

or decrease of any unexpended item listed in the budget appropriation be made.

Liabilities incurred by any officer or employee of the city in excess of any budget appropriation shall not be a liability of the city. The clerk shall issue no warrant and the city commission, council or mayor shall approve no claim for an expenditure in excess of any individual budget appropriation except upon an order of a court of competent jurisdiction or for emergencies as provided in this chapter.

Liabilities incurred in excess of budget appropriation.

Passed the Senate February 28, 1955.

Passed the House March 8, 1955.

Approved by the Governor March 21, 1955.

CHAPTER 323.

[S. B. 285.]

ELECTIONS—VOTING MACHINES.

AN ACT relating to voting machines and amending section 1, chapter 85, Laws of 1935 and RCW 29.33.130 through 29.33.150, and section 3, chapter 58, Laws of 1913 and section 1, chapter 114, Laws of 1915 and section 3, chapter 77, Laws of 1947 and RCW 29.33.160.

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

SECTION 1. Section 1, chapter 85, Laws of 1935 (heretofore codified as RCW 29.33.130 through 29.33.150) is divided and amended as set forth in sections 2, 3 and 4 of this act.

Division and amendment.

SEC. 2. (RCW 29.33.130) The county auditor of a county, the city clerk, or proper officer of a district, in which voting machines are to be used shall cause them to be properly prepared therefor; and for that purpose shall employ for such time as is necessary one or more competent persons who shall be election officers known as the voting machine custodians. Voting machine custodians shall be sworn to per-

Enacted without amendment.

Voting machine custodians; employment of.

form their duties honestly and faithfully, and shall be paid for the time actually spent in the discharge of their duties. One custodian shall be employed for each twenty machines; if more than one is employed they shall be selected from the political parties entitled to representation on a board of election officers.

SEC. 3. (RCW 29.33.140) The county auditor of a county, the clerk of a city or district, having two hundred voting machines or more, shall appoint a permanent employee who shall be a competent mechanic. He shall be known as the chief custodian of voting machines, shall be sworn to perform his duties honestly and faithfully, and shall furnish a corporate surety bond in the sum of five thousand dollars for the honest and faithful performance of his duties. His salary shall be set by the board of county commissioners, paid out of the current expense fund of the county or the general fund of the city or district, as the case may be.

The chief custodian of voting machines shall supervise the work of all other voting machine custodians, and shall instruct and supervise them and have general charge of the preparation and approval of voting machines for elections.

He shall also have charge of the instruction schools for election officials, and of the procuring and rental of all polling places in precincts where voting machines are to be used. He shall have continuous charge of the maintenance, upkeep and care of the voting machines in his jurisdiction.

SEC. 4. (RCW 29.33.150) In preparing a voting machine for an election, the custodian shall arrange the machine and labels therefor according to the printed directions furnished by the auditor or clerk so that it will in every particular meet the requirements for voting and counting at such elections, thoroughly test same, and certify thereto to the said

Chief custodian of voting machines; appointment, duties, salary and bond.

Supervision and instruction.

Instruction schools.

Polling places.

Maintenance and repair of machines.

Enacted without amendment.

Preparing voting machine for election.

auditor or clerk. A voting machine may be so arranged for an election that the names of candidates nominated independently may be placed in the same party row with those nominated by a major political party, if such placing does not prevent such independently nominated candidates from being voted for individually. It may also be so arranged that candidates nominated independently, or by political organizations which nominated but one candidate, are placed in the same party row and voted for individually; in which event the party voting device of the party row shall be locked against movement, and the political designation of each candidate shall be printed upon the ballot labels in connection with his name. The auditor or clerk shall direct the arrangement of all ballot labels on a voting machine in case of nonpartisan primaries and elections in cities of the first class operating under freeholders' charters, so that the arrangement of the names of candidates shall conform as nearly as practicable to the provisions for the arrangement of names on paper ballots. In all other cases of nonpartisan primaries and elections, and in all cases of party primaries and elections, the arrangement of names of candidates upon the ballot labels shall conform as nearly as practicable to the statutory provisions for the arrangement of names on paper ballots.

Arrangement of voting machine.

Auditor or clerk directs arrangement of ballot labels on voting machine in nonpartisan primaries and first class city elections.

After being prepared for a primary or an election, each machine shall be examined by the auditor or clerk, and if it was prepared in accordance with law for use thereat, he shall file a certificate thereof in his office. The custodian shall cause all voting machines to be delivered to the polling places in charge of an authorized official who shall certify to their delivery in good order on the certificate furnished therefor. After such delivery the auditor or clerk shall provide proper protection therefor. The custodian shall provide a lantern or proper light for

Examination of machines.

Certificate filed. Delivery to polling places.

Lighting for machines.

every machine, which light shall be in good order and give sufficient light to enable voters while in the booth to read the ballot labels, and suitable for use by the election officers in examining the counters.

Amendment.

SEC. 5. Section 3, chapter 58, Laws of 1913, section 1, chapter 114, Laws of 1915, and section 3, chapter 77, Laws of 1947 (heretofore combined and codified as RCW 29.33.160) are each amended to read as follows:

General provisions with reference to use.

(RCW 29.33.160) General provisions with reference to use of voting machines are:

Official ballot.

(1) The list of offices and candidates and the statements of measures when properly arranged and affixed by ballot labels to a voting machine shall be deemed an official ballot.

"Diagram" defined.

(2) A "diagram" as in this chapter defined shall be deemed a sample ballot.

Protective counter construction.

(3) The protective counter on a voting machine must be so constructed that it cannot be reset, altered, or operated except by operating the machine in the manner it is operated when actually voting.

Statements of canvass.

(4) Statements of canvass take the place of tally-keepers, statements, and returns provided for in connection with voting in precincts where voting machines are not used.

Determining election precincts.

(5) Not later than forty days before any primary or election, for the purpose of using one or more voting machine therein, the county auditor may create, unite, combine or divide election precincts. More than one voting machine may be used in the same precinct. There shall be at least one machine in each precinct: *Provided*, That where precincts have been combined under the provisions of this chapter, there shall be used at such combined polling place a number of voting machines no less than the number of precincts so combined.

One voting machine required in each precinct.

Limitation as to use of voting machine.

(6) No voting machine shall be used at any election unless each voting device thereon is locked

against movement, and the machine has been prepared in such a way that the voter cannot by a single operation vote for all the candidates of one party.

Passed the Senate March 9, 1955.

Passed the House March 7, 1955.

Approved by the Governor March 21, 1955.

CHAPTER 324.

[S. B. 350.]

STATE LANDS—GRAZING RANGES.

AN ACT providing for the improvement of the state grazing ranges in Okanogan and Yakima counties.

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

SECTION 1. The commissioner of public lands is hereby authorized on behalf of the state of Washington, or in cooperation with the United States Forest Service, or the cattlemen's associations of Okanogan and Yakima counties to enter into agreements for the improvement of the state's grazing ranges in said counties by the clearing of debris, maintenance of trails and water holes and other requirements for the general improvement of said ranges.

Authorization to enter into agreements for improvement of state's grazing ranges in Okanogan and Yakima counties.

SEC. 2. In order to encourage the improvement of grazing ranges by holders of grazing permits, the land commissioner shall consider (1) extension of grazing permit periods to a maximum of five years, and (2) reduction of grazing fees, in situations where the permittee contributes or agrees to contribute to the improvement of the range, financially, by labor, or otherwise.

Encourage improvement of ranges by holders of grazing permits.

Passed the Senate March 3, 1955.

Passed the House March 8, 1955.

Approved by the Governor March 21, 1955.