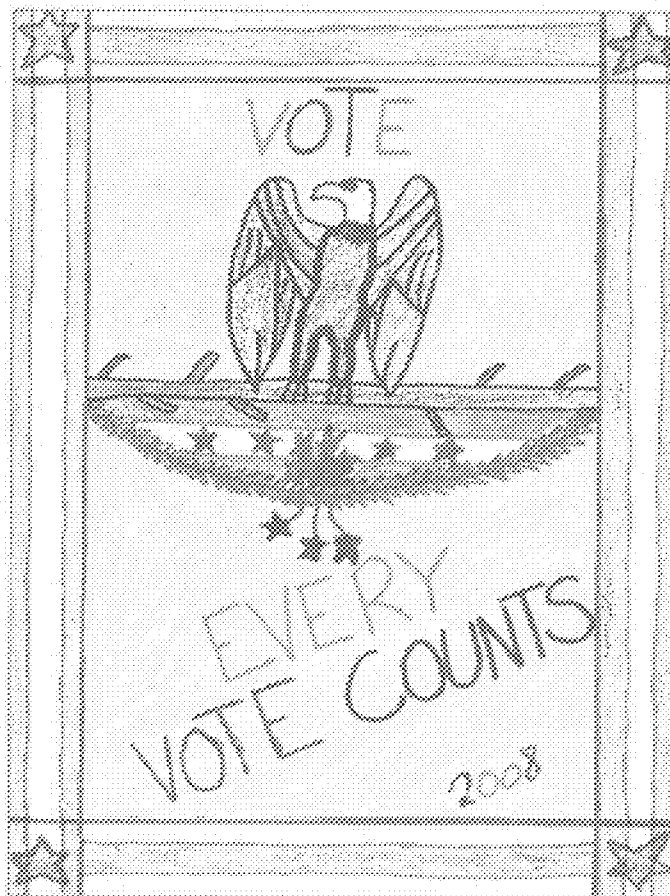


# **EXHIBIT J**

# STATE OF WASHINGTON VOTERS' PAMPHLET



## November 4, 2008 General Election

Washington has a new election system. In each race for partisan office, the two candidates who received the most votes in the August Primary advanced to the November General Election. It is possible that the two candidates in a race will prefer the same party.

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. Those candidates are the official nominees of their political parties.



PUBLISHED BY THE OFFICE OF THE SECRETARY OF STATE

EDITION 2

***Introduction to the  
2008 General Election Voters' Pamphlet***

***It's your choice ... it's your voice!***

This is truly an exciting time to be a voter in Washington State. Our 2008 General Election marks the first time since 1952 with no incumbents in the race for the White House, and we in Washington will choose statewide elected leaders and the members of Congress, legislators, judges and local officials who will lead us during this pivotal moment in our history. You will play a central role in deciding our future.

We have just concluded our first use of the voter-approved Top 2 Primary that produced the slate of candidates you see on these pages. Voters have chosen finalists based on their favorite for each partisan office, without regard to party preference. You will note that candidates describe their party preference, but this doesn't mean that the party endorses or identifies with the candidate. The Top 2 Primary was not a nominating process, but rather a way for voters to winnow the field for each office to two finalists. In some cases, finalists may share the same party preference. Minor-party candidates were part of the primary process.

Now it's your opportunity to pick the winners!

As your chief elections official, I want to assure you that our elections process has seen dramatic improvement since 2004, when we had the closest race for governor in history, and unprecedented scrutiny. There have been 180 changes to state election law and 1,100 administrative rule changes, all designed to give you confidence in the accuracy and integrity of this process we all hold dear. The most striking improvement was creation of a statewide voter registration database that has greatly improved our ability to keep voter registration records current and accountable. Today, voter rolls are the cleanest they have ever been.

As a voter you now have more information than ever before. Visit us online at [www.vote.wa.gov](http://www.vote.wa.gov) for a variety of resources. Click on **MyVote** to get customized voting information. Study this **Voters' Pamphlet** and check out the **Video Voters' Guide** and our new "I Will Vote" feature.

Thanks for participating!

Sincerely,



A handwritten signature in dark ink that reads "Sam Reed".

SAM REED  
Secretary of State

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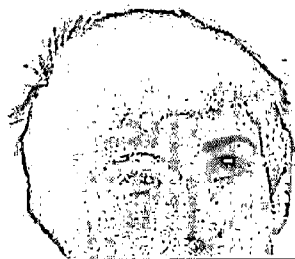
*Congratulations to Natasha Graves, age 10, of Tacoma whose artwork  
is displayed on the cover of this Voters' Pamphlet.*

---

***Secretary of State Voter Information Hotline (800) 448-4881***

***TDD/TTY Hotline for the hearing or speech impaired (800) 422-8683***

***Visit our online voters' guide at [www.vote.wa.gov](http://www.vote.wa.gov)***



# Take a look at these important BALLOT CHANGES

## Washington State's New Election System

Washington has a new election system. In each race for partisan office, the two candidates who received the most votes in the August Primary advanced to the November General Election.

### Changes to the Ballot

As a result of Washington's new Top 2 Primary, your ballot for the 2008 November General Election will be different from previous years. Here are two changes you will see:

- Candidates' stated party preference; and
- Only two candidates in each partisan race.

**NOTE:** It is possible that the two candidates advancing to the General Election in a race will prefer the same party.

### Sample ballot:

State of Washington Partisan Office
Legislative Position
Juanita Fernandez (Prefers Sample Party)
Jamal Carver (Prefers Sample Party)

### Need more information?

For more information on Washington State's new election system, call the Office of the Secretary of State Voter Information Hotline at (800) 448-4881, TDD/TTY at (800) 422-8683, or visit [www.vote.wa.gov](http://www.vote.wa.gov).

### What is "Party Preference"?

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.

Candidates may choose not to state a political party preference.

### Candidates in the General Election

In each race, the two candidates who received the most votes in the August Primary will appear on your November General Election ballot.

### Presidential Election

The election for President and Vice President is different. Presidential candidates are the official nominees of their political parties.

### Why Washington has a Top 2 Primary

In 2004, Initiative 872 proposed a Top 2 Primary. Washington voters overwhelmingly approved I-872 but in 2005, the U.S. District Court ruled that it was unconstitutional. The U.S. Supreme Court overturned the lower court's ruling on March 18, 2008. The 2008 August Primary was the first statewide primary in which Washington State voters used the new Top 2 method.

# Register to Vote

[www.vote.wa.gov](http://www.vote.wa.gov)

Choose one of these easy options:

## Online

Go to [www.vote.wa.gov](http://www.vote.wa.gov) to register online up to 30 days before an election. It's fast, easy and secure. All you need is a Washington State ID or driver's license.

## By Mail

Forms are available to download and print on the Internet at [www.vote.wa.gov](http://www.vote.wa.gov) or at your county elections department, public libraries, schools, and other government offices. Mail your form at least 30 days before an election.

## In Person

If you are a new voter in Washington State, you may register in person up to 15 days before an election at your county elections department. Contact information for your county elections department is located in the back of this pamphlet.



# Say what?

## Be smart.

[Know your election terms.]

### Primary

A process by which a pool of candidates for public office is reduced to the top contenders. In Washington State, the statewide Primary occurs on the third Tuesday of August.

### Top 2 Primary

A type of Primary in which the two candidates who receive the most votes in a race advance to the General Election, regardless of the candidates' stated party preferences. This primary system has been used in nonpartisan races by local governments in Washington State, but August 19, 2008 was the state's first time using the Top 2 Primary in partisan races.

### Candidate

Any voter registered in Washington State may run as a candidate for public office. Each candidate for partisan office may state a political party that he or she prefers.

### Party preference

A candidate's stated 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.

### Nominee

A candidate who has been chosen to represent a party. Nominees will not be differentiated from other candidates on the ballot.

### Endorsement

A public declaration of support for a candidate.

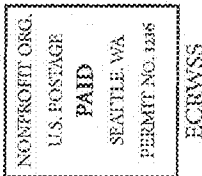
### Partisan office

A public office for which a candidate may state a preference for a political party and have that preference listed on the ballot.

### General Election

The General Election determines which remaining candidates will be voted into office. In the United States, Election Day is the first Tuesday after the first Monday of November. The next General Election will be **November 4, 2008.**

Secretary of State Sam Reed  
Legislative Building  
PO Box 40220  
Olympia WA 98504-0220



STATE OF WASHINGTON

# VOTERS' PAMPHLET

November 4, 2008 General Election

Washington has a new election system. In each race for partisan office, the two candidates who received the most votes in the August Primary advanced to the November General Election. It is possible that the two candidates in a race will prefer the same party.

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. Those candidates are the official nominees of their political parties.



EDITION 2

## Residential Customer

## EDITION 2

Asotin, Columbia & Garfield Counties

# **EXHIBIT K**



## 2008 washington primary media kit

### contents

- top 2 primary
- primary systems comparison
- voter registration
- vote by mail
- voting at the polls
- voting equipment
- certification of the election
- statistics
- dates to remember
- top 2 primary voter education

### media contacts

david ammons, communications director  
phone: (360) 902-4140  
email: dammons@secstate.wa.gov

brian zylstra, deputy communications director  
phone: (360) 902-4173  
email: bzylstra@secstate.wa.gov

[www.secstate.wa.gov/elections](http://www.secstate.wa.gov/elections)  
or  
[www.vote.wa.gov](http://www.vote.wa.gov)



*Washington*  
**Secretary of State**  
SAM REED



# top 2 primary

## Quick facts:

- A Top 2 Primary allows voters to choose among all candidates running for each office. Voters do not have to declare a party affiliation or select one party's ballot to vote in the primary.
- Candidates for each partisan office may state a preference for a political party, which is listed on the ballot.
- Candidates do not have to be supported, nominated or endorsed by the party they prefer, and that preference does not imply that the party approves of or associates with that candidate.
- The two candidates who receive the most votes for each office in the Primary Election qualify for the November General Election. Candidates must also receive at least 1 percent of the votes cast in that race to advance to the November General Election.

## History:

The Top 2 Primary was passed by the people in 2004 as an initiative. Nearly 60 percent of voters approved I-872.

In May 2005, the state Democratic, Republican and Libertarian parties sued in federal court to prevent its implementation. The political parties argued that the Top 2 Primary system violated their right of free association. The federal District Court agreed with them and in July 2005 prohibited the State from implementing the Top 2 Primary. In August 2006, the 9th Circuit Court of Appeals agreed with the District Court.

The State appealed to the U.S. Supreme Court. In March 2008, the Supreme Court overturned the lower courts and upheld the constitutionality of I-872.

The opinion of the U.S. Supreme Court said:

"The First Amendment does not require this extraordinary and precipitous nullification of the will of the people."

The Court also says the new primary:

"[...]does not, by its terms, choose parties' nominees. The essence of nomination – the choice of a party representative – does not occur under I-872. The law never refers to the candidates as nominees of any party, nor does it treat them as such. To the contrary, the election regulations specifically provide that the primary 'does not serve to determine the nominees of a political party but serves to winnow the number of candidates to a final list of two for the general election.'"

# primary systems comparison

## Old Pick-a-Party Primary

### The voter's options when voting the ballot:

The voter had to pick a political party, and only vote for candidates of that party, commonly called "vote down party line." For example, if a voter wanted to vote for a Democratic candidate for Congress, the voter could only vote for Democratic candidates for all of the other partisan offices.

### The meaning of each candidate's party information:

Each candidate who listed a political party was affiliated with that party. The candidate from each party who received the most votes in the primary became that party's nominee, representing the party in the General Election.

### The purpose of the Primary:

In each race, the purpose of the primary was to nominate **one** candidate from each major political party to advance to the General Election. For example, if three Democrats and two Republicans filed for a legislative office, Democratic voters nominated one Democratic nominee, and Republican voters nominated one Republican nominee, who advanced to the General Election.

### Does the Primary decide each political party's nominees?

Yes.

## New Top 2 Primary

For each race, the voter has the freedom to vote for any candidate running. The voter is voting for the person, not the party, because voters are not selecting a party's nominees.

Each candidate may state a political party 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 purpose of the Top 2 Primary is to winnow the number of candidates for each race down to two. The two candidates who receive the most votes in the Primary advance to the General. Candidates must also receive at least 1 percent of the votes in the Primary in order to move on to the November General Election. The candidate's party preference is irrelevant to qualifying for the General Election.

No.

# primary systems comparison ctd.

## Old Pick-a-Party Primary

### Minor party and independent candidates:

Minor party and independent candidates conducted nominating conventions to gather signatures of support. If the candidates gathered enough signatures, they qualified to appear on the General Election ballot. These candidates did not appear in the Primary because the Primary was only for major parties.

### The two major parties in the Primary and the General:

The Pick-a-Party Primary was the **parties' primary**. Because the purpose of the primary was to select the nominees for the two major parties, each major party had a guaranteed spot on the General Election ballot, regardless of whether a nominee had much support at all.

## New Top 2 Primary

Candidates who prefer minor parties, or who state no preference, file for office and appear on the Primary ballot like all other candidates. They no longer are required to conduct nominating conventions. Party preference information is irrelevant to qualifying for the General Election.

In the Top 2 Primary, voters are voting for a candidate, not a party. Candidates are allowed to name a party that they prefer, or may choose to not state a preference. Either way, party preference is irrelevant to advancing to the General Election. A candidate must be one of the top two vote-getters in order to qualify for the General Election. Major party nominees are not guaranteed a place on the General Election ballot because qualifying for the General Election is based on the number of votes received at the Primary, not on party affiliation.

# voter registration

- Voters have until July 19, 2008, to register to vote or update their registration for the August 19 Primary.
- Citizens not currently registered in Washington State have until August 4, 2008, to register in-person at their local election office.
- Washington has a statewide voter registration database that screens the voter rolls for duplicate registrations, felons, and deceased persons.

- The database is made up of three categories:

## **Active Registrations**

- New registrations are added to the database when people decide to register for the first time, turn 18 and register, or move into the state and register.
- Registrations may be pending because more information is needed.

## **Inactive Registrations**

- A registration is put in an inactive status when election material is mailed to a voter and returned by the post office as undeliverable.
- A voter who is on inactive status may switch back to active status simply by updating his or her registration information.
- An inactive registration is eventually canceled if it remains inactive through two federal general elections.

## **Canceled Registrations**

- An inactive registration is canceled if it remains inactive through two federal general elections.
  - An active or inactive registration is canceled if it duplicates another registration that is more up-to-date. Duplicate registrations may occur when people move from one county to another, change their name, or forget they were still registered in another county.
  - A registration is canceled if the registration is identified in a screening for people who are deceased or convicted of a felony.
  - A registration is canceled if a voter requests to be canceled.
- Citizens who have a Washington driver's license or ID card can register to vote online at [www.vote.wa.gov](http://www.vote.wa.gov)
  - From January 7 to the end of May 2008, approximately 49,160 people chose to register to vote online.
  - Washington State does not have party registration.

## vote by mail

- Thirty-seven of Washington's thirty-nine counties vote by mail. King and Pierce counties still maintain poll sites, but King County plans to switch to vote-by-mail elections in 2009.
- In the 2007 November General Election 92.2 percent of Washington voters cast ballots by mail.
- Once a ballot is returned to the elections department, the voter's registration file is checked to confirm that the voter has not already returned a ballot.
- The signature on the envelope is verified against the signature on the voter registration file. If the signature on the envelope does not match the signature on file, or if the voter failed to sign the envelope, the County Auditor must attempt to contact the voter to correct the situation.
- Ballots are returned approximately:
  - 20 percent through the end of the first whole week ballots are out;
  - 23 percent from then through the end of the second week;
  - 10 percent the Monday before Election Day;
  - 21 percent on Election Day;
  - 26 percent come after Election Day.
- Ballots to overseas and military voters will be mailed by July 20, 2008.
- All other mail ballots will be sent by August 1, 2008.
- Many vote-by-mail counties have established voting centers to accommodate voters who prefer to vote in person or wish to vote on an accessible voting device. At a community voting center, voters may drop off ballots, request provisional ballots, vote on accessible voting equipment, and receive "I Voted" stickers.
- Each County Auditor is required to provide at least one location in addition to the County Auditor's Office for voters to drop off their ballots.

## voting at the polls

- King and Pierce counties still maintain poll sites, although most voters cast ballots by mail.
- Polls are open on Election Day from 7:00 a.m. to 8:00 p.m.
- Voters choosing to vote at polling places are required to show identification. Most voters choose to show photo identification, such as a driver's license, state ID card or student ID card. Federal law allows voters to present other forms of identification such as a voter registration card, utility bill, bank statement, paycheck, government check, or other government document.
- A voter who does not present ID may vote a provisional ballot.

## voting equipment

- In Washington State, there are three types of paper ballots:
  - Fill in the oval
  - Fill in the rectangle
  - Connect the arrow
- Approximately 1 percent or less of the total ballots cast in an election are cast using electronic voting devices.
- In Pierce and King counties, approximately 2.2 percent of the ballots are cast on electronic voting devices.
- In the remaining counties, approximately 0.08 percent of the ballots are cast on electronic voting devices.
- Washington State requires a voter verified paper trail. Voters who cast ballots using electronic voting equipment can verify that their selections have been recorded properly.

## certification of election

- Counties have until September 3, 2008, to certify the August 19 Primary.
- The Office of the Secretary of State has until September 9, 2008, to certify the August 19 Primary.
- To trigger a mandatory machine recount, the difference between the top two vote-getters must be less than 2,000 votes and less than one-half of 1 percent of the total number of votes cast for both candidates.
- To trigger a manual recount in a statewide election, the difference between the top two vote-getters must be less than 1,000 votes and less than one-fourth of 1 percent of the total number of votes cast for both candidates.

## statistics

- Washington has approximately 3.4 million registered voters.
- Voter participation in the 2004 Primary Election was 45 percent.
- Voter participation in the 2004 General Election was 82 percent.
- Voter participation is much higher for vote by mail than for poll voting.
  - In the 2008 Presidential Primary, King County mail voters turned out 29.8 percent, while poll voters turned out only 3.5 percent.
  - In the 2008 Presidential Primary, Pierce County mail voters turned out 34.61 percent, while poll voters turned out only 2.37 percent.
- The state is a very mobile population.
  - Each year approximately 96,000 people turn 18.
  - Each year approximately 46,000 to 49,000 people die.
  - Each year approximately 15 percent of the population moves.
  - Each year approximately 42,000 people change their name.

## dates to remember

- July 19, 2008** - Last day for mail in and online voter registrations and transfers for the August 19 Primary  
(RCW 29A.08.140)
- July 20, 2008** - Overseas and military ballots mailed for the August 19 Primary  
(RCW 29A.40.070)
- July 30, 2008** - Absentee ballots available for the August 19 Primary  
(RCW 29A.40.070)
- August 1, 2008** - Absentee ballots mailed for the August 19 Primary  
(RCW 29A.40.070)
- August 4, 2008** - Last day of in-person registration for voters not currently registered in Washington State for the August 19 Primary  
(RCW 29A.08.145)
- August 19, 2008** - Primary Election Day  
(RCW 29A.04.311)
- September 3, 2008** - County Canvassing Boards certify the August 19 Primary  
(RCW 29A.60.190)
- September 9, 2008** - Final day for the Secretary of State to certify the August 19 Primary  
(RCW 29A.60.240)

# **top 2 primary voter education**

**July 14, 2008** - TV, internet and ethnic print ads start

**July 28, 2008** - Radio ads start



# **EXHIBIT L**

This summer, Washington State residents will vote in a new top-two primary. Approved by voter initiative, the top-two primary means you have the freedom and choice to vote for the person rather than the party for congressional, statewide, legislative and many county offices. It's simple, you can choose any candidate on the ballot regardless of their party preference. No more confusing party ballots, just one ballot. A candidate's party preference doesn't mean the party endorses or approves of that candidate. The two candidates for each partisan office with the most votes go onto the general election in November. Your vote is your voice, so if there's a candidate you'd like to see on the general election ballot, make sure you vote in the primary election August 19th. To find out more, including how to register to vote, visit [vote.wa.gov](http://vote.wa.gov), brought to you by the Washington Secretary of State's Office.

# **EXHIBIT M**

This summer, Washington State residents will vote in a new top-two primary. Approved by voter initiative, the top-two primary means you vote for the person rather than the party. The two candidates for each partisan office with the most votes go to the general election in November. A candidate's party preference doesn't mean the party endorses or approves of that candidate. To find out more, including how to register to vote, visit [vote.wa.gov](http://vote.wa.gov), brought to you by the Washington Secretary of State's Office.

# **EXHIBIT N**

Washington State residents will vote in a new top two primary on August 19th, and will have to declare a party preference and the top two vote getters in each race will advance to the November election no matter what party they're in. To find out more, go to [vote.wa.gov](http://vote.wa.gov).

# **EXHIBIT O**

Secretary of State  
PRIMARY Voter Education 2008  
Added Value Recap 2008  
Medium: Television, Statewide

Station	Spots	Ordered	Spots	N/C Spots	Spots Aired	Spots Aired	N/C Aired	Percentage of Spots Aired	Website Value	Other Value	Total	Index	Notes
Seattle Television													
Comcast	114	\$ 14,465.00	130	\$ 15,000.00	0	120	\$ 13,846.00	92%	\$ 5,492.00	\$ 19,338.00	97%		Headline News 'Newsmakers' spots with Sam Reed and Tony Ventrella. Interview with Sam Reed and Tony Ventrella posted on On-Demand available to 886,500 cable subscribers
Comcast On-Demand		\$ 5,492.00											Headline News 'Newsmakers' spots with Sam Reed and Tony Ventrella. Interview with Sam Reed and Tony Ventrella posted on On-Demand available to 886,500 cable subscribers
FSNW-TV	10	\$ 30,000.00	120	\$ 30,000.00	29	93	\$ 30,500.00	102%		\$ 30,500.00	102%		Headline News 'Newsmakers' spots with Sam Reed and Tony Ventrella. Interview with Sam Reed and Tony Ventrella posted on On-Demand available to 886,500 cable subscribers
KCPQ-TV	47	\$ 22,225.00	43	\$ 22,325.00	15	37	\$ 26,997.00	121%		\$ 26,997.00	121%		Headline News 'Newsmakers' spots with Sam Reed and Tony Ventrella. Interview with Sam Reed and Tony Ventrella posted on On-Demand available to 886,500 cable subscribers
KING-TV	105	\$ 64,975.00	97	\$ 63,000.00	29	54	\$ 53,907.00	86%		\$ 53,907.00	83%		Headline News 'Newsmakers' spots with Sam Reed and Tony Ventrella. Interview with Sam Reed and Tony Ventrella posted on On-Demand available to 886,500 cable subscribers
KOMO-TV	89	\$ 37,915.00	35	\$ 25,000.00	18	25	\$ 30,700.00	123%		\$ 30,700.00	107%		Headline News 'Newsmakers' spots with Sam Reed and Tony Ventrella. Interview with Sam Reed and Tony Ventrella posted on On-Demand available to 886,500 cable subscribers
KONG-TV	33	\$ 4,755.00	30	\$ 5,075.00	10	20	\$ 5,075.00	100%		\$ 5,075.00	107%		Headline News 'Newsmakers' spots with Sam Reed and Tony Ventrella. Interview with Sam Reed and Tony Ventrella posted on On-Demand available to 886,500 cable subscribers
KMYQ-TV	15	\$ 3,200.00	15	\$ 4,500.00	5	10	\$ 4,500.00	100%		\$ 4,500.00	141%		Headline News 'Newsmakers' spots with Sam Reed and Tony Ventrella. Interview with Sam Reed and Tony Ventrella posted on On-Demand available to 886,500 cable subscribers
	413	\$183,027.00	470	\$ 164,900.00	106	359	\$ 165,525.00	99%		\$181,017.00	99%		Headline News 'Newsmakers' spots with Sam Reed and Tony Ventrella. Interview with Sam Reed and Tony Ventrella posted on On-Demand available to 886,500 cable subscribers
Spokane Television													
Comcast Spokane	97	\$ 2,809.00	188	\$ 2,820.00	15	279	\$ 4,000.00	156%	\$ 540.00	\$ 4,540.00	136%		Interview with Sam Reed and Tony Ventrella posted on On-Demand available to 87,492 cable subscribers
Comcast On-Demand		\$ 540.00											Interview with Sam Reed and Tony Ventrella posted on On-Demand available to 87,492 cable subscribers
Will run On-Demand for 1 month during the General for no charge.	13	\$ 2,450.00	40	\$ 2,800.00	6	34	\$ 2,800.00	100%	\$ 500.00	\$ 3,300.00	135%		Interview with Sam Reed and Tony Ventrella posted on On-Demand available to 87,492 cable subscribers
KATU-TV	54	\$ 11,425.00	75	\$ 11,500.00	58	11	\$ 10,580.00	92%		\$ 10,580.00	93%		Interview with Sam Reed and Tony Ventrella posted on On-Demand available to 87,492 cable subscribers
KHQ-TV	70	\$ 7,800.00	48	\$ 7,740.00	16	30	\$ 7,418.00	96%		\$ 7,418.00	95%		Interview with Sam Reed and Tony Ventrella posted on On-Demand available to 87,492 cable subscribers
KREM-TV	12	\$ 1,620.00	58	\$ 1,590.00	23	34	\$ 1,560.00	98%		\$ 1,590.00	98%		Interview with Sam Reed and Tony Ventrella posted on On-Demand available to 87,492 cable subscribers
KSKN-TV	48	\$ 5,250.00	50	\$ 5,430.00	18	30	\$ 5,212.00	96%		\$ 5,212.00	99%		Interview with Sam Reed and Tony Ventrella posted on On-Demand available to 87,492 cable subscribers
XXLY-TV	294	\$ 31,894.00	459	\$ 31,880.00	136	418	\$ 31,570.00	121%		\$ 32,640.00	102%		Interview with Sam Reed and Tony Ventrella posted on On-Demand available to 87,492 cable subscribers
Yakima/Tri Cities Television													
Cable Yakima	116	\$ 2,260.00	141	\$ 2,260.00	10	97	\$ 1,715.00	76%		\$ 1,715.00	76%		Interview with Sam Reed and Tony Ventrella posted on On-Demand available to 87,492 cable subscribers
KAPP-TV	68	\$ 2,295.00	77	\$ 2,350.00	35	46	\$ 2,470.00	105%		\$ 2,470.00	108%		Interview with Sam Reed and Tony Ventrella posted on On-Demand available to 87,492 cable subscribers
KCYU-TV	24	\$ 1,610.00	36	\$ 1,200.00	33	70	\$ 3,200.00	286%	\$ 450.00	\$ 3,650.00	227%		Interview with Sam Reed and Tony Ventrella posted on On-Demand available to 87,492 cable subscribers
KIMA-TV	48	\$ 5,405.00	108	\$ 5,220.00	76	32	\$ 5,220.00	100%		\$ 5,220.00	97%		Interview with Sam Reed and Tony Ventrella posted on On-Demand available to 87,492 cable subscribers
KNDQ-TV	121	\$ 9,100.00	162	\$ 8,100.00	63	105	\$ 8,400.00	104%	\$1,000.00	\$ 9,400.00	103%		Interview with Sam Reed and Tony Ventrella posted on On-Demand available to 87,492 cable subscribers
	377	\$ 20,670.00	524	\$ 19,130.00	217	350	\$ 21,005.00	108%		\$ 22,455.00	109%		Interview with Sam Reed and Tony Ventrella posted on On-Demand available to 87,492 cable subscribers



Secretary of State  
 PRIMARY Voter Education 2008  
 Added Value Recap 2008  
 Medium: Television, Statewide

	# of Paid Spots	Gross Ordered	# of N/C Spots	Value of N/C Spots	JULY # of N/C Spots Aired	AUGUST # of N/C Spots Aired	TOTAL # of N/C Spots Aired	Value of N/C Aired	Percentage of N/C Aired	Website Value	Other Value	Added Value Total	Index	Notes
Southwest WA Cable	311	\$ 11,675.00	638	\$ 11,814.00	223	367	590	\$ 10,925.00	92%			\$ 11,814.00	101%	
SW WA Cable														
LCVW Cable	311	\$ 5,921.00	597	\$ 5,994.00	227	347	574	\$ 5763	96%			\$ 5,994.00	101%	
	622	\$ 17,596.00	1235	\$ 17,808.00	450	714	1164	\$ 16,688.00	94%			\$ 17,808.00		
Hispanic Television														
KKFQ-TV (Yakima/Tri Cities)	38	\$ 1,619.00	38	\$ 1,619.00	15	23	38	\$ 1,619.00	100%			\$ 1,619.00	100%	
KUNS-TV (Seattle)	51	\$ 7,275.00	61	\$ 7,300.00	14	56	70	\$ 8,300.00	115%			\$ 7,300.00	100%	
	89	\$ 8,894.00	99	\$ 8,919.00	29	79	108	\$ 9,919.00	107%			\$ 8,919.00		
TOTALS	1795	\$262,081.00	2787	\$ 242,637.00	938	1920	2858	\$ 244,707.00	103%	\$1,950.00	\$15,492.00	\$262,839.00	100%	

Secretary of State  
GENERAL Voter Education 2008  
Added Value Recap 2008  
Medium: Television, Statewide

Station	# of Paid Spots	Gross Ordered	# of N/C Spots	Value of N/C Spots	OCTOBER # of N/C Spots Aired	NOVEMBER # of N/C Spots Aired	TOTAL # of N/C Spots Aired	Value of N/C Aired	Percentage of N/C Aired	Website Value	Other Value	Added Value Total	Index	Notes
Seattle Television	104	\$ 14,760.00	130	\$ 14,800.00	95	52	147	\$ 16,500.00	111%			\$ 16,500.00	112%	Planned on producing and running On-Demand at no charge for the General. Since low viewership in Primary, ran extra \$0 instead and had Sway from MTV produce a spot for no charge.
Comcast														College Football available in cable and satellite households statewide
FSNW-TV	3	\$ 11,000.00	44	\$ 11,000.00	39	8	47	\$ 11,750.00	107%			\$ 11,750.00	107%	
KCPQ-TV	32	\$ 16,900.00	47	\$ 17,875.00	37	23	60	\$ 22,000.00	123%			\$ 22,000.00	130%	
KING-TV	69	\$ 64,325.00	57	\$ 62,000.00	69	26	95	\$ 80,000.00	129%			\$ 80,000.00	124%	
KOMO-TV	37	\$ 22,010.00	30	\$ 15,000.00	23	7	30	\$ 15,000.00	100%		\$ 7,500.00	\$ 22,500.00	102%	Running :04s and :15s, Upgraded to Prime
KONG-TV	21	\$ 3,255.00	14	\$ 3,200.00	14	0	14	\$ 3,200.00	100%			\$ 3,200.00	98%	
KMYQ-TV	13	\$ 3,300.00	12	\$ 3,600.00	14	3	17	\$ 4,500.00	125%			\$ 4,500.00	136%	
	279	\$135,550.00	334	\$127,475.00	291	119	410	\$152,950.00	120%		\$ 7,500.00	\$160,450.00	118%	
Spokane Television														
Comcast Spokane	102	\$ 3,019.00	204	\$ 3,060.00	199	0	199	\$ 2,985.00	98%			\$ 2,985.00	99%	
KAYU-TV	15	\$ 1,855.00	40	\$ 2,800.00	24	33	57	\$ 3,990.00	143%	\$ 500.00		\$ 4,490.00	242%	
KHQ-TV	45	\$ 8,485.00	57	\$ 8,500.00	33	49	82	\$ 12,000.00	141%			\$ 12,000.00	141%	
KREM-TV	40	\$ 5,485.00	30	\$ 5,700.00	8	22	30	\$ 5,700.00	100%			\$ 5,700.00	104%	
KXLY-TV	43	\$ 3,300.00	30	\$ 3,330.00	18	12	30	\$ 3,330.00	100%			\$ 3,330.00	101%	
	245	\$ 22,144.00	361	\$ 23,390.00	282	116	398	\$ 28,005.00	120%	\$ 500.00		\$ 28,505.00	129%	
Yakima/Tri Cities Television														
Cable Yakima	98	\$ 3,070.00	209	\$ 3,070.00	151	33	184	\$ 2,700.00	88%			\$ 2,700.00	88%	
KAPP-TV	47	\$ 2,310.00	57	\$ 2,400.00	50	7	57	\$ 2,400.00	100%			\$ 2,400.00	104%	
KCYU-TV	30	\$ 1,640.00	30	\$ 1,200.00	64	80	144	\$ 3,000.00	250%	\$ 450.00		\$ 3,450.00	210%	
KIMA-TV	46	\$ 4,180.00	70	\$ 3,935.00	60	10	70	\$ 3,938.00	100%			\$ 3,938.00	94%	
KNDU-TV	61	\$ 5,360.00	88	\$ 4,400.00	69	19	88	\$ 4,400.00	100%	\$ 1,000.00		\$ 5,400.00	101%	
	282	\$ 16,560.00	454	\$ 15,005.00	394	149	543	\$ 16,438.00	110%	\$1,450.00		\$ 17,888.00	108%	

Secretary of State  
GENERAL Voter Education 2008  
Added Value Recap 2008  
Medium: Television, Statewide

	# of Paid Spots	Gross Ordered	# of N/C Spots	Value of N/C Spots	OCTOBER		NOVEMBER		TOTAL	Value of N/C Aired	Percentage of N/C Aired	Website Value	Other Value	Added Value Total	Index	Notes
					Spots Aired	# of N/C Spots Aired	Spots Aired	# of N/C Spots Aired								
Southwest WA Cable	316	\$ 11,950.00	637	\$ 11,813.00	393	95	488		\$ 9,050.00	77%			\$ 9,050.00		76%	
SW WA Cable	316	\$ 6,046.00	593	\$ 5,974.00	441	125	566		\$ 5,700.00	95%			\$ 5,700.00		94%	
LGVW Cable	632	\$ 17,996.00	1230	\$ 17,787.00	834	220	1054		\$ 14,750.00	83%			\$ 14,750.00		82%	
Hispanic Television																
KFRQ-TV (Yamima/Tri Cities)	29	\$ 1,295.00	29	\$ 1,295.00	38	11	49		\$ 2,100.00	162%			\$ 2,100.00		162%	
KUNS-TV (Seattle)	51	\$ 7,275.00	78	\$ 7,300.00	99	40	139		\$ 12,000.00	164%			\$ 12,000.00		165%	
KCUJ-TV	35	\$ 600.00	35	\$ 600.00	28	7	35		\$ 600.00	100%			\$ 600.00		100%	
	115	\$ 9,170.00	142	\$ 9,195.00	165	58	223		\$ 14,700.00	160%			\$ 14,700.00		160%	
<b>TOTALS</b>	<b>1553</b>	<b>\$ 201,420</b>	<b>2521</b>	<b>\$ 192,852</b>	<b>1966</b>	<b>662</b>	<b>2628</b>		<b>\$226,843.00</b>	<b>118%</b>		<b>\$1,950.00</b>	<b>\$ 7,500.00</b>	<b>\$236,293.00</b>	<b>117%</b>	

# **EXHIBIT P**

Secretary of State  
PRIMARY Voter Education 2008  
Added Value Recap 2008  
Medium: Radio, Statewide

Seattle Radio	# of Paid Spots	Gross Ordered	# of N/C Spots	Value of N/C Spots	# of N/C Spots Aired	Value of N/C Aired	Percentage of N/C Aired	Website Value	Other Value	Added Value Total	% Scheduled	Notes
KING-FM	75	\$ 3,510.00	75	\$ 3,510.00	55	\$ 2,574.00	73%			\$ 2,574.00	73%	Ran extra in the General
KISW-FM	69	\$ 8,280.00	48	\$ 5,700.00	48	\$ 5,700.00	100%	\$ 2,500.00		\$ 8,200.00	99%	Online Special Section
KIXI-FM	63	\$ 3,060.00	63	\$ 3,060.00	63	\$ 3,060.00	100%			\$ 3,060.00	100%	
KKWF-FM	42	\$ 4,880.00	42	\$ 4,880.00	42	\$ 4,880.00	100%			\$ 4,880.00	100%	
KMTT-FM	63	\$ 8,730.00	63	\$ 8,730.00	63	\$ 8,730.00	100%			\$ 8,730.00	100%	
KOMO-AM	90	\$ 14,200.00	90	\$ 14,200.00	92	\$ 12,200.00	102%		\$ 3,000.00	\$ 15,200.00	107%	3x email blasts. Ran several spots on the weekend, discounted the
KPLU-FM	60	\$ 6,105.00	60	\$ 6,105.00	56	\$ 5,698.00	93%	\$ 500.00		\$ 6,198.00	102%	
KPTK-AM	60	\$ 4,405.00	60	\$ 4,405.00	60	\$ 4,405.00	100%			\$ 4,405.00	100%	
KVI-FM	66	\$ 5,540.00	66	\$ 5,540.00	65	\$ 5,456.00	98%			\$ 5,456.00	98%	
KZOK-FM	66	\$ 10,720.00	63	\$ 10,720.00	65	\$ 11,000.00	103%			\$ 11,000.00	103%	
	654	\$ 67,430.00	630	\$ 66,850.00	609	\$ 63,703.00	95%	\$ 3,000.00	\$ 3,000.00	\$ 69,703.00	100%	
<b>Spokane Radio</b>												
KEYE-FM	75	\$ 1,320.00	75	\$ 1,320.00	67	\$ 1,180.00	89%			\$ 1,180.00	89%	
KISC-FM	48	\$ 2,250.00	48	\$ 2,250.00	48	\$ 2,250.00	100%			\$ 2,250.00	100%	
KIXZ-FM	57	\$ 1,665.00	57	\$ 1,665.00	57	\$ 1,665.00	100%			\$ 1,665.00	100%	
KKZX-FM	57	\$ 2,628.00	57	\$ 2,628.00	57	\$ 2,628.00	100%			\$ 2,628.00	100%	
KQNT-AM	48	\$ 1,488.00	48	\$ 1,488.00	48	\$ 1,488.00	100%			\$ 1,488.00	100%	
KXLY-AM	54	\$ 2,070.00	54	\$ 2,070.00	54	\$ 2,070.00	100%			\$ 2,070.00	100%	
	339	\$ 11,421.00	339	\$ 11,421.00	331	\$ 11,281.00	99%			\$ 11,281.00	99%	
<b>Yakima Radio</b>												
KARY-FM	42	\$ 960.00	42	\$ 960.00	42	\$ 960.00	100%			\$ 960.00	100%	
KBBO-AM	42	\$ 210.00	42	\$ 210.00	46	\$ 230.00	110%			\$ 230.00	110%	
KIT-AM	36	\$ 1,209.00	36	\$ 1,209.00	34	\$ 1,142.00	94%			\$ 1,142.00	94%	
KRSE-FM	26	\$ 946.00	26	\$ 946.00	26	\$ 946.00	100%			\$ 946.00	100%	
KXDD-FM	42	\$ 1,740.00	42	\$ 1,740.00	42	\$ 1,740.00	100%			\$ 1,740.00	100%	
	188	\$ 5,065.00	188	\$ 5,065.00	190	\$ 5,018.00	99%			\$ 5,018.00	99%	

Secretary of State  
PRIMARY Voter Education 2008  
Added Value Recap 2008  
Medium: Radio, Statewide

Jti Cities Radio	# of Paid Spots	Gross Ordered	# of N/C Spots	Value of N/C Spots	# of N/C Spots Aired	Value of N/C Aired	Percentage of N/C Aired	Website Value	Other Value	Added Value Total	% Scheduled	Notes
<b>Jti Cities Radio</b>												
<b>KALE/REGX</b>	57	\$ 1,065.00	57	\$ 1,065.00	57	\$ 1,065.00	100%			\$ 1,065.00	100%	
KELD-AM	45	\$ 750.00	45	\$ 750.00	45	\$ 750.00	100%			\$ 750.00	100%	
KOLW-FM	48	\$ 870.00	48	\$ 870.00	48	\$ 870.00	100%			\$ 870.00	100%	
KONA-AM	30	\$ 900.00	30	\$ 900.00	30	\$ 900.00	100%			\$ 900.00	100%	
KONA-FM	51	\$ 978.00	51	\$ 978.00	51	\$ 978.00	100%			\$ 978.00	100%	
KORD-FM	48	\$ 1,212.00	48	\$ 1,212.00	48	\$ 1,212.00	100%			\$ 1,212.00	100%	
	<b>279</b>	<b>\$ 5,775.00</b>	<b>279</b>	<b>\$ 5,775.00</b>	<b>279</b>	<b>\$ 5,775.00</b>	<b>100%</b>					
<b>Small Market Radio</b>												
<b>Aberdeen</b>												
KDUX-FM	57	\$ 876.00	57	\$ 876.00	57	\$ 876.00	100%			\$ 876.00	100%	
KXXK-FM	54	\$ 876.00	54	\$ 876.00	54	\$ 876.00	100%			\$ 876.00	100%	
KXRO-AM	60	\$ 924.00	60	\$ 924.00	60	\$ 924.00	100%			\$ 924.00	100%	
KRW-AM	54	\$ 810.00	54	\$ 810.00	54	\$ 810.00	100%			\$ 810.00	100%	
	<b>225</b>	<b>\$ 3,486.00</b>	<b>225</b>	<b>\$ 3,486.00</b>	<b>225</b>	<b>\$ 3,486.00</b>	<b>100%</b>			<b>\$ 3,486.00</b>	<b>100%</b>	
<b>Bellingham</b>												
KISM-FM	57	\$ 2,940.00	45	\$ 2,300.00	45	\$ 2,300.00	100%	\$ 500.00		\$ 2,800.00	95%	
KGWI-FM	57	\$ 2,910.00	45	\$ 2,300.00	48	\$ 2,450.00	107%	\$ 500.00		\$ 2,950.00	101%	
	<b>114</b>	<b>\$ 5,850.00</b>	<b>90</b>	<b>\$ 4,600.00</b>	<b>93</b>	<b>\$ 4,750.00</b>	<b>103%</b>					
<b>Centralia</b>												
KELA-AM	60	\$ 1,332.00	60	\$ 1,332.00	60	\$ 1,332.00	100%			\$ 1,332.00	100%	
KMNT-FM	60	\$ 1,416.00	60	\$ 1,416.00	57	\$ 1,345.00	95%			\$ 1,345.00	95%	
KITI-AM	54	\$ 1,026.00	54	\$ 1,026.00	54	\$ 1,026.00	100%			\$ 1,026.00	100%	
KITI-FM	54	\$ 972.00	54	\$ 972.00	45	\$ 810.00	83%			\$ 810.00	83%	
	<b>228</b>	<b>\$ 4,746.00</b>	<b>228</b>	<b>\$ 4,746.00</b>	<b>216</b>	<b>\$ 4,513.00</b>	<b>95%</b>			<b>\$ 4,513.00</b>	<b>95%</b>	
<b>Ellensburg</b>												
KXLE FM/AM	60	\$ 2,640.00	60	\$ 2,640.00	60	\$ 2,640.00	100%			\$ 2,640.00	100%	
KXAA-FM	60	\$ 684.00	60	\$ 684.00	60	\$ 684.00	100%			\$ 684.00	100%	
	<b>120</b>	<b>\$ 3,324.00</b>	<b>120</b>	<b>\$ 3,324.00</b>	<b>120</b>	<b>\$ 3,324.00</b>	<b>100%</b>					
<b>Longview/Kelso</b>												
KLOG-AM	57	\$ 1,140.00	57	\$ 1,140.00	57	\$ 1,140.00	100%			\$ 1,140.00	100%	
KUKN-FM	54	\$ 1,188.00	54	\$ 1,188.00	57	\$ 1,254.00	106%			\$ 1,188.00	100%	
KRQT-FM	63	\$ 1,134.00	63	\$ 1,134.00	60	\$ 1,080.00	95%			\$ 1,080.00	95%	
	<b>174</b>	<b>\$ 3,462.00</b>	<b>174</b>	<b>\$ 3,462.00</b>	<b>174</b>	<b>\$ 3,474.00</b>	<b>100%</b>			<b>\$ 3,474.00</b>	<b>98%</b>	

Secretary of State  
PRIMARY Voter Education 2008  
Added Value Recap 2008  
Medium: Radio, Statewide

Small Market Radio	# of Paid Spots	Gross Ordered	# of N/C Spots	Value of N/C Spots	# of N/C Spots Aired	Value of N/C Aired	Percentage of N/C Aired	Website Value	Other Value	Added Value Total	% Scheduled	Notes
<b>Moses Lake</b>												
KWIG-FM	54	\$ 972.00	54	\$ 972.00	54	\$ 972.00	100%			\$ 972.00	100%	
KDRM-FM	54	\$ 864.00	54	\$ 864.00	54	\$ 864.00	100%			\$ 864.00	100%	
KULE FM + AM	57	\$ 1,254.00	57	\$ 1,254.00	54	\$ 1,188.00	95%			\$ 1,188.00	95%	
	<b>165</b>	<b>\$ 3,090.00</b>	<b>165</b>	<b>\$ 3,090.00</b>	<b>162</b>	<b>\$ 3,024.00</b>	<b>98%</b>			<b>\$ 3,024.00</b>	<b>98%</b>	
<b>Olympia</b>												
KGY FM + AM	54	\$ 2,322.00	54	\$ 2,322.00	57	\$ 2,450.00	106%			\$ 2,450.00	106%	
KXCO-FM	60	\$ 2,640.00	60	\$ 2,640.00	60	\$ 2,640.00	100%			\$ 2,640.00	100%	
	<b>114</b>	<b>\$ 4,962.00</b>	<b>114</b>	<b>\$ 4,962.00</b>	<b>117</b>	<b>\$ 5,090.00</b>	<b>103%</b>			<b>\$ 5,090.00</b>	<b>103%</b>	
<b>Wenatchee</b>												
KPG-FM	54	\$ 1,560.00	54	\$ 1,560.00	54	\$ 1,560.00	100%			\$ 1,560.00	100%	
KPQ-AM	54	\$ 1,560.00	54	\$ 1,560.00	54	\$ 1,560.00	100%			\$ 1,560.00	100%	
KYSN-FM	51	\$ 1,050.00	51	\$ 1,050.00	51	\$ 1,050.00	100%			\$ 1,050.00	100%	
KCSY-FM	45	\$ 675.00	45	\$ 675.00	45	\$ 675.00	100%			\$ 675.00	100%	
	<b>204</b>	<b>\$ 4,845.00</b>	<b>204</b>	<b>\$ 4,845.00</b>	<b>204</b>	<b>\$ 4,845.00</b>	<b>100%</b>			<b>\$ 4,845.00</b>	<b>100%</b>	
<b>Northwest Public Radio</b>												
Statewide Network Coverage	42	\$ 3,402.00	42	\$ 3,402.00	42	\$ 3,402.00	100%			\$ 3,402.00	100%	
	<b>42</b>	<b>\$ 3,402.00</b>	<b>42</b>	<b>\$ 3,402.00</b>	<b>42</b>	<b>\$ 3,402.00</b>	<b>100%</b>					
<b>Hispanic Radio</b>												
KLES-FM (Yakima)	30	\$ 210.00	30	\$ 210.00	30	\$ 210.00	100%			\$ 210.00	100%	
KMNA-FM (Yakima)	24	\$ 528.00	24	\$ 528.00	24	\$ 528.00	100%			\$ 528.00	100%	
KZHR-FM (Tri-Cities)	24	\$ 480.00	24	\$ 480.00	24	\$ 480.00	100%			\$ 480.00	100%	
KWLN-FM (Wenatchee)	45	\$ 675.00	45	\$ 675.00	45	\$ 675.00	100%			\$ 675.00	100%	
	<b>123</b>	<b>\$ 1,893.00</b>	<b>123</b>	<b>\$ 1,893.00</b>	<b>123</b>	<b>\$ 1,893.00</b>	<b>100%</b>					
# of Paid Spots	<b>2,967</b>	<b>\$ 130,751.00</b>	<b>2,921</b>	<b>\$ 128,921.00</b>	<b>2,885</b>	<b>\$ 118,733.00</b>	<b>94%</b>	<b>\$ 3,500.00</b>	<b>\$ 3,000.00</b>	<b>\$ 133,421.00</b>	<b>102%</b>	
<b>TOTALS</b>												

Secretary of State  
GENERAL Voter Education 2008  
Added Value Recap 2008  
Medium: Radio, Statewide

Satellite Radio	# of Paid Spots	Gross Ordered	# of N/C Spots	Value of N/C Spots	# of N/C Spots Aired	# of N/C Spots Aired	Percentage of N/C Aired	Value of N/C Aired	Website Value	Other Value	Added Value Total	% Scheduled	Notes
KING-FM	63	\$ 2,745.00	63	\$ 2,745.00	59	30	89	\$ 3,877.00	141%		\$ 3,877.00	141%	Was under in the Primary so ran them in the General
KISW-FM	54	\$ 5,655.00	39	\$ 4,100.00	39	0	39	\$ 4,100.00	100%	\$ 2,000.00	\$ 6,100.00	108%	Online Special Section
KIXI-AM	63	\$ 3,060.00	63	\$ 3,060.00	63	0	63	\$ 3,060.00	100%		\$ 3,060.00	100%	
KKWF-FM	40	\$ 4,580.00	40	\$ 4,580.00	20	20	40	\$ 4,580.00	100%		\$ 4,580.00	100%	
KWIT-FM	54	\$ 7,020.00	54	\$ 7,020.00	36	18	54	\$ 7,020.00	100%		\$ 7,020.00	100%	
KOMO-AM	66	\$ 11,035.00	66	\$ 11,035.00	59	12	71	\$ 11,870.00	108%	\$ 3,000.00	\$ 14,870.00	135%	Email Blast
KPLU-FM	36	\$ 4,275.00	36	\$ 4,275.00	24	12	36	\$ 4,275.00	100%	\$ 2,000.00	\$ 6,275.00	147%	Online logo and link
KPTK-AM	60	\$ 4,405.00	60	\$ 4,405.00	36	24	60	\$ 4,405.00	100%		\$ 4,405.00	100%	
KVI-AM	66	\$ 5,540.00	66	\$ 5,540.00	43	26	69	\$ 5,790.00	105%		\$ 5,790.00	105%	
KZOK-FM	60	\$ 8,875.00	57	\$ 8,875.00	43	1	44	\$ 6,850.00	77%	\$ 2,000.00	\$ 8,850.00	100%	Online logo and link
	562	\$ 57,190.00	544	\$ 55,635.00	422	143	565	\$ 55,827.00	100%	\$ 6,000.00	\$ 64,827.00	113%	
Spokane Radio													
KFY-FM	50	\$ 880.00	50	\$ 880.00	43	0	43	\$ 750.00	85%		\$ 750.00	85%	
KISC-FM	32	\$ 1,500.00	32	\$ 1,500.00	13	19	32	\$ 1,500.00	100%		\$ 1,500.00	100%	
KIXZ-FM	38	\$ 1,110.00	38	\$ 1,110.00	19	19	38	\$ 1,110.00	100%		\$ 1,110.00	100%	
KKZ-FM	38	\$ 1,752.00	38	\$ 1,758.00	38	0	38	\$ 1,758.00	100%		\$ 1,758.00	100%	
KQNT-AM	32	\$ 992.00	32	\$ 992.00	32	0	32	\$ 992.00	100%		\$ 992.00	100%	
KXLY-AM	36	\$ 1,380.00	36	\$ 1,380.00	15	17	32	\$ 1,225.00	89%		\$ 1,225.00	89%	
	226	\$ 7,614.00	226	\$ 7,620.00	160	55	215	\$ 7,335.00	96%		\$ 7,335.00	96%	
Yakima Radio													
KARY-FM	36	\$ 540.00	36	\$ 540.00	28	14	42	\$ 630.00	117%		\$ 630.00	117%	
KBBO-AM	42	\$ 210.00	42	\$ 210.00	28	14	42	\$ 210.00	100%		\$ 210.00	100%	
KIT-AM	20	\$ 750.00	20	\$ 750.00	15	5	20	\$ 750.00	100%		\$ 750.00	100%	
KRSE-FM	24	\$ 856.00	24	\$ 856.00	13	13	26	\$ 925.00	108%		\$ 925.00	108%	
KXDD-FM	28	\$ 1,160.00	28	\$ 1,160.00	13	14	27	\$ 1,118.00	96%		\$ 1,118.00	96%	
	150	\$ 3,516.00	150	\$ 3,516.00	97	60	157	\$ 3,633.00	103%		\$ 3,633.00	103%	

**MP** Media Plus+  
a profitable equation



Secretary of State  
GENERAL Voter Education 2008  
Added Value Recap 2008  
Medium: Radio, Statewide

Tri Cities Radio	# of Paid Spots	Gross Ordered	OCTOBER		NOVEMBER		TOTAL		Percentage of N/C Aired	Website Value	Other Value	Added Value Total	% Scheduled	Notes
			# of N/C Spots Aired	Value of N/C Spots	# of N/C Spots Aired	Value of N/C Spots	# of N/C Spots Aired	Value of N/C Spots						
KALH-REGX	38	\$ 710.00	38	\$ 710.00	38	\$ 710.00	38	\$ 710.00	100%			\$ 710.00	100%	
KFLD-AM	30	\$ 500.00	30	\$ 500.00	30	\$ 500.00	30	\$ 500.00	100%			\$ 500.00	100%	
KOLW-FM	34	\$ 620.00	34	\$ 620.00	34	\$ 620.00	34	\$ 620.00	100%			\$ 620.00	100%	
KONA-AM	20	\$ 600.00	20	\$ 600.00	12	\$ 600.00	20	\$ 600.00	100%			\$ 600.00	100%	
KONA-FM	34	\$ 652.00	34	\$ 652.00	31	\$ 652.00	34	\$ 652.00	100%			\$ 652.00	100%	
KORD-FM	48	\$ 880.00	32	\$ 880.00	35	\$ 880.00	35	\$ 880.00	100%			\$ 880.00	100%	
	204	\$ 3,890.00	188	\$ 3,890.00	180	\$ 3,890.00	191	\$ 3,962.00	102%			\$ 3,962.00	102%	
<b>Small Market Radio</b>														
<b>Abbeville</b>														
KDUX-FM	57	\$ 876.00	57	\$ 876.00	74	\$ 876.00	19	\$ 1,400.00	160%			\$ 1,400.00	160%	
KXXK-FM	54	\$ 876.00	54	\$ 876.00	71	\$ 876.00	19	\$ 1,400.00	160%			\$ 1,400.00	160%	
KXRO-AM	60	\$ 924.00	60	\$ 924.00	76	\$ 924.00	20	\$ 1,475.00	160%			\$ 1,475.00	160%	
KBKW-AM	54	\$ 810.00	54	\$ 810.00	36	\$ 810.00	13	\$ 735.00	91%			\$ 735.00	91%	
	225	\$ 3,486.00	225	\$ 3,486.00	257	\$ 3,486.00	71	\$ 5,010.00	144%			\$ 5,010.00	144%	
<b>Bellingham</b>														
KISW-FM	54	\$ 2,940.00	36	\$ 2,285.00	26	\$ 2,285.00	13	\$ 2,475.00	108%	\$ 500.00		\$ 2,785.00	95%	
KGMI-FM	54	\$ 2,910.00	36	\$ 2,910.00	26	\$ 2,910.00	13	\$ 3,150.00	108%	\$ 500.00		\$ 3,410.00	117%	
	108	\$ 5,850.00	72	\$ 5,195.00	52	\$ 5,195.00	26	\$ 5,625.00	108%	\$ 1,000.00		\$ 6,195.00	106%	
<b>Centralia</b>														
KELA-AM	60	\$ 1,332.00	60	\$ 1,332.00	40	\$ 1,332.00	20	\$ 1,332.00	100%			\$ 1,332.00	100%	
KMNT-FM	60	\$ 1,416.00	60	\$ 1,416.00	40	\$ 1,416.00	20	\$ 1,416.00	100%			\$ 1,416.00	100%	
KITI-AM	54	\$ 1,026.00	54	\$ 1,026.00	54	\$ 1,026.00	0	\$ 1,026.00	100%			\$ 1,026.00	100%	
KITI-FM	45	\$ 972.00	45	\$ 972.00	48	\$ 972.00	0	\$ 1,000.00	103%			\$ 1,000.00	103%	
	219	\$ 4,746.00	219	\$ 4,746.00	182	\$ 4,746.00	40	\$ 4,774.00	101%			\$ 4,774.00	101%	
<b>Ellensburg</b>														
KXLE FM + AM	60	\$ 2,640.00	60	\$ 2,640.00	40	\$ 2,640.00	20	\$ 2,640.00	100%			\$ 2,640.00	100%	
KXAA-FM	60	\$ 684.00	60	\$ 684.00	60	\$ 684.00	0	\$ 684.00	100%			\$ 684.00	100%	
	120	\$ 3,324.00	120	\$ 3,324.00	100	\$ 3,324.00	20	\$ 3,324.00	100%			\$ 3,324.00	100%	
<b>Longview/Kelso</b>														
KLOG-AM	57	\$ 1,140.00	57	\$ 1,140.00	38	\$ 1,140.00	19	\$ 1,140.00	100%			\$ 1,140.00	100%	
KURN-FM	54	\$ 1,188.00	54	\$ 1,188.00	38	\$ 1,188.00	19	\$ 1,250.00	105%			\$ 1,250.00	105%	
KRQT-FM	63	\$ 1,134.00	63	\$ 1,134.00	67	\$ 1,134.00	0	\$ 1,205.00	106%			\$ 1,205.00	106%	
	174	\$ 3,462.00	174	\$ 3,462.00	143	\$ 3,462.00	38	\$ 3,595.00	104%			\$ 3,595.00	104%	

Secretary of State  
GENERAL Voter Education 2008  
Added Value Recap 2008  
Medium: Radio, Statewide

Medium: Radio, Statewide																	
	# of Paid Spots	Gross Ordered	# of N/C Spots	Value of N/C Spots	OCTOBER		NOVEMBER		TOTAL	Value of N/C Aired	Percentage of N/C Aired	Website Value	Other Value	Added Value Total	% Scheduled	Promotion/Interview/Notes	
					# of N/C Spots Aired	Spots Aired	# of N/C Spots Aired	Spots Aired									
Small Market Radio																	
Moses Lake																	
KW/Q-FM	54	\$ 972.00	54	\$ 972.00	50	14	64	64	\$ 1,150.00	118%				\$ 1,150.00	118%		
KDRM-FM	54	\$ 864.00	54	\$ 864.00	54	0	54	54	\$ 864.00	100%				\$ 864.00	100%		
KULE FM + AM	57	\$ 1,254.00	57	\$ 1,254.00	38	19	57	57	\$ 1,254.00	100%				\$ 1,254.00	100%		
	165	\$ 3,090.00	165	\$ 3,090.00	142	33	175	175	\$ 3,268.00	106%				\$ 3,268.00	106%		
Olympia																	
KG Y FM + AM	54	\$ 2,322.00	54	\$ 2,322.00	38	19	57	57	\$ 2,450.00	106%				\$ 2,450.00	106%		
KXXQ-FM	60	\$ 2,640.00	60	\$ 2,640.00	60	0	60	60	\$ 2,640.00	100%				\$ 2,640.00	100%		
	114	\$ 4,962.00	114	\$ 4,962.00	98	19	117	117	\$ 5,090.00	103%				\$ 5,090.00	103%		
Wenatchee																	
KPQ-FM	54	\$ 1,560.00	54	\$ 1,560.00	36	18	54	54	\$ 1,560.00	100%				\$ 1,560.00	100%		
KPQ-AM	54	\$ 1,560.00	54	\$ 1,560.00	36	18	54	54	\$ 1,560.00	100%				\$ 1,560.00	100%		
KYSN-FM	51	\$ 1,050.00	51	\$ 1,050.00	34	17	51	51	\$ 1,050.00	100%				\$ 1,050.00	100%		
KCSY-FM	45	\$ 675.00	45	\$ 675.00	45	0	45	45	\$ 675.00	100%				\$ 675.00	100%		
	204	\$ 4,845.00	204	\$ 4,845.00	151	53	204	204	\$ 4,845.00	100%				\$ 4,845.00	100%		
Northwest Public Radio																	
Statewide Network Coverage	42	\$ 3,402.00	42	\$ 3,402.00	42	0	42	42	\$ 3,402.00	100%				\$ 3,402.00	100%		
	42	\$ 3,402.00	42	\$ 3,402.00	42	0	42	42	\$ 3,402.00	100%				\$ 3,402.00	100%		
Hispanic Radio																	
KLES-FM (Yakima)	30	\$ 210.00	30	\$ 210.00	22	8	30	30	\$ 210.00	73%				\$ 210.00	100%		
KMNA-FM (Yakima)	24	\$ 528.00	24	\$ 528.00	29	0	29	29	\$ 638.00	121%				\$ 528.00	100%		
KZHR-FM (Tri-Cities)	24	\$ 480.00	24	\$ 480.00	24	0	24	24	\$ 480.00	100%				\$ 480.00	100%		
KWLN-FM (Wenatchee)	45	\$ 675.00	45	\$ 675.00	45	0	45	45	\$ 675.00	100%				\$ 675.00	100%		
	123	\$ 1,893.00	123	\$ 1,893.00	120	8	128	128	\$ 2,003.00	106%				\$ 1,893.00	100%		
TOTALS																	
	2636	\$ 111,270.00	2,566	\$ 109,066.00	2,146	577	2,723	2,723	#####	\$ 7,000.00	\$ 3,000.00	\$ 3,000.00	\$ 3,000.00	\$ 121,693.00	107%		

# **EXHIBIT Q**



## Elections

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### What is a Top 2 Primary?

A Top 2 Primary allows voters to vote for any candidate running in each race.

The two candidates who receive the most votes in the Primary Election qualify for the General Election. A candidate must also receive at least 1% of the votes cast in that race to advance to the General Election.

Candidates for partisan office may state a preference for a political party, which is listed on ballots and in voters' pamphlets. For example:

John Smith (Prefers Democratic Party)	Jane Doe (Prefers Republican Party)
--	--

Or candidates can choose to not state a party preference. For example:

John Smith  
(States No Party Preference)

Regardless, the party preference information has no bearing on how the election is conducted or who is allowed to advance from the Primary to the General. Instead, which candidates are allowed to advance is based solely on how many votes they receive in the Primary.

### What is a "party preference?"

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 party preference has no impact on how the election is conducted or which candidates are allowed to stay in the race to the General Election. The two candidates who receive the most votes in the Primary, and who receive at least 1% of the votes, advance to the General.

The candidate has up to 16 characters to describe the party that he or she prefers. This gives the candidate great freedom. Some candidates state a preference for an established major party, such as the Democratic Party or the Republican Party, while others state a preference for novel parties, such as the No New Taxes Party. Candidates are not restricted to stating a preference to an established major or minor party.

### What offices are affected?

The Top 2 Primary applies to partisan office. In Washington, this includes the United States Senate and House of Representatives, the State Legislature, statewide partisan office such as Governor, and county partisan office such as County Commissioner.

The Top 2 Primary does not apply to elections for:

- President and Vice President; or
- Political Party Precinct Committee Officer (PCO).

While there are some slight variations, elections for *nonpartisan* office, such as city council or judge, are conducted in a similar manner to the Top 2 Primary. Generally, the two candidates in a nonpartisan race who receive the most votes in the Primary are the only candidates allowed to advance to the General Election.

### If only 1 or 2 candidates file for an office, do they still have a Primary?

Yes. For partisan office, there is still a Primary even if only one or two candidates file. For nonpartisan office, there is no Primary and the candidates only appear in the General Election.

### Will there be both a Democrat and a Republican on the ballot at the General Election?

Not necessarily. First, remember that the candidates are not appearing on the ballot representing a party; they are only representing themselves.

Second, remember that the primary is for voters and candidates, not political parties. The parties do not own a spot on the General Election ballot. Instead, the two candidates who appear on the ballot at the General Election are the two who received the most votes in the Primary. These candidates might prefer the same party, different parties, or not state a preference. In some races, all candidates who file declare a party preference for the same party.

### Do Minor Party Candidates ever make it to the General Election?

Yes. In the 2008 General Election, there were many candidates who preferred minor political parties, preferred parties created by the candidate, or who stated no party preference.

### What is the difference between a Top 2 Primary and the Primary Elections in Other States?

Almost all other states in the country conduct *nominating* Primary Elections. In these states, the primary is for the political parties, because the purpose of the primary is to select each political party's nominee who will represent the party in the General Election.

For example, if five Republican candidates and 4 Democratic candidates file for the office of Governor, the purpose of a nominating primary is to select the one Republican candidate and one Democratic candidate who will advance to the General Election and represent their respective parties in the General Election, and are frequently required to be a registered member of the party in order to file as a candidate. In this type of election, the candidates are representing their political party when they appear on the ballot. If the state has party registration, the candidate usually must be a registered member of the party in order to file as a candidate of the party. Also, the voters are required to affiliate with a party in order to vote in the Primary and are restricted to voting only for candidates of that party.

In a Top 2 Primary, the primary is for the voters and candidates because the purpose is simply to winnow the number of candidates down to two. The candidates are not representing any political party when they appear on the ballot; they are only representing themselves. Candidates have great freedom to describe the party that they prefer. For example, a candidate might prefer the Pro-Life Republican Party, or the Labor Democratic Party. The party preference information for each candidate is informational only; it has no relevance to the election itself. Also, the voters do not have to affiliate with a party.

The purpose of the Top 2 Primary is *not* to select each party's nominees. Political parties are free to conduct their nominating procedures according to their own rules, at their own conventions, caucuses and meetings. This frees the parties to develop their own criteria for nominations, endorsements, and other public declarations of support.

#### **What is the difference between Washington's Top 2 Primary and California's new Primary?**

California just passed Proposition 14. This ballot measure creates a primary system that is similar to a Top 2 Primary, though there are some significant differences. California has very established political parties, and party registration as part of voter registration.

As California implements the Top Two Primary, the state will have to address whether candidates are limited in their party preference options to the established political parties, such as the Republican or Democratic Party, or are free to describe their party preference in their own words, such as the No New Taxes Party.

#### **How did the Top 2 Primary become law?**

The Top 2 Primary was passed by the people in 2004 as an initiative. Initiative 872 passed by almost 60%.

In 2005, before the new law was implemented, the Washington state Democratic, Republican and Libertarian Parties sued in federal court. The lower courts imposed an injunction prohibiting the state from implementing the new Primary, but in March 2008 the U.S. Supreme Court upheld the new law.

The new Primary was used for the first time in the 2008 Primary and General. It was used for select partisan races in 2009, and now in the 2010 Primary and General.

#### **Does Washington have Party Registration?**

No. Washington does not have party registration as part of voter registration. Voters do not have to declare a party affiliation either when they register or vote.

#### **Can a voter still write in a candidate?**

Yes. Each race on the ballot will still have a write in line for a voter to write in the name of a candidate.

#### **When are the elections this year?**

The Primary Election is Tuesday, August 17, 2010.

The General Election is Tuesday, November 2, 2010.

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## Top 2 Primary: FAQs for Candidates

### What is a Top 2 Primary?

The Washington Top 2 Primary allows voters to choose among all candidates running for each office. Voters do not have to declare a party affiliation to vote in the primary.

Candidates for partisan office may state a preference for a political party, which is listed on the ballot. The two candidates who receive the most votes in the Primary Election qualify for the General Election. Candidates must also receive at least 1% of the votes cast in that race to advance to the General Election.

### What does the candidate's "party preference" mean in a Top 2 Primary?

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.

### How did the Top 2 Primary become law?

The Top 2 Primary was passed by the people in 2004 as an initiative. I-872 passed by almost 60%. This system was upheld by the U.S. Supreme Court in March 2008 and used for the first time in the 2008 primary. It has been in effect for all partisan elections since 2008.

### Could a race in the General Election include two candidates who prefer the same party?

Yes. The candidates in each race who advance to the General Election will be the two who receive the most votes in the Primary. It is possible that both candidates who advance to the General Election prefer the same party.

### Can a voter still write in a candidate?

Yes. Each race on the ballot will still have a write in line for a voter to write in the name of a candidate.

### What offices are affected?

The Top 2 Primary applies to elections for partisan office. This includes the U.S. Senate and House of Representatives, the State Legislature, partisan statewide offices such as Governor, and partisan county offices such as County Commissioner or County Treasurer.

The Top 2 Primary does not apply to elections for

- President and Vice President;
- Nonpartisan offices, such as judicial office, municipal office, or a district such as fire district or school board;
- Precinct Committee Officers (PCOs);

### Are minor party candidates still required to conduct conventions and collect signatures to run for office?

No. All candidates use the same procedures to file for office and appear on the Primary Election ballot. The Top 2 Primary evens the playing field for candidates. Candidates may list any party as the party that they prefer.

Minor party and independent candidates for President and Vice President are an exception. They must still collect signatures and obtain the consent of the candidates.

### Can the political parties prevent a candidate from expressing a preference for their party?

No. Candidates are permitted to express a preference for any political party. The candidate is only representing himself or herself, not a political party, when he or she appears on the ballot.

### Can political parties still nominate candidates?

Yes. State law no longer dictates how political parties conduct their nominations. Now, the state and local parties decide how to conduct their nominations. The rules for party-run nominations vary party to party, and even between the state and local parties. Political parties can nominate multiple candidates for the same race. The Supreme Court stated:

Whether parties nominate their own candidates outside the state-run primary is simply irrelevant. In fact, parties may now nominate candidates by whatever mechanism they choose because I-872 repealed Washington's prior regulations governing party nominations.

### Can the political parties demand that their nominees be distinguished on the ballot?

No. The law does not allow nominations or endorsements by interest groups, political action committees, political parties, labor unions, editorial boards, or other private organizations to be printed on the ballot.

The Supreme Court ruled the political parties do not have a constitutional right to have their nominees distinguished on the ballot.

Candidates can promote themselves in voters' pamphlets, advertisements, and other forums as the nominees of a political party.

**Once candidate filing week is over, can a major party fill vacancies on the major party ticket?**

No. This process was specifically repealed in I-872 because there is no major party ticket in a Top 2 Primary. All candidates are treated the same.

A race will only be reopened for a special filing period if there is a void in candidacy meaning no candidate filed during the regular filing period.

**In races where only one or two candidates filed, will that race skip the Primary and only appear on the General Election ballot?**

No. Even in races where only one or two candidates filed for a partisan office, that race will still appear in the Primary Election.

**If a candidate for partisan office who was one of the top two vote-getters in the Primary dies or is disqualified before the General Election, will the party be allowed to name a replacement?**

No. In a Top 2 Primary, a candidate's party preference is purely for informational purposes and does not play any role in the administration of the election. Because the candidates are not representatives or nominees of a political party, a party is not allowed to name a replacement candidate. The laws that previously allowed the political parties to replace deceased or disqualified candidates was repealed in I-872.

**How do candidates place information in the State Voters' Pamphlet?**

Candidates for the following offices may place biographical information, a campaign statement, and a photograph in the State Voters' Pamphlet.

- U.S. Representative
- Governor
- Lt. Governor
- Secretary of State
- State Treasurer
- State Auditor
- Attorney General
- Commissioner of Public Lands
- Superintendent of Public Instruction
- Insurance Commissioner
- State Supreme Court Justice
- Court of Appeals Judge
- Superior Court Judge
- State Senator
- State Representatives

Candidates must submit their material by June 18, 2010. All statements and photographs submitted will be reviewed by the Elections Division of the Office of the Secretary of State to ensure that the information meets Voters' Pamphlet requirements.

**What is the Video Voters' Guide and how do candidates participate?**

Candidates who have filed for a state or judicial office may participate in TVW's Video Voters' Guide. For more information see the TVW Video Voters' Guide brochure.

**How do county candidates get information into local Voters' Pamphlets?**

Contact your local County Elections Department to inquire about getting your information into a local online or printed Voters' Pamphlet.

**Where can I find more information about the Top 2 Primary?**

The Secretary of State's Office posts information about Initiative 872, the administrative rules to implement Initiative 872, and the court documents in the legal challenge on its website at: <http://www.sos.wa.gov/elections/toptwo.aspx>.

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## Top 2 Primary Litigation

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**Court Documents for the U.S. District Court (May 2005 - August 2005)**

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- [Republican Party's Motion for Preliminary Injunction](#)
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- [Republican Party's Supplemental Exhibits](#)
- [Secretary of State's Response and Cross-Motion for Summary Judgment](#)
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- [Libertarian Party's Reply Declaration](#)
- [Answer of Secretary of State to Democratic Party's Complaint](#)
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- [Transcript of 7-13-05 Hearing](#)
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- [Political Parties' Proposed Order](#)
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- [Libertarian Party's Motion for Fees and Costs](#)
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**Court Documents for the Ninth Circuit Court of Appeals (July 2005 - August 2006)**

- [State Notice of Appeal](#)
- [State Civil Appeals Docketing Statement](#)
- [Grange Notice of Appeal](#)
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**Court Documents for the U.S. Supreme Court (November 2006 - April 2008)**

- [Grange's Petition Appendix](#)
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
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## Primary Systems

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### **History of Washington State Primary Systems**

#### **1807 – 1907**

Nominees for partisan offices are chosen either by convention or by petition.

#### **1907 – 1934**

In 1907, the Washington State Legislature establishes the first direct primary system for partisan candidates, requiring political parties to choose their nominees through a public primary. In this system, separate ballots are printed for each political party and voters may only cast ballots in one party's primary.

#### **1935 – 2003**

Washington State's "blanket primary" system is established in 1935. Except for presidential primaries, all properly registered voters can vote for their choice at any primary for "any candidate for each office, regardless of political affiliation and without a declaration of political faith or adherence on the part of the voter." Under the blanket primary system, citizens may vote for a candidate of one party for one office, and then vote for a candidate of another party for the next office, and engage in cross-over voting or "ticket splitting."

#### **June 26, 2000**

The U.S. Supreme Court rules California's blanket primary unconstitutional as violating the political parties' freedom of association. California Democratic Party v. Jones, 530 U.S. 567 (2000). Following this U.S. Supreme Court case, the constitutionality of Washington's blanket primary is challenged by the state Democratic, Republican and Libertarian parties in United States District Court for the Western District of Washington, Tacoma.

#### **July 20, 2000**

Following a week of negotiations, attorneys for the State and the political parties agree to leave 2000's September primary unchanged.

#### **September 2000**

Secretary of State Ralph Munro begins a series of hearings around the state to gather public input on potential changes to the blanket primary system.

#### **January 12, 2001**

The new Secretary of State, Sam Reed, releases a report on the blanket primary hearings. The report shows Washington voters strongly favor retaining the blanket primary system - or at least as many features of the blanket primary as possible. The report, which summarizes public input from 11 hearings around the state, notes that "most of the voters (in Washington) are independent and want to continue to participate in the primary without having to affiliate with a political party and without being restricted to the candidates of only one party in the primary." According to the report, voters particularly object to any requirement that they publicly declare party affiliation, either by party registration or by making a choice at the polls.

#### **March 8, 2002**

The Federal District Court in Tacoma upholds Washington's blanket primary as constitutional. Democratic Party of Washington State v. Reed (W.D. Wash. 2002). The political parties appeal the decision.

### **September 15, 2003**

The Ninth Circuit Court of Appeals holds Washington's blanket primary system unconstitutional because it violates the political parties' right of free association. Democratic Party of Washington State v. Reed, 343 F.3d 1198 (9th Cir. 2003), cert. denied, 540 U.S. 1213 (2004).

### **November 25, 2003**

The State of Washington and the Grange petition the United States Supreme Court to review the Ninth Circuit Court of Appeals decision declaring the blanket primary unconstitutional.

### **January 8, 2004**

The Grange files Initiative 872 with the Office of the Secretary of State. Initiative 872 proposes a "top two" primary system in which a voter has "the right to cast a vote for any candidate for each office without any limitation based on party preference or affiliation of either the voter or the candidate." The primary is not intended to act as a nominating system. Instead, the two candidates with the most votes advance to the general election, regardless of political party preference.

### **February 23, 2004**

The United States Supreme Court denies the State's request to review the Ninth Circuit decision. Consequently, the Ninth Circuit opinion declaring Washington's blanket primary unconstitutional stands. Democratic Party of Washington State v. Reed, 540 U.S. 1213 (2004).

### **March 10, 2004**

The Washington State Legislature enacts a bill which provides for two alternative primary systems. The bill establishes a Top Two style primary system. Under the Top Two approach, the voter does not declare a party affiliation and may vote for any candidate in each race, regardless of the candidate's party preference. The top two candidates in each race advance to the general election, regardless of political party.

If the Top Two system is declared unconstitutional, a pick-a-party nominating primary is implemented. Under the pick-a-party primary, also referred to as a Montana-style primary, the voter affiliates with one of the major parties and votes only for candidates of that party. This is a traditional nominating primary in which one candidate from each party advances to the general election. There is no party registration, but the voter is required to momentarily affiliate with a party and only vote for candidates of that party. The voter's party affiliation is confidential. Minor party and independent candidates do not appear in the primary. Minor party and independent candidates hold nominating conventions in the spring and then advance directly to the general election.

### **April 1, 2004**

Governor Gary Locke vetoes the portions of the bill that establish the Top Two primary. As a result, the pick-a-party primary takes effect.

### **September 2004**

The pick-a-party primary is in effect for the September 2004 primary election. By early September, the Office of the Secretary of State receives more than 14,000 calls and letters from voters opposed to the pick-a-party primary. Following the primary election, surveys reveal that only 21% of voters supported the pick-a-party primary.

### **November 2, 2004**

Initiative 872 appears on the general election ballot and is approved by the voters by nearly 60 percent.

### **May 19, 2005**

The Washington State Republican Party files a lawsuit in the United States District Court for the Western District of Washington, Seattle, against Dean Logan, King County Records and Elections Division Manager, and the County Auditors of eight other counties holding partisan elections in 2005. The Washington State Democratic Central Committee and the Washington State Libertarian Party intervene as Plaintiffs. The State of Washington and the Washington State Grange intervene as

Defendants. The lawsuit challenges Initiative 872 on the basis that it violates the political parties' right to free association, in violation of the First and Fourteenth Amendments to the United States Constitution.

### **July 15, 2005**

The federal court issues its opinion in the lawsuit challenging the Top Two Primary. Washington State Republican Party v. Logan, 377 F. Supp. 2d 907 (W.D. Wash. 2005). The Court concludes that the Top Two Primary violates the political parties' First Amendment right of free association by allowing any voter, regardless of his or her affiliation to the party, to choose the party's nominee, and allowing any candidate, regardless of party affiliation or relationship to the party, to self-identify as a member of that party and appear on the primary and general election ballot as a candidate for that party. The Court strikes down Initiative 872 in its entirety and specifically states that Washington returns to the pick-a-party primary used in 2004.

### **August 22, 2006**

The Ninth Circuit Court of Appeals affirms that Initiative 872 is unconstitutional. Washington State Republican Party v. Washington, 460 F.3d 1108 (9th Cir. 2006).

### **February 26, 2007**

The United States Supreme Court grants the petitions for writ of certiorari filed by the State and the Grange. Washington v. Washington State Republican Party, 127 S. Ct. 1373 (2007). Oral argument is expected for October 2007.

### **October 1, 2007**

The United States Supreme Court hears oral arguments on the constitutionality of a Top Two Primary in the appeal filed by the State and the Washington State Grange. Washington State Grange v. Washington State Republican Party, et al. and State of Washington v. Washington State Republican Party, et al., Nos. 06-713 and 06-730 respectively.

### **March 18, 2008**

The United States Supreme Court overturns the Ninth Circuit Court of Appeals decision, and upholds the constitutionality of Initiative 872. The Court rules that, on its face, I-872 does not impose a severe burden on the political parties' associational rights and that the parties' arguments that voters will be confused can only be evaluated once the primary is implemented. Washington State Grange v. Washington State Republican Party, et al., 128 S. Ct. 1184, 170 L. Ed. 2d 151 (2008).

### **August 19, 2008**

Washington State conducts the first real Top Two Primary in the country. The Primary system is extremely popular with the public. Following the primary election, surveys reveal that 76% of voters like the Top Two Primary.

### **August 18, 2009**

Several counties in Washington conduct a Top Two Primary for particular legislative and partisan county offices. The public continues to respond positively to this form of Primary.



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## A Comparison of Primary Election Systems

Primary Type	Party Registration Voters are required to register with a political party.	List Political parties would receive a list of their party members.	Party Ballot Voters are restricted to a single party ballot.	Voter Privacy The voter's privacy is protected.
<b>Non-Partisan</b> No party affiliation or identification	N	N	N	Y
<b>Blanket Primary</b> Voters are able to vote for any candidate regardless of party.	N	N	N	Y
<b>Top 2 Primary</b> Voters do not register by party. Top 2 candidates, regardless of party, move on to the general election.	N	N	N	Y
<b>Louisiana 'Cajun' Primary</b> Top two candidates, regardless of party, advance to the general election.	Y	Y	N	N
<b>Pick-a-Party (Open Primary / Private Choice)</b> Voters must select the ballot of one party	N	N	Y	Y
<b>Open Primary / Public Choice</b> Same as private choice, but a record is kept of the voter's choice.	N	Y	Y	N
<b>Closed Primary</b> Voters must register by political party and are restricted to that party's ballot at the primary.	Y	Y	Y	N
<b>Caucus / Convention</b> Political parties select their nominees to the general election with no primary election	Per party rules	Y	No Ballot	N

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## The Blanket Primary

In 2003, the Ninth Circuit Court of Appeals held Washington's blanket primary system unconstitutional on the basis that it violated the political parties' right of free association. Washington State now has a [pick-a-party primary](#) system.

In a blanket primary system, voters are not required to affiliate with a political party and may vote for any candidate on the ballot. The candidate from each political party who receives the most votes in the primary advances to the general election.

[History of the Blanket Primary in Washington State](#)

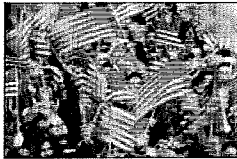
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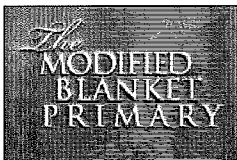
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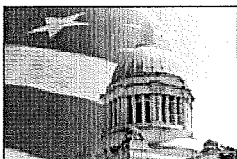
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
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