

Guide to Writing Arguments & Rebuttals for Local Measures



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Yuba County Clerk-Recorder
Registrar of Voters**

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

For information on city measures, please contact the following:

Marysville City Clerk – 526 C Street, Marysville, CA 95901 – (530) 749-3901

Wheatland City Clerk – 111 C Street, Wheatland, CA 95692 – (530) 633-2761

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Purpose of this Guide

This guide is intended to provide interested individuals with information specific to filing arguments for or against local ballot measures. It is important to note errors or omissions may result in missed deadlines that can impact whether or not an argument is accepted. Required forms can be found at the end of this guide and on the Yuba County Elections website.

Who Can File & Sign an Argument

Filers vs. Signers:

Filer(s): The filer does not have to be a signer of the argument but must meet the criteria below.

Signer(s): Anyone can sign arguments for or against a county, school or special district measure.

Argument Filers

County Measures: The Board of Supervisors or any member or members of the board, or an individual voter who is eligible to vote on the measure, a bona fide association of citizens, or any combination of these voters and associations may **file** a written argument for or against any county measure. (*EC 9162(a)*)

School Measures: The governing board of the school district or a member or members of the governing board, or an individual voter who is eligible to vote on the measure, or a bona fide association of citizens, or a combination of such voters and associations may **file** a written argument for or against any school measure (*EC 9501(a)*)

District Measures: The person(s) filing a district initiative petition may **file** an argument in favor of the proposed ordinance. The district board may submit an argument against the ordinance. (*EC 9315*)

Rebuttal Arguments

Rebuttal arguments are only accepted if both an argument for and an argument against a measure have been filed. Immediately following the deadline to submit arguments, a copy of the argument selected for publication will be provided to the filer of the opposing argument for the purpose of preparing a rebuttal statement.

Rebuttal Arguments must be signed by the same authors of the arguments unless the original signers of the arguments authorize in writing others to sign the Rebuttal Arguments. A "Rebuttal Argument Alternate Signer Authorization Form" shall be filed with the Rebuttal Arguments. (*EC 9167, 9317, 9504*)

Signature Statement:

Every argument and rebuttal must be accompanied by a Ballot Argument Signature Statement. (See Attachment C.)

- A ballot argument or rebuttal shall not be accepted unless accompanied by the printed name and signature or printed names and signatures of the person(s) submitting it, or, if

submitted on behalf of an organization, the name of the organization and the printed name and signature of at least one of its principal officers. (EC 9164, 9501.5)

- No more than five signatures shall appear with any argument. If more than five are submitted, the first five will be printed. Signatures will appear in the order as indicated on the Signature Statement. (EC 9164, 9501.5)

Argument & Rebuttal Submission

Contact the County Election Office at (530) 749-7855 or visit our website at yuba.org/elections for information regarding filing deadlines for a specific measure.

Filing Deadline: The County Clerk will set the deadline for filing arguments and rebuttals for each election. They will be due by 5:00 p.m. on the date set by the County Clerk. The filing deadlines will be published in the newspaper, posted on the Elections Department website and available by calling the Elections Department. (EC 9163).

Where to File: Yuba County Elections Office, 915 8th Street, Suite 107, Marysville, CA 95901

IMPORTANT: Effective October 2023, Authors shall submit arguments only to the lead county when district/school election boundaries contain more than one county.

- For district elections, the lead county is the county with the most voters.
- For school district elections, the lead county is the county whose superintendent of schools covers the district.

Signature Statement: All arguments and rebuttals must include original signatures of the proponents/authors or authorized signers on the Ballot Argument Signature Statement.

Rebuttal Authorization: Rebuttal arguments must be signed by the same people who signed the argument unless the original signer(s) authorize someone else to sign the rebuttal by completing the Rebuttal Argument Alternate Signer Authorization Form. (See Attachment D.)

Confidentiality: Arguments and rebuttals shall remain confidential until 5:00 p.m. on the day they are due.

Withdrawal/Changes: Arguments and rebuttals may be withdrawn or changed until the final submission deadline. (EC 9601, 9163)

Public Review: Following the final deadline for filing documents, arguments and rebuttals are available at the Registrar of Voter's Office for a ten-calendar-day public review period. (EC 9163)

If More Than One Argument In Favor or Argument Against Is Filed (EC 9166, 9503)

Only one argument for and one argument against any measure will be printed in the County Voter Information Guide. If more than one argument for or more than one argument against any measure is filed, a single argument will be selected by the Registrar of Voters in the following order of preference and priority:

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

Note: In order to enable the county elections official to determine whether it qualifies as a bona fide association of citizens, an organization or association submitting an argument for or against a county measure shall submit with its argument a copy of one of the following:

- (1) Its articles of incorporation, articles of association, partnership documents, bylaws, or similar documents.
- (2) Letterhead containing the name of the organization and its principal officers.
- (3) If the organization or association is a primarily formed committee established to support or oppose the measure, its statement of organization filed pursuant to Section 84101 of the Government Code.

In selecting an argument from among bona fide associations of citizens, the county elections official shall not consider the type of documentation submitted or the form of the association.

A Writ of Mandate or injunction challenging any or all of the materials may be sought from the Superior Court to require amendments or deletions. (EC 9190, 9380, 9509)

IMPORTANT: Effective October 2023, when a district or school election is conducted in more than one county the Registrar of Voters for the lead county will select the argument to be printed. The elections official of the lead county will transmit a scanned copy of the selected arguments to the elections official of each other county in the district or school district. An elections official who receives arguments selected by the lead county shall include the arguments in their county voter information guide.

Argument & Rebuttal Format

Heading:

The argument/rebuttal must include the appropriate heading (see below). It will not be included in the word count. (EC 9162, 9315, 9501, 9167, 9317, 9504)

Argument Headings:

Rebuttal Headings:

“ARGUMENT IN FAVOR OF MEASURE ____”
“ARGUMENT AGAINST MEASURE ____”

“REBUTTAL TO ARGUMENT IN FAVOR OF MEASURE ____”
“REBUTTAL TO ARGUMENT AGAINST MEASURE ____”

Word Count:

Arguments must not exceed 300 words. (EC 9162, 9315, 9501)

Rebuttals must not exceed 250 words. (EC 9167, 9317, 9504)

Formatting:

- **Documents will be printed as submitted.** Spelling, punctuation and grammatical errors will not be corrected by the Elections Office.
- An argument or rebuttal argument must be written to address a single measure on the ballot. A document combining statements pertaining to more than one measure will **not** be accepted.
- Arguments and rebuttals must be typed. They will be printed in block paragraph form.
- Do not use symbols, signs, tables, lists or any other materials requiring unusual spacing or indentation.
- No profanity, obscene or slanderous comments may be used.
- The following formatting is **not** permitted: **bolding**, **CAPITALIZING**, underlining, *italics*, centering text, and bullets.

How to Count Words:

Pursuant to Election Code §9, each word is counted as one word except as specified:

- **Punctuation:** Punctuation is not counted.
- **All Proper Nouns:** All proper nouns should be considered as one word.
- **Cities/Counties:** All geographical names shall be counted as one word; for example, "City and County of San Francisco" shall be counted as one word.
- **Abbreviations:** Each abbreviation for a word, phrase, or expression shall be counted as one word.
- **Hyphenations:** Hyphenated words that appear in any generally available standard reference dictionary, published in the United States at any time within the ten calendar years immediately preceding the election for which the words are counted, shall be considered as one word. Each part of all other hyphenated words shall be counted as a separate word.
- **Dates:** Dates shall be counted as one word.
- **Numbers:** Any number consisting of a digit or digits shall be considered as one word. Any number which is spelled, such as "one," shall be considered as a separate word or words. "One" shall be counted as one word whereas "one hundred" shall be counted as two words. "100" shall be counted as one word.
- **Phone & Internet:** Web site addresses and telephone numbers shall be counted as one word.

Letter Assignments

Letters are assigned to local measures to identify them and to prevent voter confusion. (EC 13116)

Timeline for Assigning Measure Letters

The Registrar of Voters assigns measure letters after 5:00 p.m. on the 88th day before the election.

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

For districts that cross into other counties, the lead county will assign a letter that will not conflict or confuse the voter. The letter assigned to these measures may not be in alphabetical order.

Assignment of Letters

All letters will be assigned in alphabetical order, beginning with the letter following the last letter assigned in the previous election and continuing through Z, or as close to the end of the alphabet as possible to accommodate all measures filed for the current election. For example, if the previous election ended with Measure V and five measures are on the ballot, the measures will be assigned A, B, C, D, E rather than W, X, Y, Z, A.

Note: The letter "I" is skipped to avoid confusion.

Voter Information Guide

When a local measure qualifies to be placed on the ballot, information related to the measure is provided to voters in the Yuba County Voter Information Guide. This information may include:

Ballot Question: The Ballot Question, prepared by county counsel or district attorney, is the ballot question that appears on the official ballot. (EC 9105)

Full Text: The full text is the complete resolution or ordinance for the measure. In the event it is not included, voters may view the information on the county website or by contacting the Elections Office. (EC 9160 (4))

Impartial Analysis: The Impartial Analysis shows the effect of the measure on the existing law and the operation of the measure. (EC 9105, 9160, 9313, 9500)

A Yes Vote / A No Vote: County Counsel may prepare a 75 word or less summary of the impartial analysis in a format that answers the questions "What does a yes vote mean?" and "What does a no vote mean?" for each measure. (County Measures only per EC 9160 (a))

Tax Rate Statement (if applicable): A Tax Rate Statement will be printed for each bond measure which constitutes a lien on a property within the jurisdiction. (EC 9400, 9401)

Fiscal Impact Statement (if applicable): The County Auditor-Controller may be requested by the Board of Supervisors to prepare a Fiscal Impact Statement to estimate the amount of increase or decrease in revenues or costs to the county if the proposed measure is adopted. (*EC 9160*)

Arguments in Favor or Opposed to the Measure: An argument is a written statement expressing a person's or organization's support for or against a ballot measure.

Rebuttals to the Argument in Favor or the Argument Opposed to the Measure: When an argument in favor and an argument against a measure have been selected for publication, a rebuttal argument may be submitted.

Order of Measures in the County Voter Information Guide

1. School Measures (County Board of Education, College District, Unified School District, High School District and Elementary School District)
2. County Initiatives and Referenda
3. City Initiatives and Referenda
4. Local District Measures

Attachment A

County Voter Information Guide – Example Arguments



Local ballot measures: Measure E

Arguments and rebuttals are the opinions of the authors.
We print them exactly as submitted, including grammatical errors.

Argument In Favor of Measure E	Argument Against Measure E
<p>This measure proposes sensible regulation in accordance with the state statute and law known as the Medical Marijuana Regulation and Safety Act, the MMRSA.</p> <p>Regulation must be sensible and feasible to encourage a desire to participate. Sensible regulation allows for internal self regulation as witnessed with dispensaries in Southern California and Arizona. Those who pay the fees and taxes do not approve of neighboring illegitimate activities.</p> <p>The current ordinance forces patients to grow indoors. This is ecologically irresponsible. Sun grown cannabis uses one third the amount of water and 98% less energy. Outdoor cultivation is carbon negative. Indoor cultivation creates massive amounts of Co2 emissions.</p> <p>The state water board has implemented a permitting program to regulate water use and discharge with outdoor cannabis cultivation. For Yuba county to enroll, we must have a county outdoor cultivation permitting program.</p> <p>The opposition may argue it's written for pot heads to grow pot. This measure is written to mirror and comply with state legislation, the MMRSA. That argument would by association, be saying the state assemblymen and senators are pot heads. Any sane person will realize this is not true.</p> <p>California law makers realized the war on a God given plant has failed miserably. Medical marijuana is gaining exponential favor as a natural remedy and economy booster. It's more intelligent to regulate and control, as opposed to wasting tax payers's money in attempt to prohibit medical marijuana. Tax payers should not bare the burden of medical marijuana regulation and safety costs. The farmers should pay for the enforcement, as it is with any agricultural crop. This measure decreases county spending while increasing county income.</p> <p>Calaveras county generated over 3,000,000 dollars with their permitting program. This figure does not include tax monies or local farming expenditures. Local agriculture means local economic stimulus.</p> <p>/s/ George Powers, Proponent /s/ Peter Allison, Proponent</p>	<p>Law Enforcement, Community Leaders, Educators and Medical Professionals urge you to Vote No on Measure E.</p> <p>Last June Yuba County residents soundly rejected the return of outdoor marijuana cultivation, defeating Measure A 62% to 38%. Marijuana proponents have now returned with Measure E, which is intended to establish the wholesale industrialization of commercial marijuana in Yuba County.</p> <p>Measure E will authorize not only commercial cultivation, but the for-profit sale; distribution, and manufacture of marijuana products where we live. Measure E is more expansive than anything previously proposed in Yuba County by commercial marijuana special interests.</p> <p>For instance, large outdoor grows would be allowed - a 20 acre parcel could grow up to an acre of marijuana and hundreds of plants. Grows in residential neighborhoods are only required to be 30 feet from a neighbor's property. "Indoor cultivation" would not require a structure with a solid roof, wall, or floor - it would not even need to be permitted under the California Building Code.</p> <p>Measure E is also terribly written. It is a mish-mash of badly defined and contradictory land use provisions which are inconsistent with our current Development Code and General Plan. For example, it provides for possible marijuana development in special recreation areas like the Spenceville Wildlife Refuge. Churches and drug treatment facilities are protected in some provisions, but not in others. Some cultivation permits would require compliance with pesticide and herbicide regulations and others would not.</p> <p>Worse yet, Measure E says that if a commercial marijuana business submits a permit application by July 1, 2017, they are allowed to cultivate, manufacture, or sell marijuana for 10 years - regardless of whether the application is approved.</p> <p>Prop 215 was about the medical needs of seriously ill persons. Measure E is about marijuana industrialization and profit. Vote no on Measure E.</p> <p>/s/ Steven L. Durfor, Sheriff Yuba County /s/ Patrick J. McGrath, Yuba County District Attorney /s/ James L. Arnold, Yuba County Probation Chief /s/ Virginia Black, Retired Yuba Co. Sheriff /s/ Richard Teagarden, Retired Yuba County Superintendent</p>



Attachment B

County Voter Information Guide – Example Rebuttal Arguments



Local ballot measures: Measure E

Arguments and rebuttals are the opinions of the authors.
We print them exactly as submitted, including grammatical errors.

Rebuttal to Argument In Favor of Measure E	Rebuttal to Argument Against Measure E
<p>The Compassionate Use Act has been in effect for 20 years. Reasonable people acknowledge the medical use of cannabis, but also realize that the Act has been misused by those who don't respect the needs of the truly seriously ill, and instead pocket huge profits under the guise of "medical cannabis".</p> <p>The August 14th Sacramento Bee documented that California's total marijuana crop is five times larger than the amount grown for medical purposes - leading to a black market supplying much of the country with illicit high grade marijuana. These plants have little relation to the marijuana grown for legitimate medical purposes. Marijuana profiteers hybridize them to get freakishly high levels of THC at the expense of the medical element - CBD - which does not produce the high.</p> <p>Measure E, if passed, would legitimize the commercial profit never intended by Proposition 215 and establish the industrialization of commercial marijuana in Yuba County. And while the Measure's proponents tout the money generated in Calaveras County, they don't mention the drawbacks.</p> <p>Recent Calaveras Enterprise newspaper articles highlight those problems: the Sheriff said that "he did not have enough staff to protect the sprawling cannabis farming region during the coming harvest" and needed outside law enforcement help, and CalFire spent \$1.4 million to fight four Calaveras wildfires in June and July caused by negligent equipment use and improperly installed electrical systems on marijuana cultivation sites.</p> <p>The establishment of a for-profit marijuana industry isn't right for Yuba County. Vote no on Measure E.</p> <p>/s/ Virginia Black, Yuba Co. Sheriff Ret /s/ James L. Arnold, Chief Probation Officer Yuba County /s/ Patrick McGrath, Yuba County District Attorney /s/ Richard D. Teagarden, Yuba County Retired Superintendent of Schools</p>	<p>The "grows in residential neighborhoods" and "indoor cultivation" argument is misleading. In small parcel residential neighborhoods these would only be personal gardens of 100 square feet or less as granted by state legislation. California building code does not require permits for a building less than 120 square feet.</p> <p>Opponent accuses Measure E to be poorly defined and containing contradictory land use provisions. Definitions used were created by state legislators. Measure E was written by multiple attorneys, one specializing in land use. Measure E uses existing county land use language. Apparently opponent believes they are smarter than 80 assemblyman, 40 senators, and multiple lawyers combined.</p> <p>Opponent lies in argument referencing the July first deadline. No one could participate without a local permit, which is needed to get a state license. No local permit, no state license, no participation. Opponent also left out the word "complete" before the word application. Measure E clearly says "complete applications." Obviously a completed application would be approved. This clause was pulled directly from existing state legislation. The opponent clearly doesn't understand the "legislative intent" involves vertical integration and not permit excuses. Opponent leaves out the rest of the vertical integration language in this clause in attempt to mislead voters.</p> <p>It is illegal to lie in a ballot argument. Why do the opponents feel the need to mislead and lie to voters about measure E?</p> <p>/s/ Brook Hilton, Director YPC</p>



Attachment C
Ballot Argument Signature Statement

Ballot Argument Signature Statement

Pursuant to Election Code Section 9600, this statement must be completed and submitted with the argument. Names and titles listed will be printed in the order provided, and will appear as indicated. In addition, no more than five (5) names may be printed following the written argument statement in the County Voter Information Guide.

Argument/Rebuttal Filed by:

- Board of Supervisors or any member(s) of the Board
- Initiative Proponent(s)
- Individual voter who is eligible to vote on the measure
- Bona fide association of citizens

Name: _____

Organization: _____

Residence Address: _____

Mailing Address: _____

Contact Phone: _____ Fax: _____

E-mail: _____

Signature of **Filer**: _____

The undersigned author(s) of the:

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

ballot measure _____ to be voted on at the Primary General Special election for the
(Measure Letter)

_____ to be held on _____
(Jurisdiction – Name of District) (Election Date)

hereby state that this argument is true and correct to the best of his/her/their knowledge and belief.

	PRINT NAME <small>(as it will be printed in County VIG)</small>	NAME OF ORGANIZATION <small>(if submitted on behalf of an organization)</small>	SIGNATURE	DATE
1				
2				
3				
4				
5				

Attachment D
Rebuttal Argument Alternate Signer Authorization Form

Rebuttal Argument Alternate Signer Authorization Form (Elections Code Sections 9167, 9317, 9504)

The authors may authorize in writing any other person or persons to prepare, submit or sign a rebuttal argument.

The undersigned primary argument signer(s) authorize(s) the following individual(s) to sign the:

Rebuttal to the Argument in Favor of
Measure _____.

Rebuttal to the Argument Against
Measure _____.

Primary Argument Signer	Authorized Rebuttal Argument Signer
<div style="border-bottom: 1px solid black; margin-bottom: 5px;">Printed Name:</div> <div style="border-bottom: 1px solid black; margin-bottom: 5px;">Signature:</div>	<div style="border-bottom: 1px solid black; margin-bottom: 5px;">Printed Name:</div> <div style="border-bottom: 1px solid black; margin-bottom: 5px;">Signature:</div>
<div style="border-bottom: 1px solid black; margin-bottom: 5px;">Printed Name:</div> <div style="border-bottom: 1px solid black; margin-bottom: 5px;">Signature:</div>	<div style="border-bottom: 1px solid black; margin-bottom: 5px;">Printed Name:</div> <div style="border-bottom: 1px solid black; margin-bottom: 5px;">Signature:</div>
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<div style="border-bottom: 1px solid black; margin-bottom: 5px;">Printed Name:</div> <div style="border-bottom: 1px solid black; margin-bottom: 5px;">Signature:</div>	<div style="border-bottom: 1px solid black; margin-bottom: 5px;">Printed Name:</div> <div style="border-bottom: 1px solid black; margin-bottom: 5px;">Signature:</div>
<div style="border-bottom: 1px solid black; margin-bottom: 5px;">Printed Name:</div> <div style="border-bottom: 1px solid black; margin-bottom: 5px;">Signature:</div>	<div style="border-bottom: 1px solid black; margin-bottom: 5px;">Printed Name:</div> <div style="border-bottom: 1px solid black; margin-bottom: 5px;">Signature:</div>

Filers Signature: _____ Date: _____

Attach this form to the Signature Statement submitted with the rebuttal argument.