

CHAPTER 20.

[S. B. 10.]

PROVIDING FOR ELECTORS OF PRESIDENT AND
VICE-PRESIDENT OF UNITED STATES.

AN ACT relating to elections, providing for electors of president and vice-president of the United States and the method of voting for the same, amending section 17 of chapter XIII (13) of the Laws of 1889-90, page 406, as amended by chapter CVI (106) of the Laws of 1891, as amended by section 4 of chapter CLVI (156) of the Laws of 1895, and as amended by chapter LXXXIX (89) of the Laws of 1901, and amending section 4 of chapter 58 of the Laws of 1913, page 180, and amending section 7 of chapter 58 of the Laws of 1913, page 182, as amended by section 2 of chapter 114 of the Laws of 1915, page 325, and as amended by section 6 of chapter 178 of the Laws of 1921, page 703, and amending section 14 of chapter 58 of the Laws of 1913, page 191, as amended by section 8 of chapter 114 of the Laws of 1915, page 332, and repealing section 2 of chapter CXLVIII (148) of the Laws of 1891, page 364.

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

SECTION 1. In the years in which presidential elections are held each political party nominating candidates for president and vice-president of the United States and electors of the same shall file with the secretary of state certificates of nomination of such candidates at the time and in the manner and number provided by law. The secretary of state shall certify to the county auditors the names of the candidates for president and vice-president of the several political parties, which shall be printed on the ballot. The names of candidates for electors of president and vice-president shall not be printed upon the ballots. The votes cast for candidates for president and vice-president of each political party shall be counted for the candidates for presidential electors of such political party, whose names have been filed with the secretary of state.

Certificates
of nomination
filed.

Secretary of
state shall
certify.

Names of
candidates
on ballots.

Votes, how canvassed.

SEC. 2. The votes for candidates for president and vice-president shall be given, received, returned and canvassed as the same are given, returned and canvassed for candidates for congress. The secretary of state shall prepare three lists of names of electors elected, and affix the seal of the state to the same. Such lists shall be signed by the governor and secretary of state and by the latter delivered to the college of electors at the hour of their meeting.

Secretary of state shall prepare list.

Amends ch. 89, Laws of 1901.

SEC. 3. That section 17 of chapter XIII (13) of the Laws of 1889-90, page 406, as amended by chapter CVI (106) of the Laws of 1891, as amended by section 4 of chapter CLVI (156) of the Laws of 1895, and as amended by chapter LXXXIX (89) of the Laws of 1901 (section 5274, Remington's Revised Statutes) as [is] amended to read as follows:

Preparation of ballots.

Section 17. All ballots prepared under the provisions of this chapter shall conform to the following requirements:

1. Shall be of white and a good quality of paper, and the names shall be printed thereon in black ink.
2. Every ballot shall contain the name of every candidate whose nomination by [for] any office specified in the ballot has been filed according to the provisions of this act and no other names.
3. All nominations of any party or group of petitioners shall be placed under the title of such party of petitioners as designated by them in their certificate of nomination or petition, and the name of each nominee shall be placed under the designation of the office for which he has been nominated.
4. There shall be an "O" under the party designated and a "□" at the right of the name of each of its nominees so that a voter may clearly indicate the party or the candidate or the candidates for whom he wishes to cast his ballot; the circle shall

be one-half inch in diameter and the square one-fourth of an inch. The size of type for the designation of the office shall be nonpareil caps; that of the candidates not smaller than brevier or larger than small pica caps and shall be connected with squares by leaders.

5. The list of candidates of the party whose candidate for president of the United States received the highest number of votes from the electors of this state in the preceding presidential election shall be placed in the first column of the left-hand side of the ballot, the party whose candidates for presidential electors or candidates received the next highest number of votes from the electors of this state in the preceding presidential election the second column and of other parties in the order in which certificates of nomination have been filed.

Party
position on
ballot.

6. No candidate's name shall appear more than once upon the ballot: *Provided*, That any candidate who has been nominated by two or more political parties may, upon a written notice filed with the clerk of the board of county commissioners at least twenty days before the election is to be held, designate the political party under whose title he desires to have his name placed.

Candidate
of two or
more parties.

7. Under the designation of the office if more than one candidate is to be voted for there shall be indicated the number of candidates to such office to be voted for at such election.

8. Upon each official ballot a perforated line one-half inch from the left-hand edge of said ballot shall extend from the top of said ballot towards the bottom of the same two inches thence to the left-hand edge of the ballot and upon the space thus formed there shall be no printing except the number of such ballot which shall be upon the back of such space in such position that it shall appear on the outside when the ballot is folded. The county auditor shall cause

Ballot
numbering.

official ballots to be numbered consecutively beginning with number 1, for each separate voting precinct.

Justices of
the peace.

9. Official ballots for a given precinct shall not contain the names of nominees for justices of the peace and constables of any other precinct except in cases of municipalities where a number of precincts vote for the same nominee for justices of the peace and constables and in the latter case the ballots shall contain only the names to be voted for by the electors of such precinct. Each party column shall be two and five-eighths inches wide.

Width of
party
column.

Position of
presidential
candidates.

10. If the election be in a year in which a president of the United States is to be elected, in spaces separated from the balance of the party tickets by a heavy black line, shall be the names and spaces for voting for candidates for president and vice-president. The names of candidates for president and vice-president for each political party shall be grouped together, each group enclosed in brackets with one three-eighths inch square to the right in which the voter indicates his choice.

Instructions
to voters.

11. On the top of each of said ballots and extending across the party groups, there shall be printed instructions directing the voters how to mark the ballot before the same shall be deposited with the judges of election. Next after the instructions and before the party group shall be placed the questions of adopting constitutional amendments or any other question authorized by law to be submitted to the voters of such election. The arrangement of the ballot shall in general conform as nearly as possible to the form hereinafter given.

Referen-
dums.

Instructions: Mark X in O under party name, for whose candidates you wish to vote.

If you desire to vote for any candidate of any other party, place X in at the right of the name of such candidate.

(Here place any state or local questions to be voted on.)

DEMOCRATIC TICKET	REPUBLICAN TICKET	PROGRESSIVE TICKET
○	○	○
<p style="text-align: center;">PRESIDENT AND VICE PRESIDENT</p> <p>Franklin D. Roosevelt } <input type="checkbox"/></p> <p>John Nance Garner }</p>		
<p style="text-align: center;">UNITED STATES SENATOR</p> <p>Homer T. Bone... <input type="checkbox"/></p>		
<p style="text-align: center;">GOVERNOR</p> <p>Clarence D. Martin <input type="checkbox"/></p>		
<p style="text-align: center;">LIEUTENANT GOVERNOR</p> <p>Victor A. Meyers. <input type="checkbox"/></p>		
<p style="text-align: center;">SECRETARY OF STATE</p> <p>E. N. Hutchinson. <input type="checkbox"/></p>		

Form of ballot.

(Names of other candidates should follow on ballot in same form)

SEC. 4. That section 4 of chapter 58 of the Laws of 1913, page 180 (section 5303 of Remington's Revised Statutes) be amended to read as follows:

Amends § 4, ch. 58, Laws 1913.

Section 4. No voting machine shall be approved by the state board of voting machine examiners unless it be so constructed as to fulfill the following requirements: It shall secure to the voter secrecy in the act of voting. It shall provide facilities for voting for the candidates of as many political parties or organizations as may make nominations, and for or against as many questions as may be submitted. The voting devices for the candidates shall be ar-

Voting machines.

ranged in separate parallel party lines, one or more lines for each party and in parallel office rows transverse thereto. It shall permit the voter to vote for any person for any office that he shall have the right to vote for but none other. It shall, except at primary elections, permit the voter to vote for all the candidates of one party or in part for the candidates of one party and in part for the candidates of one or more other parties. It shall, except at primary elections, provide means whereby the voter can by a single operation vote for all the candidates of one party. It shall permit the voter to vote for as many persons for an office as he is lawfully entitled to vote for but no more. It shall prevent the voter from voting for the same person more than once for the same office. It shall permit the voter to vote for or against any question he may have the right to vote on but none other. It shall correctly register or record all votes cast for any and all persons and for or against any and all questions. It shall be provided with a lock or locks by which all operation of the registering mechanism can be prevented as soon as the polls of the election are closed. It shall be provided with a "protective counter," or "protective device" whereby any operating or tampering with the machine before or after the election will be detected. It shall be provided with a counter which shall show at all times during an election how many persons have voted. It shall be provided with a mechanical model, illustrating the manner of voting on the machine suitable for the instruction of voters. It shall be provided with one device for each party for voting for the presidential and vice-presidential candidates of said party in years in which said officers are elected.

Amends § 6,
ch. 178,
Laws 1921.

SEC. 5. That section 7 of chapter 58 of the Laws of 1913, page 182, as amended by section 2 of chapter 114 of the Laws of 1915, page 325, and as

amended by section 6 of chapter 178 of the Laws of 1921, page 703 (section 5306 Remington's Revised Statutes) be amended to read as follows:

Section 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 shown on the

Preparation
of
instructions,
ballots, etc.

Inspection of
machines.

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 to 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 heretofor[e]; 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

Ballot
labels.

number as the voter is lawfully entitled to vote for out of the whole number of candidates nominated.

SEC. 6. That section 14 of chapter 58 of the Laws of 1913, page 191, as amended by section 8 of chapter 114 of the Laws of 1915, page 332 (section 5314 Remington's Revised Statutes) be amended to read as follows:

Amends § 8,
ch. 114, Laws
of 1915.

Section 14. At the hour for closing the polls, the judge of election shall declare the polls of the election closed and shall not permit any further operation of the machine except provided as follows, namely: That such voters as shall at the hour of closing be within the polling-room and awaiting their turn to vote shall be considered as having begun the act of voting and shall be permitted to cast their votes upon the machine. As soon as such voters have voted, the election officers shall lock and seal the machine, unlock and open the doors of the counter compartment, and canvass the votes registered on the counters therein and the votes recorded on or in the device or devices for voting for persons not nominated and shall make two statements of canvass thereof in the following manner: One election officer shall call the designating number and letter of each candidate's counter in the order given on the statement of canvass, and another election officer shall repeat such number and letter as it is read, and announce the vote registered on such counter, which shall thereupon be entered in ink on each of the statements of canvass. The canvass of each office shall be completed before proceeding to the next. The vote on each question shall be canvassed in the same manner. The votes cast on the irregular ballots and paper ballots shall then be canvassed. All votes for persons or questions, the names or propositions of which do not appear on the ballot labels, must be cast in the proper places on or in the device for irregular ballots, and all votes

Closing of
polls.

Canvassing
of votes.

for persons or questions whose names or propositions do appear upon the ballot labels must be cast on the counters therefor, and any votes not so cast shall not be counted, except in case of the use of paper ballots. After completing and writing down the canvass of the votes cast, the election officers shall verify the same by comparing the figures on the statements of canvass with the figures on the counters in the machine and the names recorded on or in the device for voting for persons not nominated, and shall then certify, in the appropriate place on each of these statements of canvass, as to the number of voters that voted at the election as shown by the poll-list and by the number registered on the public counter; the number registered on the protective counter and the number or other designating marks on the seal with which the machine has been sealed. After completing and certifying to the statements of canvass, the inspector or judge shall read therefrom in a distinct voice the name of each candidate, the designating number and letter of his counter as stated thereon, and the vote entered for each; also the vote for or against each question. During the canvassing and announcing of the vote, the counter compartment shall remain open, and opportunity shall be given any person lawfully present to examine the counters to determine the correctness of the vote as announced. The counter compartment shall then be locked and all keys of the machine shall be delivered in a sealed envelope to the officers or board in charge of the election. One copy of the statement of canvass shall be delivered forthwith in a sealed envelope to the office of the county auditor, city comptroller, city clerk, or other governing body, and if the election be one at which state or county offices are voted for, one copy of the returns shall be delivered in a sealed envelope to the county clerk. The word "election" as used in

Verification.

Statement of results.

Definitions.

this act shall mean general, special or primary election. The word "city" shall mean city or town.

SEC. 7. That section 2 of chapter CXLVIII (148) of the Laws of 1891, page 364 (section 5139 Remington's Revised Statutes) is hereby repealed.

Sec. 2,
ch. 148,
Laws of
1891
repealed.

Passed the Senate February 4, 1935.

Passed the House February 18, 1935.

Approved by the Governor February 23, 1935.

CHAPTER 21.

[H. B. 154.]

DEFICIENCY APPROPRIATION FOR DEPARTMENT OF LICENSES.

AN ACT making a deficiency appropriation for salaries and wages for the Department of Licenses and declaring an emergency.

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

SECTION 1. By reason of a deficiency existing in the appropriation made by the twenty-third regular session of the legislature, there is hereby appropriated from the motor vehicle fund of the state treasury the sum of twenty-two thousand dollars (\$22,000.00), or so much thereof as may be necessary, for the use of the department of licenses in payment of salaries and wages for the period ending March 31st, 1935.

Appropriation.

SEC. 2. This act is necessary for the immediate preservation of the public peace, health and safety, the support of the state government and its existing public institutions, and shall take effect immediately.

Effective immediately.

Passed the House February 4, 1935.

Passed the Senate February 20, 1935.

Approved by the Governor February 25, 1935.