

CHAPTER 101.

[House Bill No. 377.]

ELECTIONS.

AN ACT relating to elections; amending sections 29.13.080, 29.45.010, 29.45.020, 29.45.030, 29.45.050, 29.45.060, 29.51.100, 29.51.170, 29.54.010, 29.54.020, 29.54.030, 29.54.040, 29.54.045, and 29.54.050, chapter 9, Laws of 1965 (Senate Bill No. 5) and RCW 29.13.080, 29.45.010, 29.45.020, 29.45.030, 29.45.050, 29.45.060, 29.51.100, 29.51.170, 29.54.010, 29.54.020, 29.54.030, 29.54.040, 29.54.045, and 29.54.050; and adding new sections to chapter 9, Laws of 1965 (Senate Bill No. 5), and to chapters 29.51 and 29.54 RCW; and amending section 29.51.200, chapter 9, Laws of 1965, and RCW 29.51.200.

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

RCW 29.45.010
amended.

SECTION 1. Section 29.45.010, chapter 9, Laws of 1965 (Senate Bill No. 5) and RCW 29.45.010 are each amended to read as follows:

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cinct election
officers. Ap-
pointment of
judges and
inspectors.

At least ten days prior to any primary or election, the officer having jurisdiction of the election shall appoint one inspector and two judges of election for each precinct (or each combination of precincts temporarily consolidated as a single precinct for an election) from among the names contained on the lists therefor furnished by the chairman of the county central committee of the political parties intitled to representation thereon.

Such precinct election officers, whenever possible, should be residents of the precinct in which they serve, but if extenuating circumstances arise, they may be assigned to serve in a different precinct.

The officer having jurisdiction of the election shall designate the inspector and one judge in each precinct from that political party which polled the highest number of votes in the county for its candidate for president at the last preceding general election at which a president of the United States was voted for, and one judge from that political

party polling the next highest number of votes in the county for its candidate for president at the same election.

This shall be the exclusive method for the appointment of inspectors and judges to serve as precinct election officers at any primary or election and shall supersede the provisions of any and all other statutes, whether general or special in nature, having different requirements.

SEC. 2. Section 29.45.020, chapter 9, Laws of 1965 (Senate Bill No. 5) and RCW 29.45.020 are each amended to read as follows:

RCW 29.45.020 amended.

At the same time the officer having jurisdiction of the election appoints the inspector and two judges as provided in RCW 29.45.010, he may appoint one or more persons to act as clerks if in his judgment such additional persons are necessary, except that in precincts in which voting machines are used, the judges of election shall perform the duties required to be performed by clerks.

Appointment of clerks.

Each clerk appointed shall represent a major political party: *Provided*, That the political party representation of a single set of precinct election officers shall, whenever possible, be equal but, in any event, no single political party shall be represented by more than a majority of one at each polling place.

The election officer having jurisdiction of the election may designate at what hour the clerks shall report for duty. The hour may vary among the precincts according to the judgment of the appointing officer.

SEC. 3. Section 29.45.030, chapter 9, Laws of 1965 (Senate Bill No. 5) and RCW 29.45.030 are each amended to read as follows:

RCW 29.45.030 amended.

The precinct committeeman of each major political party shall certify to his county chairman a list of those persons belonging to his political

Nomination of eligibles for judges and inspectors.

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judges and
inspectors.

party qualified to act upon the election board in his precinct.

At least sixty days prior to the primary or election the chairman of the county central committee of each major political party shall certify to the officer having jurisdiction of the election, a list of those persons belonging to his political party in each precinct who are qualified to act on the election board therein.

The county chairman shall compile this list from the names certified by his various precinct committeemen unless no names or not sufficient names have been certified from a precinct, in which event he may include therein the names of qualified members of his party selected by him. The county chairman shall also have the authority to substitute names of persons recommended by his precinct committeemen if in his judgment such persons are not qualified to serve as precinct election officers.

RCW 29.45.050
amended.

SEC. 4. Section 29.45.050, chapter 9, Laws of 1965 (Senate Bill No. 5) and RCW 29.45.050 are each amended to read as follows:

Two sets of
precinct
election officers—Count-
ing and
receiving
boards.

There shall be but one set of election officers in each precinct except as provided in this section.

In every precinct using paper ballots having two hundred or more registered voters there shall be appointed, and in every precinct having less than two hundred registered voters there may be appointed, at a state primary or state general election, two sets of precinct election officers as provided in RCW 29.04.020 and 29.45.010.

In making such appointments, one set of precinct election officers shall be designated as the counting board which shall consist of an inspector, two judges, and a clerk. The duties of the counting board shall be the count of ballots cast and the return of the election records and supplies to the officer having jurisdiction of the election.

The other set of precinct election officers shall be designated as the receiving board which shall have all other powers and duties imposed by law for such elections.

SEC. 5. Section 29.45.060, chapter 9, Laws of 1965 (Senate Bill No. 5) and RCW 29.45.060 are each amended to read as follows:

RCW 29.45.060 amended.

The inspector and judges of election in each precinct shall conduct the elections therein and receive, deposit, and count the ballots cast thereat and make returns to the proper canvassing board or officer except that when two sets of precinct election officers are appointed as provided in RCW 29.45.050, the ballots shall be counted by the counting board as provided in RCW 29.54.030, section 12 of this 1965 amendatory act, and RCW 29.54.045.

Duties—
Generally.

SEC. 6. Section 29.54.010, chapter 9, Laws of 1965 (Senate Bill No. 5) and RCW 29.54.010 are each amended to read as follows:

RCW 29.54.010 amended.

At paper ballot precincts served by a single set of precinct election officers, the inspector and judges of election for each election precinct immediately upon the closing of the polls, and before the ballots are counted, shall destroy all unused ballots furnished for use at such precinct.

Destroying
surplus
ballots.

At paper ballot precincts served by two sets of precinct election officers, the members of the receiving board shall destroy all unused ballots upon the closing of the polls.

SEC. 7. Section 29.54.020, chapter 9, Laws of 1965 (Senate Bill No. 5) and RCW 29.54.020 are each amended to read as follows:

RCW 29.54.020 amended.

At paper ballot precincts served by a single set of precinct election officers, as soon as the polls are finally closed, the inspector, judges, and clerk of election shall immediately open the ballot boxes at their polling place and proceed to take therefrom

Removing
ballots from
box—String-
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ing.

the ballots. Said officers shall count the number of ballots cast and shall then string them together. As soon as the inspector and judges have fastened together the ballots they shall take the tally sheets or tally books provided by the election officer, and shall count all the ballots until the count is completed in the manner set forth in RCW 29.54.030 and section 12 of this 1965 amendatory act.

The tally sheets shall be so kept that the sheets shall show the number of votes, cast for and against each proposition, the total votes cast for each candidate, and the total of all ballots cast.

RCW 29.54.030
amended.

SEC. 8. Section 29.54.030, chapter 9, Laws of 1965 (Senate Bill No. 5) and RCW 29.54.030 are each amended to read as follows:

Counting to
be private
when polls
open.

At paper ballot precincts served by two sets of precinct election officers, the counting of ballots by the counting board while the polls are open shall in all cases be conducted in private except that any recognized political party may appoint a duly accredited representative to witness the counting of ballots: *Provided*, That such representatives shall first sign an oath of secrecy and shall not leave the polling place during the polling hours.

At every polling place, after the polls have closed for voting, the counting of ballots shall be public and any citizen may then witness the proceedings: *Provided*, That such person does not touch a ballot, or voting machine, or official records and does not distract the precinct election officers from performing their duties.

RCW 29.54.040
amended.

SEC. 9. Section 29.54.040, chapter 9, Laws of 1965 (Senate Bill No. 5) and RCW 29.54.040 are each amended to read as follows:

Count contin-
uous—Count,
when com-
plete.

The ballot box shall not be removed from the polls nor shall the counting of the votes be discontinued until all are counted.

The duties of the precinct election officers counting ballots shall not be complete until it is determined that:

(1) A recheck of the tally marks accurately reflect the total vote credited to each candidate and the total vote credited for and against each proposition.

(2) The total number of votes cast for all candidates for a single position to be filled does not exceed the number of voters who have signed the poll book.

(3) The records of the votes in each tally book are the same.

SEC. 10. Section 29.54.045, chapter 9, Laws of 1965 (Senate Bill No. 5) and RCW 29.54.045 are each amended to read as follows:

RCW 29.54.045 amended.

When two sets of precinct election officers have been appointed as provided in RCW 29.45.050 the following procedure shall apply:

Procedure when two sets of election officers appointed.

(1) The set designated as the counting board shall commence tabulation at 2:00 p.m. of the day of any state primary or state general election.

(2) A second ballot box for receiving ballots shall be used, and the first ballot box shall be closed and delivered to the counting board: *Provided*, That there have been at least ten ballots cast. The counting board shall proceed to the place provided for them and at once count the votes. When counted they shall return the emptied ballot box to the inspector and judges conducting the election and the latter shall then deliver to the counting board the second ballot box, if there have been at least ten ballots cast, who shall then proceed as before. The counting of ballots and exchange of ballot boxes shall continue until the polls are closed after which the election board conducting the election shall conclude their duties and the counting board shall continue until all ballots are counted.

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cedure when
two sets of
election
officers
appointed.

(3) The receiving board conducting the election shall perform all of the duties as now provided by law except for the counting of the ballots, the posting and certification of the unofficial returns and the delivery of the official returns, together with the election supplies to the county auditor.

(4) Suitable oaths of office for all precinct election officials, when two sets of officials are employed, shall be prepared by the secretary of state as ex officio chief election officer.

RCW 29.54.050
amended.

SEC. 11. Section 29.54.050, chapter 9, Laws of 1965 (Senate Bill No. 5) and RCW 29.54.050 are each amended to read as follows:

Rejection of
ballots or
parts of
ballots.

Ballots must be rejected if:

(1) Two are found folded together;
(2) Marked so as to identify who the voter is: *Provided*, That this subsection (2) shall not apply to absentee ballots;

(3) Printed other than by the respective county auditors or other authorized election officials as provided by law.

Those parts of ballots must not be counted which:

(1) Designate more persons for an office than are to be elected to that office;
(2) Are not marked with sufficient definiteness to determine the voter's choice or intention: *Provided*, That no ballot or part thereof shall be rejected for want of form or mistake in initials of names if the election board can determine to their satisfaction the person voted for and the office intended.

New section.

SEC. 12. There is added to chapter 9, Laws of 1965 (Senate Bill No. 5) and to chapter 29.54 RCW a new section to read as follows:

Ballots—Pro-
cedure for
counting.

The procedure for counting of paper ballots at every primary or election shall be as follows:

(1) The inspector shall carefully examine each ballot and read aloud the name of each person re-

ceiving a vote, the office for which every such person is voted for, and the vote for or against each proposition on the ballot.

(2) The judge, representing the opposite political party of the inspector, shall observe such reading.

(3) The second judge shall tally the votes as read in the tally book to be returned to the election officer having jurisdiction of the election.

(4) The clerk representing the opposite political party of the second judge shall, at the same time, tally the votes as read in the tally book to be retained by the inspector.

(5) The inspector and judge observing the reading aloud of the ballots may rotate their duties from time to time, upon agreement.

(6) The same basic rules in the counting of paper ballots at the polling places as enumerated in the above subsections 1, 2, 3, 4, and 5 of this section shall apply to the counting of paper ballots under the jurisdiction of the county auditor at the courthouse, it being the intention of this subsection that after the county canvassing board has approved as valid the absentee ballots and challenged or questioned ballots, the actual count and tallying of such ballots shall be done by persons selected by the county auditor on a bipartisan basis.

SEC. 13. Section 29.13.080, chapter 9, Laws of 1965 (Senate Bill No. 5) and RCW 29.13.080 are each amended to read as follows:

RCW 29.13.080 amended.

At every election and primary election the polls must be kept open from eight o'clock a.m. to eight o'clock p.m.: *Provided*, That the polling hours at a state primary election and state election, general or special, shall be from seven o'clock a.m. to eight o'clock p.m. All qualified electors who are at the polling place at eight o'clock p.m., shall be allowed to cast their votes.

Opening and closing polls—
Polling hours.

RCW 29.51.170 amended.

SEC. 14. Section 29.51.170, chapter 9, Laws of 1965 (Senate Bill No. 5) and RCW 29.51.170 are each amended to read as follows:

Elections. Write-in voting—Party designation—Procedure when write-in candidate nominated.

At any election or primary, any voter may write in on the ballot the name of any person for whom he desires to vote for any office and such vote shall be counted the same as if the name had been printed on the ballot and marked by the voter: *Provided*, That when voting machines are used, no write-in vote for any candidate for a partisan office at either a state primary election or state general election shall be valid unless a political party affiliation is also written by the voter after the candidate's name. The same procedure must be followed when paper ballots are used for partisan offices at a state primary election. For such write-in voting, it shall not be necessary for a voter to write the full name of the political party concerned. Any abbreviation including the first letter of the political party name shall be acceptable as long as the precinct election officers can determine to their satisfaction the person voted for and the political party intended.

Any person who is nominated at any primary election as a write-in candidate for any public office but who has not previously paid the regular filing fee shall not have his name printed on the official ballot for the general election unless, within five days after the official canvass of the primary vote, he executes a declaration of candidacy and pays the same fee required by law to be paid by candidates for filing for the office for which he has been nominated.

RCW 29.51.100 amended.

SEC. 15. Section 29.51.100, chapter 9, Laws of 1965 (Senate Bill No. 5) and RCW 29.51.100 are each amended to read as follows:

Marking ballot at final election.

On receipt of his ballot in an election the elector shall forthwith and without leaving the polling

place retire alone to one of the places, booths, or apartments provided to prepare his ballot. Each elector shall prepare his ballot by marking a cross "X" after the name of every person or candidate for whom he wishes to vote.

In case of a ballot containing a constitutional amendment or other question to be submitted to the vote of the people the voter shall mark a cross "X" after the question, for or against the amendment or proposition, as the case may be. Any elector may write in the blank spaces the name of any person for whom he may wish to vote: *Provided*, That where a partisan office is concerned, the voter must not only write in the name of the candidate but also the party affiliation of such person pursuant to the provisions of RCW 29.51.170 as now or hereafter amended.

Before leaving the booth or compartment the elector shall fold his ballot in such a manner that the number of the ballot shall appear on the outside thereof, without displaying the marks on the face thereof, and deliver it to the inspector of election.

SEC. 16. There is added to chapter 9, Laws of 1965 (Senate Bill No. 5) and to chapter 29.51 RCW a new section to read as follows:

New section.

Votes cast by stickers or printed label shall not be valid for any purpose and shall be rejected: *Provided*, That such action shall not jeopardize the remaining portion of the voter's ballot.

Votes cast by stickers, printed labels, invalid.

SEC. 17. Section 29.51.200, chapter 9, Laws of 1965 and RCW 29.51.200 are each amended to read as follows:

RCW 29.51.200 amended.

The operation of voting shall be secret except to the extent necessary to assist physically disabled voters.

Physically disabled voters — Assistance to.

If any voter declares in the presence of the election officers that by reason of physical disability,

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abled voters
—Assistance
10.

he is unable to register or record his vote upon the machine, (1) he may designate his spouse or any near relative who is also a registered voter to enter the voting machine booth with him and mark his ballot, or (2) two election officers who must be of opposite political parties in case of partisan elections or primaries, shall enter the voting machine booth with him and register his vote for such candidates and for or against such measures as he may designate.

Passed the House March 26, 1965.

Passed the Senate March 25, 1965.

Approved by the Governor April 6, 1965.

CHAPTER 102.

[House Bill No. 277.]

PUBLIC ASSISTANCE—FUNERALS.

AN ACT relating to public assistance; amending section 74.08.120, chapter 26, Laws of 1959 and RCW 74.08.120.

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

RCW 74.08.120
amended.

SECTION 1. Section 74.08.120, chapter 26, Laws of 1959 and RCW 74.08.120 are each amended to read as follows:

Public assist-
ance. Funeral
expenses—
Lien for.

The term "funeral" shall mean the proper preparation and care of the remains of a deceased person with needed facilities and appropriate memorial services, including necessary costs of a lot or cremation and all services related to interment and the customary memorial marking of a grave.

The department is hereby authorized through the county offices to assume responsibility for the funeral of deceased persons dying without assets sufficient to pay for the minimum standard funeral herein provided: *Provided, however,* That the direc-