

Uniform disposition of unclaimed property act inapplicable.

SEC. 5. The provisions of chapter 63.28 RCW shall not apply to personal property in the possession of the office of county sheriff.

Passed the House March 6, 1961.

Passed the Senate March 5, 1961.

Approved by the Governor March 15, 1961.

CHAPTER 105.

[ H. B. 75. ]

IRRIGATION DISTRICT ELECTIONS.

AN ACT relating to irrigation district elections; providing ballots; prescribing a method of nominating candidates for director positions in certain situations; making it unnecessary for elections of directors to be held under some circumstances; providing for absentee voting and for the procedure to be followed in connection therewith; amending section 2, chapter 171, Laws of 1941 and RCW 87.01.110; and adding 4 new sections to chapter 87.01 RCW.

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

RCW 87.01.110 amended.

SECTION 1. Section 2, chapter 171, Laws of 1941 and RCW 87.01.110 are each amended to read as follows:

Ballots—Declaration of candidacy—Petition of nomination—When election unnecessary.

Voting in an irrigation district shall be by ballot. Ballots shall be of uniform size and quality, provided by the district, and for the election of directors shall contain only the names of the candidates who have filed with the secretary of the district a declaration in writing of their candidacy, or a petition of nomination as hereinafter provided, not less than fifteen days before the day of the election. Ballots shall contain space for sticker voting or for the writing in of the name of an undeclared candidate. A person filing a declaration of candidacy, or petition of nomination as hereinafter provided, shall designate therein the position for which he

is a candidate. No ballots on any form other than the official form shall be received or counted.

In any election for directors where the number of votes which may be received will have no bearing on the length of the terms to be served, the candidates for the position of director, in lieu of filing a declaration of candidacy hereunder, shall file with the secretary of the district a petition of nomination signed by at least ten qualified electors of the district, or of the division if the district has been divided into director divisions, not less than fifteen days before the day of election. If, after the expiration of the date for filing petitions of nomination, it appears that only one qualified candidate has been nominated thereby for each position to be filled and such candidate has been nominated at least five days prior to the last date for filing petitions of nomination, it shall not be necessary to hold an election, and the board of directors shall within fifteen days after expiration of the date for filing petitions of nomination declare such candidate elected as director. The secretary shall immediately make and deliver to such person a certificate of election signed by him and bearing the seal of the district. The procedure set forth in this paragraph shall not apply to any other irrigation district elections.

SEC. 2. There is added to chapter 87.01 RCW a New section. new section to read as follows:

Any qualified district elector who certifies as provided in sections 3 through 5 of this amendatory act that he cannot conveniently be present to cast his ballot at his proper election precinct on the day of any irrigation district election shall be entitled to vote by absentee ballot in such election in the manner herein provided. Absentee balloting authorized.

SEC. 3. There is added to chapter 87.01 RCW a New section. new section to read as follows:

The notice of election shall conform to the re-

Notice of election. Request for absentee ballot.

quirements for election notices provided by Title 87 RCW for the election being held, and shall specify in addition that any qualified district elector who certifies that he cannot conveniently be present at his proper election precinct on the day of election may vote by absentee ballot, and that a ballot and form of certificate of qualifications will be furnished to him on written request being made of the district's secretary. The requisite ballot and a form of certificate of qualifications shall be furnished by the district's secretary to any person who prior to the date of election makes written request therefor, stating that he is a qualified district elector. Such ballot and form may be furnished also to qualified district electors in any way deemed to be convenient without regard to requests having been made therefor.

New section.

SEC. 4. There is added to chapter 87.01 RCW a new section to read as follows:

Requisites for valid absentee ballot.

(1) To be counted in a given election, an absentee ballot must conform to these requirements:

(a) It must be sealed in an unmarked envelope and delivered to the district's principal office prior to the close of the polls on the day of that election; or be sealed in an unmarked envelope and mailed to the district's secretary, postmarked not later than midnight of that election day and received by the secretary within five days of that date.

(b) The sealed envelope containing the ballot shall be accompanied by a certificate of qualifications stating, with respect to the voter, his name, age, citizenship, residence, that he holds title or evidence of title to lands within the district which, under RCW 87.01.090, entitles him to vote in the election, and that he cannot conveniently be present to cast his ballot at his proper election precinct on election day.

(c) The statements in the certificate of qualifica-

tions shall be certified as correct by the voter by the affixing of his signature thereto in the presence of a witness who is acquainted with the voter, and the voter shall enclose and seal his ballot in the unmarked envelope in the presence of this witness but without disclosing his vote. The witness, by affixing his signature to the certificate of qualifications, shall certify that he is acquainted with the voter, that in his presence the voter's signature was affixed and the ballot enclosed as required in this paragraph.

(2) The form of statement of qualifications and its certification shall be substantially as prescribed by the district's board of directors. This form may also provide that the voter shall describe all or some part of his lands within the district which, under RCW 87.01.090, entitles him to vote in the election, but a voter otherwise qualified shall not be disqualified because of the absence or inaccuracy of the description so given. The regular form of irrigation district ballot shall be used by absentee voters.

Form of statement of qualifications, certification.

SEC. 5. There is added to chapter 87.01 RCW a new section to read as follows:

New section.

(1) Absentee ballots shall be accumulated and kept, unopened, by the district's secretary until the time in which such ballots may be received is closed. The secretary shall deliver them to the board of directors as early as practicable on the following day. That board shall proceed at once to determine whether the voters submitting absentee ballots are qualified so to vote and to count and tally the votes of those so determined to be qualified. The board shall make, record, and certify the result of its determinations and count; and promptly thereafter it shall deliver the ballots, certificates of qualifications, and its certificate to the district's secretary. The provisions of RCW 87.01.170 with respect to recount shall govern also in the case of absentee ballots.

Disposition, canvass, of absentee ballots.

(2) On the completion of the canvass of the regular returns of the several election precincts as provided in RCW 87.01.180, the board of directors shall canvass the returns of the absentee votes and declare the result thereof in substantially the same manner as provided for the returns of the votes cast in the regular manner. Thereupon the statement of the result conforming as nearly as practicable to the requirements of RCW 87.01.190 shall be made covering both regular and absentee votes.

Passed the House February 13, 1961.

Passed the Senate March 5, 1961.

Approved by the Governor March 15, 1961.

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CHAPTER 106.

[ H. B. 78. ]

PRISON TERMS AND PAROLES.

AN ACT relating to prison terms and paroles; and amending sections 9 and 13, chapter 133, Laws of 1955 and RCW 9.95.080 and 9.95.120.

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

RCW 9.95.080 amended.

SECTION 1. Section 9, chapter 133, Laws of 1955 and RCW 9.95.080 are each amended to read as follows:

Revocation and redetermination of minimum—Grounds.

In case any convicted person undergoing sentence in the penitentiary, reformatory, or such other state penal institution as may hereafter be established, commits any infractions of the rules and regulations of the institution, or based upon a thorough analysis and report of the director of institutions indicating unsatisfactory prospects for rehabilitation of such convicted person, the board of prison terms and paroles may revoke any order theretofore made determining the length of time such convicted person shall be imprisoned, including the forfeiture