

place where it was manufactured. For the purpose of this section, the contents of packages containing malt liquor shall be shown by the use of the word "beer," "ale," "malt liquor," "stout," or "porter," on the outside of the packages.

NEW SECTION. Sec. 3. If any provision of this amendatory act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected.

Passed the House January 26, 1982.

Passed the Senate March 4, 1982.

Approved by the Governor March 22, 1982.

Filed in Office of Secretary of State March 22, 1982.

CHAPTER 40

[House Bill No. 572]

VOTING DEVICES—SECRETARY OF STATE AUTHORITY—VOTING MACHINE COMMITTEE, ABOLISHED

AN ACT Relating to voting machines; amending section 29.33.090, chapter 9, Laws of 1965 and RCW 29.33.090; amending section 18, chapter 109, Laws of 1967 ex. sess. as last amended by section 66, chapter 361, Laws of 1977 ex. sess. and RCW 29.34.080; amending section 19, chapter 109, Laws of 1967 ex. sess. and RCW 29.34.090; amending section 43.17.070, chapter 8, Laws of 1965 and RCW 43.17.070; amending section 85, chapter 99, Laws of 1979 and RCW 43.131.234; adding new sections to chapter 29.33 RCW; and declaring an emergency.

Be it enacted by the Legislature of the State of Washington:

NEW SECTION. Section 1. There is added to chapter 29.33 RCW a new section to read as follows:

The secretary of state shall publicly examine and report on all voting machines, voting devices, and vote tally systems that are submitted to the secretary. The secretary of state shall determine whether the voting machines, voting devices, and vote tally systems conform with statutory requirements, applicable rules, and safety requirements. The secretary of state shall submit a copy of the report, within thirty days after completing the examination, to the board of county commissioners and the county auditor of each county and to all other persons requesting a copy.

NEW SECTION. Sec. 2. There is added to chapter 29.33 RCW a new section to read as follows:

Any owner of a voting machine, voting device, or vote tally system or any interested person may submit the voting machine, voting device, or vote tally system to the secretary of state for examination.

NEW SECTION. Sec. 3. There is added to chapter 29.33 RCW a new section to read as follows:

The secretary of state may employ not more than three experts in one or more of the fields of mechanical or electrical engineering, or data processing machinery to assist the secretary in examining the voting machines, voting devices, or vote tally systems. The experts shall receive reasonable compensation in an amount to be established by the secretary which compensation shall be paid by the person who submits the voting machine, voting device, or vote tally system for examination.

NEW SECTION. Sec. 4. There is added to chapter 29.33 RCW a new section to read as follows:

Only voting machines, voting devices, and vote tally systems which have the approval of the secretary of state or had been approved under this chapter or chapter 29.34 RCW before the effective date of this act may be used for conducting any election. Any change or improvement of the voting machines, voting devices, or vote tally systems that does not impair their accuracy, efficiency, or capacity may be made without the necessity of a re-examination or reapproval by the secretary of state.

Sec. 5. Section 29.33.090, chapter 9, Laws of 1965 and RCW 29.33.090 are each amended to read as follows:

No voting machine shall be approved by the (~~(state voting machine committee)~~) secretary of state unless it is constructed so as to fulfill the following requirements:

- (1) It shall secure to the voter secrecy in the act of voting;
- (2) It shall provide facilities for voting for the candidates of as many political parties or organizations as may make nominations, and for or against as many measures as may be submitted;
- (3) Except at primary elections the voting devices for the candidates shall be arranged in separate parallel party lines, one or more lines for each party and in parallel office rows transverse thereto;
- (4) It shall permit the voter to vote for any person for any office that he shall have the right to vote for but none other;
- (5) It shall permit the voter to vote for all the candidates of one party or in part for the candidates of one party and in part for the candidates of one or more other parties;
- (6) It shall permit the voter to vote for as many persons for an office as he is lawfully entitled to vote for but no more;
- (7) It shall prevent the voter from voting for the same person more than once for the same office;
- (8) It shall permit the voter to vote for or against any measure he may have the right to vote on but none other;
- (9) It shall correctly register or record all votes cast for any and all persons and for or against any and all measures;
- (10) It shall be provided with a lock or locks by which all operation of the registering mechanism can be prevented as soon as the polls of the election are closed;

(11) It shall be provided with a protective counter whereby any operating or tampering with the machine before or after the election will be detected;

(12) It shall be provided with a counter which will show at all times during an election how many persons have voted;

(13) It shall be provided with a mechanical model, illustrating the manner of voting on the machine suitable for the instruction of voters;

(14) It shall be provided with one device for each party for voting for the presidential and vice presidential candidates of said party in the years in which said officers are elected.

Sec. 6. Section 18, chapter 109, Laws of 1967 ex. sess. as last amended by section 66, chapter 361, Laws of 1977 ex. sess. and RCW 29.34.080 are each amended to read as follows:

No voting device shall be approved by the (~~(state voting machine committee)~~) secretary of state unless it is constructed so that it:

(1) Secures to the voter secrecy in the act of voting;

(2) Provides facilities for voting for the candidate of as many political parties or organizations as may make nominations, and for or against as many measures as may be submitted;

(3) Permits the voter to vote for any person for any office and upon any measure that he has the right to vote for;

(4) Permits the voter to vote for all the candidates of one party or in part for the candidates of one or more other parties;

(5) Correctly registers all votes cast for any and all persons and for or against any and all measures;

(6) Provides that a vote for more than one candidate cannot be cast by one single operation of the voting device or vote tally system except when voting for president and vice president of the United States;

(7) Lists all candidates for any office in every primary and election, special or general.

Sec. 7. Section 19, chapter 109, Laws of 1967 ex. sess. and RCW 29.34.090 are each amended to read as follows:

No vote tallying system shall be approved by the (~~(state voting machine committee)~~) secretary of state unless it is constructed so that it is:

(1) Capable of correctly counting votes on ballots or ballot cards on which the proper number of votes have been marked for any office or question or issue that has been voted;

(2) Capable of ignoring the votes marked for any office or question or issue where more than the allowable number of votes have been marked, but shall correctly count the properly voted portions of the ballot or ballot card;

(3) Capable of accumulating a count of the specific number of ballots or ballot cards tallied for a precinct, accumulating total votes by candidate for each office, and accumulating total votes for and against each question and issue of the ballots or ballot cards tallied for a precinct;

(4) Capable of accommodating rotation of candidates' names on the ballot or ballot card, provided that all ballots or ballot cards from one precinct shall be of the same rotation sequence;

(5) Capable of automatically producing precinct totals in either printed, marked, or punched form, or combinations thereof.

Sec. 8. Section 43.17.070, chapter 8, Laws of 1965 and RCW 43.17.070 are each amended to read as follows:

There shall be administrative committees of the state government, which shall be known as((:)); (1) The state finance committee((:)) and (2) the state capitol committee(~~(, and (3) the state voting machine committee~~)).

Sec. 9. Section 85, chapter 99, Laws of 1979 and RCW 43.131.234 are each amended to read as follows:

The following acts or parts of acts, as now existing or hereafter amended, are each repealed, effective June 30, 1982:

(1) Section 29.33.030, chapter 9, Laws of 1965 and RCW 29.33.030;

(2) Section 29.33.040, chapter 9, Laws of 1965, section 13, chapter 109, Laws of 1967 ex. sess. and RCW 29.33.040;

(3) Section 29.33.050, chapter 9, Laws of 1965, section 14, chapter 109, Laws of 1967 ex. sess. and RCW 29.33.050;

(4) Section 29.33.060, chapter 9, Laws of 1965, section 15, chapter 109, Laws of 1967 ex. sess. and RCW 29.33.060;

(5) Section 29.33.070, chapter 9, Laws of 1965, section 16, chapter 109, Laws of 1967 ex. sess. and RCW 29.33.070;

(6) Section 29.33.080, chapter 9, Laws of 1965, section 17, chapter 109, Laws of 1967 ex. sess. and RCW 29.33.080; and

(7) (~~Section 29.33.090, chapter 9, Laws of 1965 and RCW 29.33.090;~~

~~(8))~~ Section 29.33.100, chapter 9, Laws of 1965, section 20, chapter 109, Laws of 1967 ex. sess. and RCW 29.33.100(;

~~(9) Section 18, chapter 109, Laws of 1967 ex. sess., section 1, chapter 6, Laws of 1971 ex. sess., section 66, chapter 361, Laws of 1977 ex. sess. and RCW 29.34.080; and~~

~~(10) Section 19, chapter 109, Laws of 1967 ex. sess. and RCW 29.34.090)).~~

NEW SECTION. Sec. 10. This act is necessary for the immediate preservation of the public peace, health, and safety, the support of the state government and its existing public institutions, and shall take effect immediately.

NEW SECTION. Sec. 11. If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or

the application of the provision to other persons or circumstances is not affected.

Passed the House January 21, 1982.

Passed the Senate March 7, 1982.

Approved by the Governor March 22, 1982.

Filed in Office of Secretary of State March 22, 1982.

CHAPTER 41

[Substitute House Bill No. 810]

STATE AGENCIES—ACQUISITION, IMPROVEMENT, DISPOSAL OF REAL ESTATE—DEPARTMENT OF GENERAL ADMINISTRATION AUTHORITY

AN ACT Relating to state government; amending section 43.82.010, chapter 8, Laws of 1965 as last amended by section 1, chapter 121, Laws of 1969 and RCW 43.82.010; amending section 2, chapter 159, Laws of 1971 ex. sess. as amended by section 101, chapter 151, Laws of 1979 and RCW 43.19.500; and providing effective dates.

Be it enacted by the Legislature of the State of Washington:

Section 1. Section 43.82.010, chapter 8, Laws of 1965 as last amended by section 1, chapter 121, Laws of 1969 and RCW 43.82.010 are each amended to read as follows:

(1) The director of the department of general administration, ((as agent for)) on behalf of the agency involved, shall purchase, lease ((or)), rent, or otherwise acquire all real estate, improved or unimproved, ((needed for any offices, warehouses and similar purposes)) as may be required by elected state officials, institutions, departments, commissions, boards, and other state agencies, or federal agencies where joint state and federal activities are undertaken ((necessitating a close working relationship and proximity between state and federally employed personnel. PROVIDED, The director may delegate any or all of these functions to any agency upon such terms and conditions as he deems advisable. PROVIDED FURTHER, That this section shall not apply to the acquisition of real estate by the colleges and universities for research or experimental purposes)) and may grant easements and transfer, exchange, sell, lease, or sublease all or part of any surplus real estate for those state agencies which do not otherwise have the specific authority to dispose of real estate. This section does not transfer financial liability for the acquired property to the department of general administration.

(2) Except for real estate occupied by federal agencies, the director shall determine the location, size, and design of any real estate or improvements thereon acquired or held pursuant to subsection (1) of this section.

(3) The director is ((also)) authorized to purchase, lease ((or)), rent, or otherwise acquire improved or unimproved real estate as owner or lessee((;)) and to lease or sublet all or a part of such real estate to state or