



San Juan County

# Jurisdiction Handbook

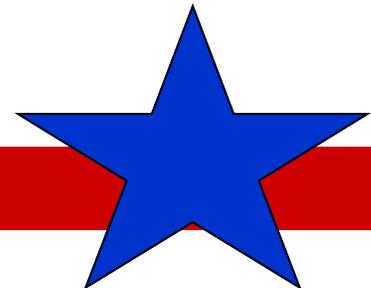
A reference manual for junior taxing districts and a valuable resource for information about the election process.

San Juan County

## Elections Office

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This manual is for informational purposes only and does not take the place of local, state or federal laws.



# Passage of Bonds and Levies

Passing a levy or bond issue is not always a simple matter of majority rules. State law makes bond issues and some types of levies tougher to pass by requiring a “super majority”. Other levies, such as levy lid lifts and levies for schools, only require a “simple majority”.

For excess levy passage, there are two requirements. The first is to meet or exceed the minimum “yes” votes requirement and the second is the “yes” votes must win by a “super majority” of the total votes that is at least 60%. For a bond to pass, there is an additional validation requirement. The turnout must meet or exceed the turnout validation requirement.

## Levies Requiring a Super Majority

For levies, the State Constitution states, *...the number of persons voting ‘yes’ on the proposition shall constitute three-fifths of a number equal to forty per centum of the total votes cast in such taxing district at the last preceding general election ...*”

For example, if 10,000 voters cast a ballot in the jurisdiction in the last general election:

$$\begin{array}{r} 10,000 \\ \times 40\% \\ \hline 4,000 \\ \times 60\% \\ \hline 2,400 = \text{minimum “yes” votes required to pass} \end{array}$$

## Bonds

Bond issues must validate two ways. They must pass with 60% “yes” votes of ballots cast. In addition, they have a voter turnout requirement that levies do not. The turnout must equal 40% of the voters who cast ballots in the last general election. A bond measure could get the required number of “yes” voters, but could still fail if not enough people vote in the election.

For example, if 10,000 voters cast a ballot in the jurisdiction in the last general election:

$$\begin{array}{r} 10,000 \\ \times 40\% \\ \hline 4,000 = \text{minimum turnout to validate} \\ \times 60\% \\ \hline 2,400 = \text{minimum “yes” votes required to pass} \end{array}$$



# Biennial Questionnaire

WAC 434-215-005

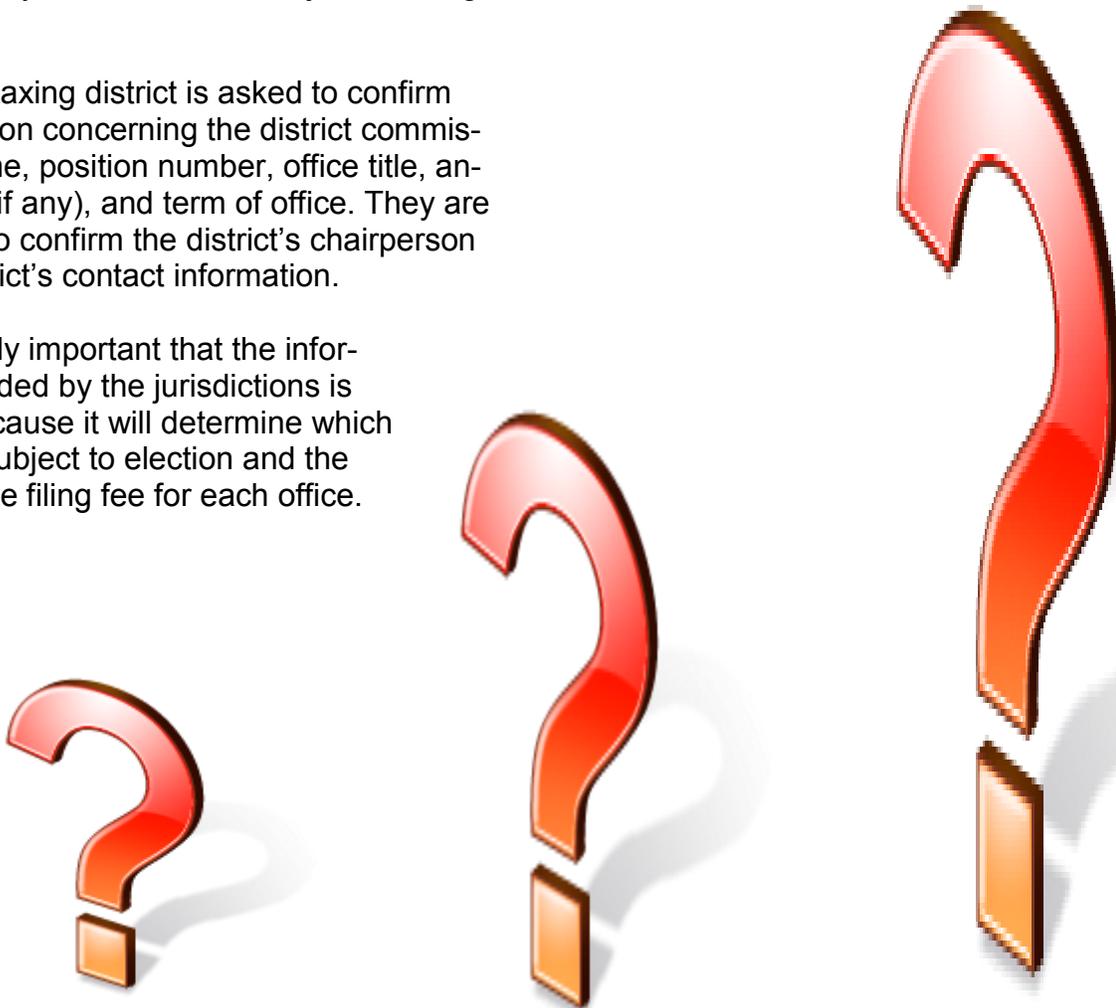
*Filing information—Questionnaire—Compiling and dissemination*

*Prior to March 1, the county auditor shall send a questionnaire to the administrative authority of each local jurisdiction for which the auditor is the candidate filing officer subject to the provisions of RCW 29A.04.321 and 29A.04.330. The questionnaire must be sent in the year the local jurisdiction is scheduled to elect officers. The purpose of the questionnaire shall be to confirm information which the auditor must use to properly conduct candidate filings for each office. The questionnaire should request, at a minimum, confirmation of offices to be filled at the general election that year, the name of the incumbent, and the annual salary for the position at the time of the filing period. Responses should be received prior to April 1 of that year so that the filing information can be compiled and disseminated to the public at least two weeks prior to the candidate filing period.*

The questionnaire sent to each junior taxing district will include the information the Elections Office currently has on file for that junior taxing district.

Each junior taxing district is asked to confirm the information concerning the district commissioners' name, position number, office title, annual salary (if any), and term of office. They are also asked to confirm the district's chairperson and the district's contact information.

It is extremely important that the information provided by the jurisdictions is accurate because it will determine which offices are subject to election and the amount of the filing fee for each office.



# Vacancy and Appointments

If an elected official resigns, is removed from office, dies, or in some cases, changes their voter registration status, it causes a vacancy of office.

The officer who wishes to resign should submit his or her resignation to the board of the junior taxing district.

When a position is vacant, the remaining members of the board will appoint a qualified person to fill the vacant position. If two or more positions are vacant and two or more members of the board remain in office, the remaining members will appoint a qualified person to fill one of the vacant positions. The remaining members of the board and the newly appointed person will appoint another qualified person to fill another vacant position, and so on until each of the vacant positions is filled, with each of the new appointees participating in each appointment that is made after their appointment.

If the board does not appoint a qualified person to fill a vacancy within ninety days of the occurrence of the vacancy, the county legislative authority will appoint a qualified person.

The newly appointed officer will serve until the next election at which a candidate for that jurisdiction is elected.

At the next election, an officer will be elected for an unexpired term ending at the remainder of the original term.

When a vacancy occurs and an officer is appointed to fill the vacancy, the district will need to supply the Elections Office with a copy of the board meeting minutes that accepts the resignation and a copy of the board meeting minutes that appoints the new officer.

The board will sign the *Certificate of Appointment* and the newly appointed officer will sign an *Oath of Office*. Both documents will be filed at the Elections Office.

## Certificate of Appointment

STATE OF WASHINGTON )  
 ) ss.  
 COUNTY OF SAN JUAN )

The undersigned officers of \_\_\_\_\_ do hereby  
 Commission, Council, or Board Making Appointment)

Appoint \_\_\_\_\_ of \_\_\_\_\_  
 (Person Appointed) (Address)

to the office of \_\_\_\_\_. The term for this  
 (Office and Position)

Position will expire on \_\_\_\_\_.

Signed this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_

\_\_\_\_\_  
 (Signature)

\_\_\_\_\_  
 (Printed Name, Title)

\_\_\_\_\_  
 (Signature)

\_\_\_\_\_  
 (Printed Name, Title)

\_\_\_\_\_  
 (Signature)

\_\_\_\_\_  
 (Printed Name, Title)

## OATH OF OFFICE

STATE OF WASHINGTON )  
 ) ss.  
 COUNTY OF SAN JUAN )

I, \_\_\_\_\_, do solemnly swear or affirm that I am citizen of the United States and State of Washington; that I am legally qualified to assume the office of \_\_\_\_\_; that I will support the Constitution and laws of the United States and the State of Washington; and that I will faithfully and impartially discharge the duties of this office to the best of my ability.

Signature X \_\_\_\_\_ Printed Name \_\_\_\_\_

Subscribed and sworn before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_

\_\_\_\_\_  
 (Signature)

\_\_\_\_\_  
 (Printed Name, Title of Swearing Officer)

# Filing for Nonpartisan Office

The elections of officers for junior taxing districts are conducted in odd-numbered years. Because the terms of office for the commissioners are staggered, normally not all officers are elected in the same year. It is important that the districts are aware of which offices are up for election on any given odd-numbered year.

To file a *Declaration of Candidacy*, a candidate must be qualified. A qualified candidate is one who is a registered voter in the jurisdiction and in some cases, a registered voter within the commissioner district for which they file.

It is important the districts notify the Elections Office of any vacancies or appointments. Depending on when the vacancy happens, it could trigger a special three-day filing period.

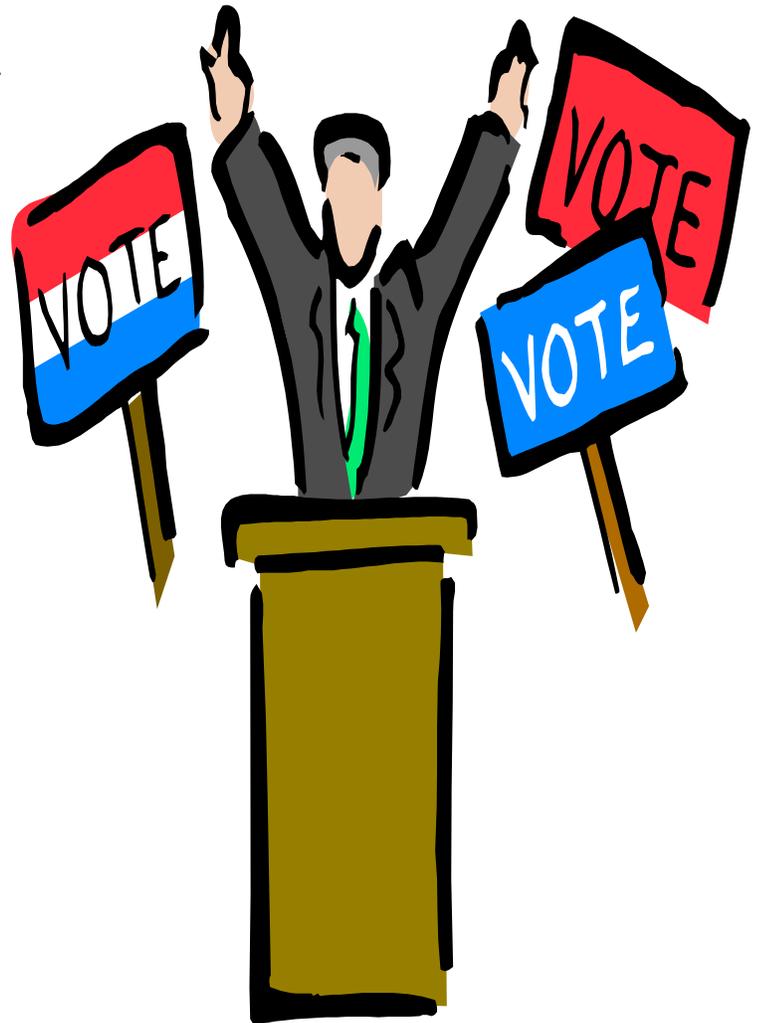
Junior taxing district offices are nonpartisan offices. Officers are elected in the general election. If more than two candidates file for any given office, a primary for that office will be held. The two top vote getters in the primary will continue on to the general election.

The date of the primary is the first Tuesday of August. The general election is the first Tuesday after the first Monday in November.

Candidates are encouraged to file for office online. Candidates who file online will receive email updates when another candidate files for their office. Candidates who file online will also be able to submit their voters' pamphlet statements and photos online. Candidates can also file in-person or by mail.

Candidates can request additional candidate filing information at the Elections Office or candidate filing information can be found on the Elections web page at:

[www.sanjuanco.com/167/Elections-Division](http://www.sanjuanco.com/167/Elections-Division)



# Types of Local Measures

**Bonds** - A district may ask for authorization of bonds, usually to build and/or equip a structure. New schools, fire stations, and libraries are examples for bond construction money.

**Levies** - A district may ask for authorization to cover their maintenance and operation cost.

**Levy Lid Increases** - A district may ask for authorization to increase its regular property tax levy rate. By law, districts have to follow a tax allocation distribution formula. If a district determines the allocation is not enough, the district has the option of requesting a levy lid increase.

**Annexations** - A district may ask for authorization to be placed within another taxing district or change its boundary lines.

**Other - Advisory Ballots, Sales and Use Tax, Change of Form of Government, other.** A district may ask voters' approval or opinion to change an existing situation or create something new. For example, creation of a new district.



# Filing a Resolution

## Resolution Submittal Process

Resolutions calling for a special election by a district shall be submitted on or before the resolution deadline as established by state law. Resolution calling for a special election in February or April must be submitted at least 46 days prior to the election date. Resolutions calling for a special election in conjunction with the primary must be submitted by the Friday before the first day of candidate filing. Resolutions calling for a special election in conjunction with the general election must be submitted by the day of the primary. (RCW 29A.04.330, 29A.36.071, 29A.36.080)

In order to place a measure on the ballot, an original signed resolution or a certified copy of

the resolution must be submitted by the applicable deadline. Please contact the Elections Office with any questions.

## Ballot Titles

Ballot titles for local measures will be prepared in accordance with RCW 29A.36.071, 29A.36.080 and 29A.36.090.

Resolutions submitted by districts which need a ballot title prepared by the San Juan County Prosecuting Attorney will be forwarded to the Prosecuting Attorney's Office. Upon receipt of the final official ballot title from the Prosecuting Attorney's Office, the Elections Office will send to the district's contact person a copy of the ballot title via email, fax, or mail.

# Online Voters' Guide and Local Voters' Pamphlet

## Publishing Pamphlets

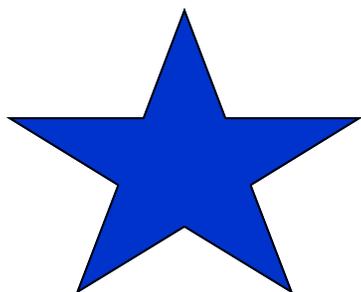
San Juan County publishes a Local Voters' Pamphlet in conjunction with the Washington State Voters' Pamphlet. The Local Voters' Pamphlet is published for the general election only. An Online Voters' Guide is published for every special election, primary, and general election.

Ballot titles, explanatory statements/fiscal impact statements, and advocacy statements for measures will be published in the Online Voters' Guide and Local Voters' Pamphlet, as well as candidate statements and photos.

## Candidate Statements & Photos

Candidates submit their statements and photographs electronically (online, email or CD). Submissions by electronic media should be composed in Microsoft Word or in the body of an email.

Candidates submit photographs in electronic form. Color digital photographs should be .JPG format and may be submitted online, by email, or on CD.



## Explanatory Statements

The attorney for the district submitting the ballot measure shall prepare and submit to the Elections Office a statement for inclusion in the Online Voters' Guide and Local Voters' Pamphlet. The statement shall consist of the following three parts:

- The official ballot title of the measure,
- A neutrally-worded statement explaining the law regarding the ballot measure as it currently exists; and
- A neutrally-worded statement describing the fiscal effect that the ballot measure will have if it passes.

The explanatory statement shall be prepared in clear and concise language and avoid the use of legal and other technical terms. The deadline for submission of the district attorney's statement shall be the same as the deadline for submission of advocacy committee statements.

## Advocacy Statements

By the deadline to submit a resolution, the jurisdiction will need to appoint a committee of no more than three members to prepare arguments advocating voters' approval of the measure and appoint a committee to prepare arguments advocating voters' rejection of the measure. If the jurisdiction fails to make such appointments, the County Auditor will, whenever possible, make the appointments.

More information concerning the voters' guide and voters' pamphlet can be found in the "Online Voters' Guide and Local Voters' Pamphlet Administrative Rules". You may request a copy at the Elections Office or find a copy on the Elections web page at [www.sanjuanco.com/elections](http://www.sanjuanco.com/elections)

# Election Dates

## Special Election Dates

The second Tuesday in February  
The fourth Tuesday in April

## Primary

The first Tuesday of August

## General Election

The first Tuesday after the first Monday in November

Resolutions calling for a special election in February or April or must be submitted at least 46 days prior to the election date. Resolutions calling for an election in conjunction with the August Primary must be submitted by the Friday immediately before the first day of regular candidate filing. Resolution calling for an election in conjunction with the General Election must be submitted no later than the day of the Primary.



# Request for Voter Information

Paper Voter List (Precinct or County-wide) per page	\$.15
Digital Voter List (CD, or email attachment)	\$30.00
List of Voters <i>Not Voted in Election</i> —per election	\$30.00
Mailing Labels—Per label	\$0.015
Maximum	\$150.00

Voter lists can be a useful tool for any campaign. Some of the information that can be included in the list are: voter name, physical address, mailing address, precinct/district, voting history, date of registration, and date of birth.

Digital lists will be created in Excel. Persons requesting voter information must sign a disclosure that states the information will be used for political purposes only.

Call or email the Elections Office to submit a voter information request.

# Election Costs

## Cost of Participating in an Election

RCW 29A.04.410 states that every city, town and taxing district is liable for its proportionate share of election costs and that special election costs must be borne by the city, town or district concerned. It provides for San Juan County to bill the districts to recoup reimbursement for these costs.

The State Auditor's Office has established uniform procedures for allocating election costs. Election costs are allocated to each jurisdiction based upon its registered voter population as a percentage of the total registered voter population of all participating jurisdictions in that election.

Election costs vary from one election to the next depending on a variety of factors. However, the number of participating jurisdictions and their respective size is the primary variable impacting what the costs will be for the individual jurisdictions. For example, elections shared by four jurisdictions are going to cost more per voter for each jurisdiction than an election with 25 jurisdictions.

In deciding when to place a measure on the ballot, cost is a significant factor, but it is not the only factor that contributes to the decision. Since the cost allocation is dependent on how many jurisdictions participate and how many registered voters they represent, and because these are typically unknown when preparing the estimate, a specific cost or quote cannot be provided. Estimates will be based on a reasonable range, taking into account historical information and specific known information about a particular election date.

## Voters' Pamphlet Cost

RCW 29A.30.270 states that the cost of a local voters' pamphlet shall be considered an election cost to those local jurisdictions included in the pamphlet and shall be prorated in the same manner as election costs.

Voters' Pamphlet costs are captured separately and are allocated to participating jurisdictions based on the number of registered voters.



County name San Juan County

2009 General										TOTAL ALLOCATED COST
1	2	3	4	5	6	7	8	9	10	\$45,955.13
Jurisdiction	Registered Voters	Issues & Office #	Issue and Office Factor	Weighted Registration Factor	Percentage Cost Factor	Allocation of Election Costs	Total Min. Fee	Direct Costs	Adjusted TOTAL COST	
<b>State</b>	11,542	2	1.2	13,850	0.140953	\$ 6,477.52	\$ 50		\$ 6,527.52	
County	11,542	2	1.2	13,850	0.140953	\$ 6,477.52	\$ 50		\$ 6,527.52	
Town of FH	1,321	4	1.6	2,114	0.021510	\$ 988.48	\$ 50		\$ 1,038.48	
SJ School 149	5,695	2	1.2	6,834	0.069548	\$ 3,196.11	\$ 50		\$ 3,246.11	
Orcas School 137	3,711	3	1.4	5,195	0.052873	\$ 2,429.77	\$ 50		\$ 2,479.77	
Lopez School 144	1,938	3	1.4	2,713	0.027612	\$ 1,268.90	\$ 50		\$ 1,318.90	
Shaw School 10	198	1	1	198	0.002015	\$ 92.60	\$ 50		\$ 142.60	
SJ Fire 3	4,318	1	1	4,318	0.043944	\$ 2,019.43	\$ 50		\$ 2,069.43	
Orcas Fire 2	3,582	2	1.2	4,298	0.043744	\$ 2,010.27	\$ 50		\$ 2,060.27	
Lopez Fire 4	1,853	1	1	1,853	0.018858	\$ 866.61	\$ 50		\$ 916.61	
Shaw Fire 5	198	1	1	198	0.002015	\$ 92.60	\$ 50		\$ 142.60	
Port FH	5,617	1	1	5,617	0.057163	\$ 2,626.95	\$ 50		\$ 2,676.95	
Port Orcas	1,591	2	1.2	1,909	0.019430	\$ 892.89	\$ 50		\$ 942.89	
Port Lopez	1,853	1	1	1,853	0.018858	\$ 866.61	\$ 50		\$ 916.61	
SJI Park & Rec	5,617	4	1.6	8,987	0.091461	\$ 4,203.11	\$ 50		\$ 4,253.11	
OI Park & Rec	3,582	6	2	7,164	0.072907	\$ 3,350.44	\$ 50		\$ 3,400.44	
SJ Cemetery 1	5,617	1	1	5,617	0.057163	\$ 2,626.95	\$ 50		\$ 2,676.95	
Orcas Cemetery 3	2,771	1	1	2,771	0.028200	\$ 1,295.93	\$ 50		\$ 1,345.93	
Stuart Cemetery 2	42	3	1.4	59	0.000598	\$ 27.50	\$ 50		\$ 77.50	
SJ Hospital 1	5,695	2	1.2	6,834	0.069548	\$ 3,196.11	\$ 50		\$ 3,246.11	
Cattle Point Water	52	3	1.4	73	0.000741	\$ 34.05	\$ 50		\$ 84.05	
Eastsound S&W	1,491	2	1.2	1,789	0.018208	\$ 836.77	\$ 50		\$ 886.77	
Fish Bay Sewer	139	2	1.2	167	0.001697	\$ 78.01	\$ 50		\$ 128.01	
<b>TOTALS</b>		50		98,262	1.000000	\$ 45,955.13	\$ 1,150	\$ -	\$ 47,105.13	

# Revised Code of Washington

The Revised Code of Washington (RCW) is the compilation of all permanent laws now in force. It is a collection of Session Laws (enacted by the Legislature, and signed by the Governor, or enacted via the initiative process), arranged by topic, with amendments added and repealed laws removed. It does not include temporary laws such as appropriations acts. The table below shows the applicable chapters for jurisdictions. A view of the laws can be found at: <http://www.leg.wa.gov/LawsAndAgencyRules/>



Cities & Towns	35.02
	35.17
	35.18
	35.22
	35.27
Code Cities: Charter & Noncharter	35A.01 - 35A.13
	35A.29
Annexations & Reductions	35.10
	35.13
	35.16
	35A.14
	35A.15
School Districts	28A.315
	28A.320
	28A.323
	28A.343
Fire Districts	52.02 through 52.10
	52.14
	52.16
	52.26

Water & Sewer Districts	57.02
	57.04
	57.12
	57.24
Cemetery Districts	68.52
	68.54
Port Districts	53.04
	53.12
	53.16
	53.36
	53.49
	53.47
	53.48
Hospital Districts	70.44
Library Districts	27.12
Park & Recreation Districts	35.61
	35.69

