

CHAPTER 58.

[S. B. 157.]

ABSENT VOTER LAW.

AN ACT relating to elections, authorizing electors absent from their precincts of residence to vote at general and primary elections, and amending sections 5280, 5281, 5282 and 5283 of Remington's Compiled Statutes of Washington.

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

SECTION 1. That Section 5280 of Remington's Compiled Statutes of Washington be amended to read as follows:

Amends Rem.
Comp. Stat.
§ 5280;
Pierce's Code
§ 2087.

Section 5280. Any elector of the state who believes that he will be unavoidably absent from his home, and more than twenty-five miles distant from the precinct in which he is qualified to vote, may vote at general elections to be held for federal, United States senatorial and congressional, state, legislative, county and precinct officers, or propositions, or at any primary held for the purpose of nomination for any such election, in the manner provided for in this act.

Absent
voting
authorized

SEC. 2. That Section 5281 of Remington's Compiled Statutes of Washington be amended to read as follows:

Amends Rem.
Comp. Stat.
§ 5281;
Pierce's Code
§ 2088.

Section 5281. Any elector desiring to vote at any primary or general election under the provisions of this act shall, not more than twenty days prior to any such general or primary election, procure a certificate from the registration officer of the home precinct of said elector certifying that said registration officer is personally acquainted with said elector; that said elector is duly registered and qualified to vote in said home precinct, stating the place of residence of said elector; that said elector has in the presence of said registration officer affixed his signature to said certificate at a place to be desig-

Certificate of
registration.

nated "For Signature of Absent Voter"; which certificate shall be executed and signed in duplicate, the registration officer retaining one in his permanent files; and the elector shall at any time prior to the day of such general or primary election, present, in person or through the United States mails, said certificate to the county auditor of the county of his residence, and shall make, subscribe and file with the county auditor an affidavit as follows:

Affidavit
of voter.

State of..... }
County of..... } ss.

I,, do solemnly swear (or affirm) that I am a resident and qualified elector in the.....precinct of.....city, in the county of....., State of Washington, duly registered as such, and am entitled to vote at the primary or general election to be held therein on the.....day of....., 19....., that I will be absent from said precinct and more than twenty-five miles distant from said precinct on the day of said election, and that I shall lose my vote by reason thereof unless permitted to vote in the manner provided by law for absent voting.

.....
Subscribed and sworn to before me this.....
day of....., 19.....
.....

Amends Rem.
Comp. Stat.
§ 5282;
Pierce's Code
§ 2089.

SEC. 3. That Section 5282 of Remington's Compiled Statutes of Washington be amended to read as follows:

Ballots.

Section 5282. Upon the making and filing of the affidavit provided for in the preceding section, the auditor shall compare the signature thereon with the signature upon the certificate presented therewith, and if he is satisfied that the signatures are made by the same person, and if the official ballots for such general or primary election are in the possession of the auditor, he shall deliver to the elector,

or mail to the elector at the postoffice address to be designated by such elector a blank ballot for such election, or in the case of a primary election a blank ballot of the party for the candidate of which the elector desires to vote, and also a small envelope that shall have no mark upon it which may serve to identify it or the ballot within it with the voter; also a larger envelope upon which there shall be printed the name and postoffice address of the auditor issuing the same, and a blank affidavit in the following form:

Affidavit.

State of..... }
 County of..... } ss.

I,, do solemnly swear that I am a resident of and qualified voter inprecinct of.....city incounty, Washington; that I have the legal right to vote at the election to be held in said precinct on the.....day of....., 19....., and that I have herein enclosed my ballot for such election, duly marked as required by law in the presence of....., a..... in and for.....county, State of

(Signed)....., Voter.

.....
 Residence and address.

Subscribed and sworn to before me, a..... in and for.....county, State of....., this..... day of....., 19.....; and I hereby certify that the affiant,, has proven himself to be the person whom he represents himself to be by exhibiting to me his registration certificate bearing his signature and by making his signature in my presence, and that I have compared said signatures and find them to be the same; that the affiant has exhibited to me the enclosed bal-

Certificate.

lot and the same was unmarked; that the affiant before me at the same time and place marked his ballot, but in such manner that I did not see his vote; that he then folded, enclosed and sealed said ballot, so marked, in a small envelope, and then enclosed and sealed said small envelope in this envelope which he handed to me sealed, to be forwarded by me by registered mail to the auditor of..... county, at....., in the State of Washington.

(Signed).....

..... in and for the County of State of....., the day and year in this certificate first above written.

Marking ballot.

Upon receiving such blank ballot and envelope, the voter, if such ballot and envelope be delivered to him in person shall proceed, in the presence of the auditor, to mark the ballot in such manner that the auditor cannot see his vote, and fold, enclose and seal the ballot in the smaller envelope, and then enclose the smaller envelope containing the ballot in the larger envelope, and deliver such larger envelope, together with his certificates of registration, to the auditor, who shall file and safely keep the same until the votes are canvassed as hereinafter provided, and shall immediately notify the officer having possession of the registration books of the precinct of the voter of the fact that such voter has voted, and the registration officer shall thereupon note upon the registration books opposite the name of the voter, in the column provided for that purpose, the word "Voted."

Amends Rem. Comp. Stat. § 5283; Pierce's Code § 2089-1.

SEC. 4. That Section 5283 of Remington's Compiled Statutes of Washington be amended to read as follows:

Ballot mailed absent voter.

Section 5283. In case the official ballots for the ensuing election are not in the possession of the auditor at the time the elector requests the right to

vote as an absent voter as in this act provided, the auditor shall take from the elector a written statement giving his name and the address, to which he desires to have a ballot sent, and in case of a primary election a statement of the party for the candidates of which the elector desires to vote, and shall return to the voter his certificate of registration. As soon as the auditor shall receive the official ballots, he shall forward to the absent elector at the address given on the statement a blank ballot of the kind requested, together with the blank smaller and larger envelopes provided for in the preceding sections, and shall notify the registration officer of the absent voter's precinct of the fact that he has issued and mailed to the absent voter such ballot, and the registration officer shall thereupon note upon the registration books opposite the name of the voter, in the column provided for noting the votes cast, the word "Absent."

The elector upon receiving the blank ballot and envelopes shall have the right thereupon to appear before any officer of any city, county or state authorized by law to administer oaths, and present his certificate of registration and identify himself by making his signature in the presence of the officer for comparison with that upon the certificate of registration, and shall then first display the blank ballot to such officer as evidence that the same is unmarked, and then proceed to mark the ballot in the presence of such officer but in such manner that such officer is unable to see how the same is marked, and shall then fold said ballot and enclose and seal the same in the smaller envelope and then enclose said smaller envelope, together with his certificate of registration, in the larger envelope and make, subscribe and swear to the affidavit printed on the larger envelope before the officer, who shall thereupon mail said larger envelope to the county auditor whose

Marking
ballot.

name and address are printed thereon, by registered mail, at the expense of the voter; and the county auditor, upon receiving such absentee voter envelopes, shall file the same in his office and shall keep the same until the votes are canvassed as hereinafter provided, and shall notify the registration officer of the precinct, or, if the ballot is received on election day, the election officers of the precinct that the voter, giving his name and address, has voted, and the registration officer or election officers as the case may be shall thereupon note upon the registration books opposite the name of the voter the word "Voted."

Passed the Senate February 16, 1923.

Passed the House February 26, 1923.

Approved by the Governor March 7, 1923.

CHAPTER 59.

[S. B. 166.]

OYSTER LANDS.

AN ACT relating to the leasing of certain lands of the state for oyster culture and amending sections 8061 and 8066 of Remington's Compiled Statutes.

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

SECTION 1. That Section 8061 of Remington's Compiled Statutes be amended to read as follows:

Section 8061. In case all of the above three questions be answered negatively the commissioner of public lands shall issue to the applicant therefor a lease of said lands at such annual rental and for such term (not exceeding twenty years) as may be fixed and determined by the said commissioner. Upon the expiration of any lease issued under the pro-

Amends Rem.
Comp. Stat.
§ 8061;
Pierce's Code
§ 6503-27.

Lease.