

Top 2 Primary Advisory 10: General Election Ballot Packet (Revised) Sept. 8, 2008

Rules for the Top 2 Primary will impact the upcoming general election ballot packet.

Litigation regarding Initiative 1029 will also affect the ballot.

This advisory lists important points for formatting the ballot, providing instructions to voters, and directions for printing I-1029 on the ballot.

Ballot Format, WAC 434-230-015(4):

The party preference explanation on the general election ballot will differ from the primary. It must be printed immediately **after** President and Vice-President of the United States, but immediately above the first partisan congressional, state or county office. The notice must be printed in bold:

“READ: Each candidate for President and Vice-President is the official nominee of a political party. For other partisan offices, each candidate may state a political party that he or she prefers. A candidate’s preference does not imply that the candidate is nominated or endorsed by the party, or that the party approves of or associates with that candidate.”

The notice may also be included in the ballot instructions. (Optional)

Candidate Format, WAC 434-230-045:

The candidate who received the highest number of votes in the primary must be listed on the ballot first and the candidate receiving the second highest number of votes must be listed second. A candidate’s party preference information must remain the same as listed in the primary. Political party preferences will not affect the order in which candidates are listed (except President and Vice-President).

President and Vice-President, WAC 434-230-110(1) - (4):

- Candidates for President and Vice-President must be paired together (on either one line or two)
- Political party names may not be abbreviated; the first letter of each word must be capitalized
- Each pair must be designated as nominees, **without** parentheses: Republican Party Nominees (e.g.)
- Candidates who are not nominated by a political party, but running as “independents” must be designated as such: Independent Candidates (e.g.)
- OSOS will certify a list of candidates in ballot order when we receive official notification from the major parties

Examples of Formatting (using 2004 Presidential Candidates):

George Bush/Dick Cheney
Republican Party Nominees

Ralph Nader/
Peter Camejo
Independent Candidates

Instructions to Voters, WAC 434-250-040:

The following instructions are required, but can be included anywhere in the packet (on the ballot, envelope, or an insert). The County Auditor's Office is not required to provide a separate insert, although this is strongly encouraged:

“Washington has a new election system. In each race for partisan office, the two candidates who receive the most votes in the August Primary advance to the November General Election. Each candidate for partisan office may state a political party that he or she prefers. A candidate's preference does not imply that the candidate is nominated or endorsed by the party, or that the party approves of or associates with that candidate. The election for President and Vice-President is different. Candidates for President and Vice-President are the official nominees of their political party.”

Our office does not have a problem with substituting “receive” with “received” (past tense).

The same notice (above) must be displayed at polling places while they are open (WAC 434-253-025(8)).

Statewide Initiatives:

The Secretary of State's Office has certified three statewide initiatives: I-985, I-1000, and I-1029. Our office has been named in a lawsuit over I-1029.

The paragraph below is found on the certification document directly following I-1029. The statement is not intended for the ballot and is provided for your information only. Do **not** print this statement on the ballot:

“**Note:** The certification of Initiative Measure No. 1029 is subject to possible modification if a court of competent jurisdiction issues an order removing I-1029 from the ballot.”

The State Supreme Court heard arguments on Thursday, September 4th, **and has dismissed the court challenge to place I-1029 on the ballot. This means Initiative 1029 will appear on the ballot and you may proceed accordingly. Again, the “note” about possible modification should not be printed on the ballot.** The official language for I-1029 is located on our site at:

<http://www.secstate.wa.gov/assets/elections/CertifiedBallotMeasureTitlesforthe2008GeneralElectionpdf.pdf>

If you have questions, please contact the Certification and Training Program, (360) 902-4180.