

paid the motor vehicle fuel excise tax upon such motor vehicle fuel shall be entitled to and shall receive a refund of the amount of the motor vehicle fuel excise tax paid on each gallon of motor vehicle fuel so exported.

Motor vehicle
fuel importer
use tax.
Severability.

SEC. 22. If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act, or the application of the provision to other persons or circumstances, is not affected.

Short title.

SEC. 23. Sections 1 through 19 of this act shall be known and may be cited as the "Motor Vehicle Fuel Importer Use Tax Act".

SEC. 24. This act shall take effect July 1, 1963.

Passed the Senate March 26, 1963.

Passed the House April 2, 1963.

Approved by the Governor April 18, 1963.

CHAPTER 23.

[S. B. 45.]

ELECTIONS—ABSENTEE VOTING.

AN ACT relating to elections and absentee voting therein; amending sections 2, 3 and 4, chapter 167, Laws of 1955 and RCW 29.36.010, 29.36.020, and 29.36.030; amending section 2, chapter 50, Laws of 1955 as amended by section 7, chapter 167, Laws of 1955 and RCW 29.36.060; amending section 7, chapter 159, Laws of 1917 and RCW 29.36.110; adding a new section to chapter 29.36 RCW; and repealing section 21, chapter 130, Laws of 1961 and RCW 29.36.015, section 18, chapter 14, Laws of 1950 extraordinary session as last amended by section 20, chapter 130, Laws of 1961 and RCW 29.36.080, section 20, chapter 14, Laws of 1950 extraordinary session and RCW 29.36.090.

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

RCW 29.36.010
amended.

SECTION 1. Section 2, chapter 167, Laws of 1955 and RCW 29.36.010 are each amended to read as follows:

Any duly registered voter may vote an absentee ballot for any primary or election in the manner provided in this chapter providing that one of the following conditions is applicable:

Elections—
Absentee vot-
ing. Applica-
tion for ab-
sentee ballot.

(1) The voter expects to be absent from his precinct during the polling hours on the day of the primary or election; or

(2) The voter is unable to appear in person at his polling place to cast a ballot because of illness or physical disability; or

(3) The voter, because of his religious tenets, cannot with clear conscience cast his ballot on the day of the primary or election.

A voter desiring to cast an absentee ballot must apply in writing to his county auditor or city clerk (if he lives in a city or town) no earlier than forty-five days nor later than the day prior to any election or primary.

Such application must contain the voter's signature and may be made in person or by mail or messenger. If by mail or messenger, the registrar must honor a written application in any form if it states that the applicant cannot vote in person for any one of the three reasons enumerated in this section: *Provided*, That no application for an absentee ballot shall be approved unless the voter's signature upon the certificate or application compares favorably with the voter's signature upon his permanent registration record.

Proviso.

SEC. 2. Section 3, chapter 167, Laws of 1955 and RCW 29.36.020 are each amended to read as follows:

RCW 29.36.020
amended.

The certificate to be issued by a county or city registrar honoring a request for an absentee ballot shall state that:

Certificate
issued to
absentee ballot
voter.

(1) The registrar can identify the applicant by his signature;

Elections—
Absentee vot-
ing. Certificate
issued to
absentee
ballot voter.

(2) The applicant is a voter, registered and qualified to vote, giving the county or city or town and precinct in which he is qualified to vote and also his place of residence;

(3) The applicant has affixed his signature to the certificate in the place provided therefor in the presence of the registrar; or the registrar has identified the applicant from the signature on his written application.

The certificate must be made in duplicate. If the voter is making his application in person, he shall sign both copies of said certificate. If the voter is making application by mail, the original certificate shall be affixed to his application.

All original certificates, together with applications affixed thereto, must be delivered to the officer having jurisdiction of the election, or his duly authorized representative, before an absentee ballot can be issued.

The duplicate certificate shall be securely attached to the applicant's permanent registration card until after the election.

RCW 29.36.030
amended.

SEC. 3. Section 4, chapter 167, Laws of 1955 and RCW 29.36.030 are each amended to read as follows:

Issuance of
ballots.

Upon receipt of the certificate, either signed by the voter or attached to the voter's signed application, the officer having jurisdiction of the election, or his duly authorized representative, shall issue an absentee ballot for the election concerned.

In addition, if other elections, including special or general, are also being held on the same day and it can be determined that the absentee voter is qualified to vote at such elections, such additional absentee ballots shall be automatically issued to the end that, whenever possible, each absentee voter receives the ballots for all elections he would have received if he had been able to vote in person.

The election officer, or his duly authorized representative, shall include the following additional items when issuing an absentee ballot:

(1) Instructions for voting.

(2) A size #9 envelope, capable of being sealed and free of any identification marks, for the purpose of containing the voted absentee ballot.

(3) A size #10 envelope, capable of being sealed and pre-addressed to the issuing officer, for the purpose of returning the #9 envelope containing the marked absentee ballot.

Upon the left hand portion of the face of the larger envelope shall also be printed a blank statement in the following form:

State of }
County of } ss.

I, do solemnly swear under the penalty as set forth in RCW 29.36-.110 (see below), that I am a resident of and qualified voter in precinct of city in county, Washington; that I have the legal right to vote at the election to be held in said precinct on the day of, 19.....: That I have not voted another ballot and have herein enclosed my ballot for such election.

(signed)

Voter

Penalty Provision: Any person who violates any of the provisions, relating to swearing and voting, shall be guilty of a felony and shall be punished by imprisonment for not more than five years or a fine of not more than five thousand dollars, or by both such fine and imprisonment.

SEC. 4. There is added to chapter 29.36 RCW a *New section.* new section to read as follows:

Elections—
Absentee vot-
ing. Qualifica-
tions as to
delivery of
ballot.

The delivery of an absentee ballot for any primary or election shall be subject to the following qualifications:

(1) Only the voter, himself, or a member of his family may pick up an absentee ballot at the office of the issuing officer.

(2) Except as noted in subsection (1) above, the issuing officer shall mail the absentee ballot directly to each applicant.

(3) No absentee ballot shall be issued on the day of the primary or election concerned.

RCW 29.36.060
amended.

SEC. 5. Section 2, chapter 50, Laws of 1955 as amended by section 7, Chapter 167, Laws of 1955 and RCW 29.36.060 are each amended to read as follows:

Opening,
counting and
canvassing
of ballots.

The opening, counting and canvassing of absentee ballots cast at any primary or election, special or general, may begin on the day after such primary or election is held but must be completed on or before the tenth day following the primary or election: *Provided*, That when a state general election is held, the canvassing period shall be extended to and including the fifteenth day following such election.

Proviso.

This section shall supersede the provisions of any and all other statutes, whether general or special in nature, having different dates for counting and canvassing of absentee ballots.

The canvassing board or its duly authorized representatives shall examine the postmark, receipt mark and statement on the outer envelope containing the absentee ballot and verify that the voter's signature thereon is the same as that on the original application. The board then shall open each outer envelope postmarked or received (if not delivered by mail) not later than the primary or election day and upon which the statement has been executed according to law in such a way as not to mar the

statement, and remove therefrom the inner envelope containing the ballot.

The inner envelopes shall be initialed by the canvassing board or its duly authorized representatives. The inner envelopes thus initialed must be filed by the county auditor under lock and key. The outer envelopes to which must be attached the corresponding original absentee voters' certificates shall be sealed securely in one package and shall be kept by the auditor for future use in case any question should arise as to the validity of the vote.

SEC. 6. The following acts or parts of acts and RCW sections are hereby repealed: Repeal.

(1) Section 21, chapter 130, Laws of 1961, and RCW 29.36.015;

(2) Section 18, chapter 14, Laws of 1950, extraordinary session, as amended by section 20, chapter 130, Laws of 1961, and RCW 29.36.080;

(3) Section 20, chapter 14, Laws of 1950, extraordinary session, and RCW 29.36.090.

SEC. 7. Section 7, chapter 159, Laws of 1917 and RCW 29.36.110 are each amended to read as follows: RCW 29.36.110 amended.

Any person who violates any of the provisions of this chapter, relating to swearing and voting, shall be guilty of a felony and shall be punished by imprisonment for not more than five years or a fine of not more than five thousand dollars, or by both such fine and imprisonment. Violations and penalty.

Passed the Senate March 28, 1963.

Passed the House April 2, 1963.

Approved by the Governor April 17, 1963.