

CHAPTER 178.

[S. B. 195.]

ELECTIONS.

AN ACT relating to elections and amending sections 4798, 4799, 4802, 4811, 4824, 4825, 4910-7, 4911 and 4913 of Remington and Ballinger's Annotated Codes and Statutes of Washington.

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

SECTION 1. That section 4798 of Rem. & Bal. Code be amended to read as follows:

Certificates
of nomination,
preservation.

Election
precincts.

Section 4798. The Secretary of State and the clerks of boards of county commissioners of the several counties, and of the several municipal corporations, shall cause to be preserved in their respective offices for six months all certificates of nomination filed in their respective offices under the provisions of this act. All such certificates shall be open to public inspection under proper regulations, to be made by the officers with whom the same are filed. The board of county commissioners of each county in the state shall, at their first session after the taking effect of this act divide their respective counties into election precincts, and establish the boundaries of the same. Such board of county commissioners shall designate one voting place for each precinct and each precinct shall contain two hundred and fifty electors or less, based on the number of votes cast at the last general election; but no precinct shall contain more than three hundred electors. If at any election hereafter three hundred or more votes shall be cast at any voting place, it shall be the duty of the inspector in such precinct to report the same to the board of county commissioners, who shall, at a regular meeting, between general election day and December 31st of the same year, divide such precinct as nearly as possible so that the new precincts formed thereof

shall each contain two hundred and fifty electors, or less: *Provided*, That in cities of the first class, the duties herein conferred upon the county commissioners shall be performed by the city council or commissioners of such city and reports of inspectors herein provided for shall be made to such city council or commissioners. In establishing precincts it shall be the duty of the county commissioners and city councils and commissioners to fix the boundaries thereof so that each precinct shall be wholly in one senatorial or representative district, and one county commissioner's district.

SEC. 2. That section 4799 of Rem. & Bal. Code be amended to read as follows:

Section 4799. Certificates of nomination to be filed with the Secretary of State shall be filed not more than sixty days, and not less than thirty days before the day fixed by law for the election of the persons in nomination. Certificates of nomination herein directed to be filed with the clerk of the board of county commissioners shall be filed not more than sixty days, and not less than twenty days before the election. Certificates for the nomination of candidates for municipal offices shall be filed with the clerks of the respective municipal corporations not more than thirty days and not less than ten days previous to the day of election: *Provided*, That the provisions of this section shall not be held to apply to nominations for special elections to fill vacancies caused by death, resignation or otherwise.

Certificates
of
nomination,
filing.

SEC. 3. That section 4802 of Rem. & Bal. Code be amended to read as follows:

Section 4802. Whenever any person nominated for public office, as in this chapter provided, shall at least twenty days before election, except in the case of municipal elections, in a writing signed by him, notify the officer with whom the certificate

Declination
of nomina-
tion.

nominating him is by this chapter required to be filed, that he declines such nomination, such nomination shall be void. In municipal elections such declination must be made at least ten days before the election.

SEC. 4. That section 4811 of Rem. & Bal. Code be amended to read as follows:

List of candidates.

Section 4811. First—At least twenty days before any September primary the Secretary of State shall transmit to each county auditor a certified list containing the name, postoffice address and party designation of each person to be voted for at such primary, and the office for which he is a candidate, as appears by the nomination papers filed in his office.

Publication.

Second—Each county auditor shall, at least fifteen days before the September primary, publish once, under the proper party designation and title of each office, the names and addresses of all persons for whom nomination papers have been filed in so far as the same shall affect the electors of his county, giving the date of the primary, the hours during which the polls will be open, and that the primary will be held in the regular polling place for each precinct, and shall cause to be posted copies of such notice in at least three public places in each precinct in his county: *Provided*, That the names of all candidates for the offices of supreme and superior court judge shall be published and posted in a separate list without party designation.

SEC. 5. That section 4825 of Rem. & Bal. Code be amended to read as follows:

Returns.

Section 4825. In making out the returns of the primary election in the several election precincts, the same shall be done and all matter pertaining thereto conducted in accordance with the provisions of the general election laws for the returns of general elections.

SEC. 6. That section 4910-7 of Rem. and Bal. Code be amended to read as follows:

Section 4910-7. Within a proper and reasonable time before the first election at which voting machines are to be used, the Secretary of State shall prepare samples of the printed matter and supplies named in this section, and shall furnish one of each thereof to the board or official in charge of the election of each county, city, township or district in which the machines are to be used; such samples to meet the requirements of the election to be held and to suit the construction of the machine to be used. The board or officials charged with the duty of providing ballots shall provide for each voting machine for each election the following printed matter and supplies: Suitable printed or written directions to the custodian for testing and preparing the voting machines for the election; one certificate on which the custodian can certify that he has properly tested and prepared the voting machine for the election; one certificate on which some person other than the custodian can certify that the voting machine has been examined and found to have been properly prepared for the election; one certificate on which the party representatives can certify that they have witnessed the testing and preparation of the machines; one certificate on which the deliverer of the machines can certify that he has delivered the machines to the polling places in good order; one card stating the penalty for tampering with or injuring a voting machine; two seals for sealing a voting machine; one envelope in which the keys to the voting machine can be sealed and delivered to the election officers, said envelope to have printed or written thereon the designation and location of the election district in which the machine is to be used, the number of the machine, the number

Voting
machine,
printed
matter and
supplies.

shown on the protective counter thereof after the machine has been prepared for the election and the number or other designation on such seal as the machine is sealed with; said envelope to have attached to it a detachable receipt for the delivery of the keys of the voting machine to the inspector of election; one envelope in which the keys to the voting machine can be returned by the inspector of election; one card stating the name and telephone address of the custodian on the day of election; one statement of canvass on which the election officers can report the canvass of the votes as shown on the voting machine together with other necessary information relating to the election, said statements of canvass to take the place of all tally-keepers, statements and returns as provided heretofore; three complete sets of ballot labels; two diagrams; five suitable printed instructions to the inspector of election; three notices to inspectors and judges of election to attend the instruction meetings; three certificates that the inspector and judges of an election have attended the instruction meeting, have received the necessary instruction, and are qualified to conduct the election with the machine and they may supply a sufficient number of extra ballots for use in case it shall be impossible to make use of the voting machine in any such precinct or precincts.

The ballot labels shall be printed in black ink on clear white material of such size and arrangements as to suit the construction of the machine: *Provided, however,* The ballot labels for questions may contain a condensed statement of each question to be voted on, accompanied by the words "Yes" and "No"; the titles of the offices on the ballot labels shall be printed in type as large as the space for such office will reasonably permit, and where more than one candidate can be voted for an office, there shall be printed below the office title the words "vote for any

two," or such number as the voter is lawfully entitled to vote for out of the whole number of candidates nominated.

If the election be one at which all the candidates for the office of presidential electors are to be voted for with one device, the county commissioners shall furnish for each machine at least five lists of the names of the presidential electors nominated and at least fifty paper ballots with which the voter can vote thereon for part of the candidates for the office of the presidential electors of one party and part of the candidates therefor of one or more other parties or for persons for that office not nominated by any party. For election districts in which voting machines are to be used no paper ballots shall be furnished for any offices to be voted for on the machine except as hereinafter provided.

SEC. 7. That section 4911 of Rem. & Bal. Code be amended to read as follows:

Section 4911. At all elections where national, state, county or municipal officers are elected, the polls shall be opened at eight o'clock a. m. and closed at eight o'clock p. m.

Hours polls
are to be
open.

SEC. 8. That section 4913 of Rem. & Bal. Code be amended to read as follows:

Section 4913. It shall be the duty of the auditors of the several counties to furnish the inspectors of each election precinct at all general or primary elections with one poll book at least five days before the time of holding the election.

Furnish
poll books.

Passed the Senate March 1, 1921.

Passed the House March 8, 1921.

Approved by the Governor March 19, 1921.