

CHAPTER 14.

[H. B. 6.]

ELECTIONS—SERVICE VOTERS.

AN ACT providing a special method of voting for service voters; providing penalties; making an appropriation and declaring an emergency.

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

- SECTION 1. "Service voter" means an elector who comes within any of the following categories:
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| (a) Member of the armed forces of the United States or any auxiliary branch thereof; | Definitions.
Service voter.
Armed forces member. |
| (b) Employee of the United States and serving outside the territorial limits of the United States; | Employee of United States. |
| (c) Employee of the American Red Cross and serving outside the territorial limits of the United States; | Employee of American Red Cross. |
| (d) Officer or member of the crew of a merchant vessel documented under the laws of the United States and serving outside the territorial limits of the United States; | Merchant vessel personnel. |
| (e) Civilian outside the United States attached to and serving with the armed forces; | Civilian. |
| (f) A spouse of any person included in (a) to (e) above. | Spouse. |
- SEC. 2. "Primary" or "primary election" means a method provided by statute for nominating candidates to office.
- SEC. 3. "Election" used alone means a general election except where the context indicates that a special election is meant or included. "Election" used without qualification never means a primary. "Election" does not include a municipal election.
- SEC. 4. "Date" of mailing the ballot means the date stated on the declaration on the larger envelope and not the date of the postal cancellation thereon.

Territorial limits. SEC. 5. "Territorial limits of the United States" means the forty-eight states of the United States and the District of Columbia.

Absentee voting under other acts. SEC. 6. Whenever by any statute of the United States, provision is made for absentee voting, an application for an absent voter's ballot made under the provisions of that law may be given the same effect as an application for an absent voter's ballot made under this act.

Duties of public officers. SEC. 7. It shall be the duty of all public officers having duties to perform under this act to coordinate their efforts with the action of any Federal authority now or hereafter established by act of Congress for the purpose of facilitating voting by service voters to the end that such voters may cast their ballots with the least possible interference with the performance of their duties in the armed forces.

Variation in service voter's signature. SEC. 8. A variation on any absent voter's ballot cast by a service voter between the signature on the large envelope and that on the service voter's request and/or that on the voter's permanent registration card caused by the substitution of initials instead of the first or middle names or both shall not invalidate the ballot if the surname and handwriting are the same.

Service voter's application deemed absent voter's application. SEC. 9. Whenever an application for an absent voter's ballot is made by a service voter, the application shall be deemed an application for an absent voter's ballot for the primary and the election, or such of them as would be required to be held subsequent to the date of application.

May secure ballot by mail. SEC. 10. Any service voter may secure an absent voter's ballot by mailing a signed request to the registration office of the county, city or town of the service voter's residence or to the Secretary of State requesting such ballot. If the ballot request is addressed to the Secretary of State such request shall

Request forwarded.

be forwarded by such officer immediately to the appropriate registration officer. The request shall be signed by the applicant and shall state his last home address, the address to which he wishes the absent voter's ballot mailed and the facts qualifying him as a service voter.

Contents of request.

SEC. 11. Upon receipt of a request made by or on behalf of a service voter for an absent voter's ballot, the registration officer shall immediately check his records and ascertain if the person by, or on whose behalf the request is made, is a duly registered voter as provided by Chapter 1, Laws of 1933, and amendments thereto, the registration officer shall make notation on his records to that effect. If such person is a resident of an incorporated city or precinct lying partly within and partly without such incorporated city, the registration officer, after completing such check, shall immediately forward the request to the county auditor noting thereon whether or not such person is a registered voter. If it be determined that such person is not a registered voter, the county auditor shall nevertheless send the absent voter's ballot requested, it being the intent of this section that the county auditor shall upon request send absent voter's ballots to all eligible service voters who make application therefor.

Registration officer shall check records.

Forward request to county auditor. If applicant not registered ballot shall be sent.

SEC. 12. In mailing absent voters' ballots to service voters, the county auditor shall send the ballot and a small envelope and letter of instructions together with a larger envelope addressed to the county auditor and upon which there shall be plainly printed a form in substantially the following language:

Voting materials mailed.

Form of affidavit.

"DECLARATION

"I do hereby declare that I am a citizen of the United States; that I will be at least twenty-one (21) years of age on the day of the next election; that I am able to read and speak the English language; that I have been a legal resident of the State of Washington for at least one year, of the county of

..... for at least ninety days and of the city or town of..... at (street and number if any) for at least thirty (30) days preceding such election; that I am a service voter under the laws of the State of Washington.

If possible give precinct name or number here.....

Dated this day of, 19.....

Print Name for Positive Identification Signature of Applicant

Article VI, section 4 of the state constitution provides: For the purpose of voting and eligibility to office, no person shall be deemed to have gained a residence by reason of his presence, or lost it by reason of his absence, while in the civil or military service of the state or of the United States, nor while a student at any institution of learning, nor while engaged in the navigation of the waters of this state or of the United States, or of the high seas.

Person making false statement in his declaration is guilty of perjury."

Executed affidavit declared complete registration.

Method of voting.

SEC. 13. A properly executed declaration on the larger envelope is hereby declared to be a full and complete voter's registration for the election for which it is submitted. After the declaration is fully executed the service voter shall proceed to mark the ballot; then fold it and enclose it in the smaller envelope, sealing that and enclosing it in the larger envelope which shall then be sealed and mailed to the county auditor whose name and address are printed thereon, by air mail, postage to be paid by the addressee, unless the laws of the United States provide for air mail transmission of such ballot without charge.

Auditor shall airmail ballot.

SEC. 14. Whenever the county auditor is requested to mail an absent voter's ballot to a service voter, he shall mail the ballot to the service voter by air mail when practicable, and, if by any law of the United States, official election ballots may be mailed without the payment of postage, he shall do so.

Secretary of State may prescribe forms.

SEC. 15. Notwithstanding any provision of law relating to the size and weight of the ballot or the envelopes in which absent voters' ballots are sent

for either the primary or election, the Secretary of State may reduce the size and weight of the ballot. He shall furnish uniform envelopes and all forms other than ballots for use in connection with ballots for service voters, and shall reimburse the respective county auditors for expenses of mailing. Each county auditor shall, through the respective boards of county commissioners, present such expenses listed upon state voucher forms in duplicate. The Secretary of State, after the approval of said vouchers, shall then present same to the State Auditor for payment.

Shall reimburse county auditors.

Payment.

SEC. 16. The Secretary of State shall prepare letters of instructions to service voters and shall furnish the same to all county auditors. The county auditor shall enclose one copy of such instructions with the ballot sent to all service voters.

Letters of instruction.

SEC. 17. All procedure governing the receipt and subsequent handling of absent voters' ballots shall as nearly as possible be governed by existing law but the respective time limits within which some specific act on the part of the county auditors and canvassing boards is required to be done shall not apply to absent voters' ballots cast by service voters, it being the intent of this section that every facility shall be given to such absent voters' ballots cast by service voters so that such ballots shall be counted if possible.

Intent of act with relation to existing law.

SEC. 18. The opening, counting and canvassing of absentee ballots cast at the September primary may begin on the day after the primary but shall not be continued after the thirteenth day subsequent to the day of the primary and the returns shall then be made immediately.

Primary vote count and canvass.

Returns.

SEC. 19. The filing of certificates of nomination and the declarations of candidacy of persons nominated at conventions held on the primary day must

Filing of primary day convention nominees.

be completed within twenty (20) days after the date of the September primary.

Election
vote, count
and canvass.

SEC. 20. The opening, counting and canvassing of absentee ballots cast at the November election may begin on the day after the election, but shall not be continued after the fifteenth day subsequent to the day of election, and the returns shall then be made immediately.

Returns.

Delays
forbidden.

SEC. 21. The state canvassing board, all county canvassing boards and all county auditors and registration officials shall make no undue delay in performing any of the specific actions hereby imposed upon them. All ballots shall be printed as soon as possible after the same can be made up in order that there may be no delay in the forwarding of absent voters' ballots to service voters so as to afford ample time to all service voters for voting as herein provided.

Powers and
duties of
Secretary of
State.

SEC. 22. The Secretary of State shall have the power and it shall be his duty to administer this act; to direct all election officials in respect to their duties under this act; to publicize the provisions of the election laws and to make such rules and regulations as will facilitate the operation and the accomplishment of the purposes of this act.

Second
degree
perjury.

SEC. 23. Any person who makes a false statement in his declaration upon the larger envelope used to transmit his ballot shall be guilty of perjury in the second degree and punished accordingly. Any person violating any other provision of this act shall be guilty of a misdemeanor.

Misde-
meanor.

Act liberally
construed.

SEC. 24. This act shall be liberally construed to accomplish its purposes and so that all service voters may be afforded an opportunity to fully exercise their voting rights granted herein.

Partial
invalidity.

SEC. 25. If any provision of this act, or the application thereof to any person or circumstance, is

held invalid, the remainder of this act or the application of such provision to other persons or circumstances, shall not be affected thereby.

SEC. 26. There is hereby appropriated to the Secretary of State from the General Fund the sum of ten thousand dollars (\$10,000) for the purpose of carrying the provisions of this act into effect.

Appropriation.

SEC. 27. This act is necessary for the immediate preservation of the public safety and shall take effect immediately.

Emergency.

Passed the House July 18, 1950.

Passed the Senate July 19, 1950.

Approved by the Governor July 24, 1950.

CHAPTER 15.

[H. B. 11.]

LICENSE FEES FOR TRUCKS AND TRAILERS.

AN ACT eliminating license fees on certain small trucks and trailers and amending section 17, Chapter 188, Laws of 1937, as last amended by section 10, Chapter 220, Laws of 1949.

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

SECTION 1. Section 17, chapter 188, Laws of 1937, as last amended by section 10, chapter 220, Laws of 1949, is hereby amended to read as follows:

Amendment.

Section 17. In addition to other fees for the licensing of vehicles there shall be paid and collected annually for each motor truck and truck tractor based upon the maximum gross weight thereof as set by the licensee in his application, or otherwise, the following fees:

License fees for gross weight of trucks and truck tractors.

Up to 4,000 lbs.....	\$6.00
4,000 lbs. or more and less than 6,000 lbs.....	\$11.00
6,000 lbs. or more and less than 8,000 lbs.....	\$18.00
8,000 lbs. or more and less than 10,000 lbs.....	\$20.00
10,000 lbs. or more and less than 12,000 lbs.....	\$22.50

Schedule of fees.