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CHAPTER 111  
[Substitute House Bill No. 1034]  
VOTER REGISTRATION LISTS--  
PUBLIC AVAILABILITY

AN ACT Relating to elections, voting, and voter registration; adding new sections to chapter 29.04 RCW; amending section 6, chapter 156, Laws of 1965 ex. sess. as amended by section 3, chapter 202, Laws of 1971 ex. sess. and RCW 29.04.100; and prescribing penalties.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

NEW SECTION. Section 1. There is added to chapter 29.04 RCW a new section to read as follows:

For purposes of sections 2 through 4 of this 1973 amendatory act, the following words shall have the following meanings:

(1) "County auditor" means the county auditor in any noncharter county and in a charter county that county official having the overall responsibility to maintain voter registration information.

(2) "Person" means an individual, partnership, joint venture, public or private corporation, association, state or local governmental entity or agency however constituted, candidate, committee, political committee, political party, executive committee thereof, or any other organization or group of persons, however organized.

(3) "Political purpose" means a purpose concerned with the support of or opposition to any candidate for any partisan or nonpartisan office or concerned with the support of or opposition to any ballot proposition or issue; "political purpose" includes, but is not limited to, such activities as the advertising for or against any candidate or ballot measure or the solicitation of financial support.

Sec. 2. Section 6, chapter 156, Laws of 1965 ex. sess. as amended by section 3, chapter 202, Laws of 1971 ex. sess. and RCW 29.04.100 are each amended to read as follows:

All poll books or current precinct lists of registered voters shall be public records and be made available for inspection under such reasonable rules and regulations as the county auditor may prescribe. The county auditor shall promptly furnish copies of any poll books or current precinct list of registered voters in his possession, at ((a uniform)) actual reproduction cost, to any ((registered voter in the state of Washington)) person requesting such copies: PROVIDED, That such lists and books shall ((be used only for political purposes and shall not be used for commercial purposes. Any person who violates any provision of this 1974

amendatory act relating to the use of lists of registered voters shall be guilty of a felony and shall be punished by imprisonment for not more than five years or fine of not more than five thousand dollars, or by both such fine and imprisonment) not be used for the purpose of mailing or delivering any advertisement or offer for any property, establishment, organization, product or service or for the purpose of mailing or delivering any solicitation for money, services or anything of value: PROVIDED, HOWEVER, That such lists and books may be used for any political purpose.

NEW SECTION. Sec. 3. There is added to chapter 29.04 RCW a new section to read as follows:

A reproduction of any form of data storage, in the custody of the county auditor, for poll books and precinct lists of registered voters, including magnetic tapes or discs, punched cards, and any other form of storage of such books and lists, shall at the written request of any person be furnished to him by the county auditor pursuant to such reasonable rules and regulations as the county auditor may prescribe, and at a cost equal to the county's actual cost in reproducing such form of data storage. Any data contained in a form of storage furnished under this section shall not be used for the purpose of mailing or delivering any advertisement or offer for any property, establishment, organization, product or service or for the purpose of mailing or delivering any solicitation for money, services or anything of value: PROVIDED, HOWEVER, That such data may be used for any political purpose. Whenever the county auditor furnishes any form of data storage under this section, he shall also furnish the person receiving the same with a copy of section 4 of this 1973 amendatory act.

NEW SECTION. Sec. 4. There is added to chapter 29.04 RCW a new section to read as follows:

(1) Any person who uses registered voter data furnished under section 2 or 3 of this 1973 amendatory act for the purpose of mailing or delivering any advertisement or offer for any property, establishment, organization, product, or service or for the purpose of mailing or delivering any solicitation for money, services, or anything of value shall be liable to each person provided such advertisement or solicitation, without his consent, for the nuisance value of such person having to dispose of it, which value is herein established at five dollars for each item mailed or delivered to his residence: PROVIDED, That any person who mails or delivers any advertisement, offer or solicitation for a political purpose shall not be liable under this section, unless he is liable under subsection (2). For purposes of this subsection, two or more attached papers or sheets or two or more papers which are enclosed in the same envelope or container or are folded together shall be deemed

to constitute one item. Merely having a mailbox or other receptacle for mail on or near his residence shall not be any indication that such person consented to receive the advertisement or solicitation. A class action may be brought to recover damages under this section and the court may award a reasonable attorney's fee to any party recovering damages under this section.

(2) It shall be the responsibility of each person furnished data under section 2 or 3 of this 1973 amendatory act to take reasonable precautions designed to assure that the data is not used for the purpose of mailing or delivering any advertisement or offer for any property, establishment, organization, product or service or for the purpose of mailing or delivering any solicitation for money, services, or anything of value: PROVIDED, That such data may be used for any political purpose. Where failure to exercise due care in carrying out this responsibility results in the data being used for such purposes, then such person shall be jointly and severally liable for damages under the provisions of subsection (1) of this section along with any other person liable under subsection (1) of this section for the misuse of such data.

Passed the House April 3, 1973.

Passed the Senate April 13, 1973.

Approved by the Governor April 23, 1973.

Filed in Office of Secretary of State April 24, 1973.

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CHAPTER 112

[Substitute House Bill No. 1055]

PERISHABLE PACKAGED FOODS--SHELF

LIFE--PULL DATE

AN ACT Relating to food; adding new sections to chapter 69.04 RCW; and prescribing penalties.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

NEW SECTION. Section 1. There is added to chapter 69.04 RCW a new section to read as follows:

For the purpose of this 1973 act:

(1) "Perishable packaged food goods" means and includes all foods and beverages, except alcoholic beverages, frozen foods, fresh meat, poultry and fish and a raw agricultural commodity as defined in this chapter, intended for human consumption which are canned, bottled, or packaged other than at the time and point of retail sale, which have a high risk of spoilage within a period of thirty days, and as determined by the director of the department of agriculture by rule and regulation to be perishable.