

necessary for the protection of all endowment care funds and/or prearrangement trust fund during such transfer. Persons and business entities selling and persons and business entities purchasing ownership or control of a cemetery authority shall each file an endowment care fund report and/or a prearrangement trust fund report showing the status of ((said)) such funds immediately before and immediately after such transfer on a written report form prescribed by the board. Failure to comply with this section shall be a gross misdemeanor and any sale or transfer in violation of this section shall be void.

NEW SECTION. Sec. 18. Sections 1 through 11 of this 1973 amendatory act shall constitute a new chapter in Title 68 RCW.

Passed the House March 17, 1973.

Passed the Senate April 10, 1973.

Approved by the Governor April 20, 1973.

Filed in Office of Secretary of State April 23, 1973.

CHAPTER 69

[House Bill No. 847]

LEGAL AID PROGRAMS--

ALL COUNTIES

AN ACT Relating to the operation of legal aid services in counties; and repealing section 3, chapter 93, Laws of 1939 and RCW 2.50.030.

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

NEW SECTION. Section 1. Section 3, chapter 93, Laws of 1939 and RCW 2.50.030 are each repealed.

Passed the House March 17, 1973.

Passed the Senate April 15, 1973.

Approved by the Governor April 20, 1973.

Filed in Office of Secretary of State April 23, 1973.

CHAPTER 70

[Substitute House Bill No. 903]

VOTE COUNTING CENTERS--

LOCATION

AN ACT Relating to elections; and amending section 27, chapter 109, Laws of 1967 ex. sess. and RCW 29.34.160.

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

Section 1. Section 27, chapter 109, Laws of 1967 ex. sess. and RCW 29.34.160 are each amended to read as follows:

The county auditor shall determine the location of each vote tallying system under his jurisdiction and the number of ballot card precincts assigned to each. Such facility shall be known as the "counting center" and may be located wherever ((within the county)) in the judgment of the county auditor best serves the voters((: PROVIDED, HOWEVER, That such counting center be within twenty-five miles of the county seat of such county)).

The procedure for picking up voted ballot cards at the respective polling places, the delivery of same to the counting centers, and the procedure at the counting centers shall include but not be limited to the following provisions:

(1) On the day of the election and at the direction of the county auditor, a representative of each major political party shall together stop at each polling place and pick up one or more metal boxes, previously sealed by the precinct election officers, and containing the voted ballot cards for the delivery of same to the counting center. There may be as many as two such stops at each polling place provided that the first stop is not made prior to 2:00 p.m. and the second stop is made after the polls have been closed to voting.

(2) All proceedings at the counting center shall be under the direction of the county auditor and under the observation of two election officers, who shall not be of the same political party. After the polls have been closed to voting, such proceedings shall be open to the public, but no persons except those employed and authorized for the purpose shall touch any ballot card or ballot container. If upon breaking the seals and opening the containers, it is found that any ballot is damaged or defective so that it cannot properly be counted by the automatic tabulating equipment, a true duplicate copy shall be made of the damaged ballot in the presence of witnesses and substituted for the damaged ballot. All such damaged ballots shall be kept by the county auditor until sixty days after the primary or election concerned.

The ballot cards picked up during the polling hours may subsequently be counted before the polls have closed: PROVIDED, That all such election returns must be held in secrecy in the same manner as the count of paper ballots during polling hours as provided by RCW 29.54.030. Any person revealing any election returns to unauthorized persons prior to the close of the polls shall be subject to the same penalties as provided by RCW 29.54.035;

(3) The secretary of state shall prescribe rules and regulations for the testing of the vote tallying system prior to the day of the election to ascertain that the equipment will correctly

count the votes cast for all offices and on all measures. However, such test shall be observed by at least two election officers, who shall not be of the same political party, and shall be open to representatives of the political parties, candidates, the press and the public. The test shall be conducted by processing a pre-audited group of ballots so punched or marked as to record a predetermined number of valid votes for each candidate and on each measure, and shall include for each office one or more ballots which have votes in excess of the number allowed by law in order to test the ability of the automatic tabulating equipment to reject such votes. If any error is detected, the cause therefor shall be ascertained and corrected and an errorless count shall be made before the automatic tabulating equipment is approved. The test shall be repeated immediately before the start of the official count of the ballots in the same manner as set forth above.

On the day of the election, two election officers, not of the same political party, shall be stationed at the counting center throughout the official count. Such persons, upon mutual agreement, may request that the tabulating equipment be stopped as many as three times during the official count so that the accuracy of the proceedings can be again verified at such unscheduled stops by the count of the pre-audited group of ballots.

(4) The returns printed by the automatic tabulating equipment, to which has been added the count of write-in and absentee votes, shall constitute the official returns of each precinct or election district.

Passed the House April 7, 1973.

Passed the Senate April 14, 1973.

Approved by the Governor April 20, 1973.

Filed in Office of Secretary of State April 23, 1973.

CHAPTER 71

[Substitute House Bill No. 944]

NURSING HOMES--OUT-PATIENT
SERVICE AUTHORIZED

AN ACT Relating to nursing homes; and adding new sections to chapter 117, Laws of 1951 and to chapter 18.51 RCW.

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

NEW SECTION. Section 1. There is added to chapter 117, Laws of 1951 and to chapter 18.51 RCW a new section to read as follows:

A nursing home may, pursuant to rules and regulations adopted by the department of social and health services, offer out-patient