Free (877) 335-7802
Candidate Services (925) 335-7800 candidate.services@vote.cccounty.us

Scott Konopasek,
Assistant Registrar of Voters (925) 335-7800 scott.konopasek@vote.cccounty.us

Carlos Webb,
Election Services Manager (925) 335-7856 carlos.webb@vote.cccounty.us

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