

CHAPTER 156.

[Senate Bill No. 301.]

ELECTIONS—REGISTRATION—RECORDS—
POLL BOOKS—PROCEDURES.

AN ACT relating to elections; amending section 29.10.110, chapter 9, Laws of 1965 and RCW 29.10.110; amending section 29.51.060, chapter 9, Laws of 1965 and RCW 29.51.060; and adding new sections to chapter 9, Laws of 1965 and to chapters 29.04 and 29.10 RCW.

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

SECTION 1. Section 29.10.110, chapter 9, Laws of 1965 (Senate Bill No. 5) and RCW 29.10.110 are each amended to read as follows:

RCW 29.10.110 amended.

Every city clerk and county auditor shall carefully preserve in a separate file, to be kept in his office for that purpose, all original and duplicate registration cards canceled. The files for the preservation of canceled registration cards, shall be arranged and kept in alphabetical order irrespective of the precincts from which the canceled cards were received and the signed statement used as the authority for cancellation as provided in RCW 29.10.090 and the provisions of this 1965 act shall be firmly affixed to the canceled duplicate registration card (Permanent Registration Form No. 2).

Elections. Registration transfers and cancellations. Record of cancellations—Statement to be affixed to canceled duplicate registration card.

The city or town clerk and county auditor may destroy all original cards (Permanent Registration Form No. 1) that have been canceled for a period of four years or more.

SEC. 2. There is added to chapter 9, Laws of 1965 (Senate Bill No. 5) and to chapter 29.10 RCW a new section to read as follows:

New section.

Any precinct committeeman, precinct election officer or registration officer may sign a preliminary request form, subject to the penalties of perjury, to the effect that to his personal knowledge and belief

Preliminary request for cancellation due to change of residence.

another registered voter does not actually reside and maintain his abode at the address as given on his registration record and that the voter in question is not protected by the provisions of Article VI, Section 4, of the Constitution of the state of Washington.

New section.

SEC. 3. There is added to chapter 9, Laws of 1965 (Senate Bill No. 5) and to chapter 29.10 RCW a new section to read as follows:

Elections.
Registration
transfers and
cancellations.
Procedural
steps before
cancellation
on challenge
because of a
change in
residence.

All such signed forms shall be delivered to the appropriate county auditor who shall cancel the registration records of the voters concerned on the thirtieth day following date of mailing or date of publication or as soon thereafter as is practicable: *Provided*, That the following procedural steps are first honored:

(1) That notice of intent to cancel the registration on account of a claimed change of residence shall be mailed by first class mail, postage prepaid, to the last known address of each voter whose registration has been so questioned.

(2) The county auditor shall compile a single list of the names and addresses of all voters in question. The names shall appear in alphabetical sequence irrespective of address, together with the name of the precinct in which the challenged registration appears.

(3) Such listing shall be published at least once by the county auditor in one or more newspapers in general circulation throughout the county, or whichever newspapers, in the judgment of the county auditor, best serve the interest of the voters concerned. Publication of said listing, based on preliminary request forms in possession of the county auditor, shall be between January 1st and June 30th of each calendar year.

(4) Any voter, whose registration has been so questioned, who believes that the allegation is not

true, shall within twenty days of such mailing or publication file a written protest with his county auditor. Said county auditor shall immediately notify, by certified mail, the challenger and the challenged voter to appear at a meeting to be held at a place, day and hour certain to be stated in the notice, for determination of the validity of such registration: *Provided*, That should the challenged voter be unable to appear in person he may file a reply by means of an affidavit stating therein under oath the reasons he believes his registration to be valid and should the challenger be unable to appear in person he may file a statement by means of affidavit stating the reasons he believes the registration to be invalid.

The hearing shall take place at the time and place designated by the county auditor. In the event both the challenger and the challenged voter file affidavits instead of appearing in person, an evaluation of such affidavits by the county auditor shall constitute a hearing for the purposes of this section.

At the meeting to be held by the county auditor, he shall hear both parties according to the facts presented and his ruling shall be final, unless ordered otherwise by a court of competent jurisdiction. If the challenger fails to appear at the meeting or fails to file an affidavit, the registration in question may remain in full effect as determined by the county auditor. If the challenged voter fails to appear at the meeting or fails to file an affidavit, then the registration shall be canceled and the voter so notified.

SEC. 4. There is added to chapter 9, Laws of 1965 (Senate Bill No. 5) and to chapter 29.10 RCW a new section to read as follows:

The secretary of state as chief elections officer shall cause appropriate forms to be designed to carry out the provisions of this 1965 act. The respective county auditors and city and town clerks shall have such forms available. Further, a reasonable supply of

New section.

Forms to be designated, available.

such forms shall be at each polling place on the day of a primary or election, general or special.

RCW 29.51.060
amended.

SEC. 5. Section 29.51.060, chapter 9, Laws of 1965 and RCW 29.51.060 are each amended to read as follows:

Elections.
Voting hours—
Polling place
regulations
during. Sign-
ing the poll
book—
Comparison of
signatures.

If any person appears and offers or demands the right to vote at any primary or election, as a registered voter in the precinct where the primary or election is held, the election officers shall require him to sign his name and current address subject to penalties of perjury in one of the official poll books, which shall be designated the county auditor's copy, and shall compare such signature with the signature upon the registration card of the person registered under the same name. If the election officers, or a majority of them, upon comparing the signatures are satisfied that the person offering to vote is the identical person registered, they shall permit him to vote: *Provided*, That if the person registered signed his registration card with a cross or mark, identified by the signature of some other person, the election officers must require the person offering to vote to be identified by the person who signed the registration card, or by a registered voter of the precinct. Unless the identifying witness is personally known to the election officers, or to some of them, they may require the identifying witness to sign his name in the presence of the election officers for the purpose of identification.

As soon as it is determined that the person is qualified to vote, one of the precinct election officers shall copy the voter's name and address on the corresponding line in a second poll book which shall be identified as the inspector's copy. Such second poll book shall contain two extra copies of each page and so designed that two carbon copies can be easily made and readily detached.

It shall not be necessary to use such redesigned poll books for any primary or election until on and after the 1966 state primary election.

SEC. 6. There is added to chapter 9, Laws of 1965 and to chapter 29.04 RCW a new section to read as follows:

New section.

All poll books shall be public records and be made available for inspection under such reasonable rules and regulations as the county auditor may prescribe. The county auditor shall promptly furnish copies of any poll books in his possession, at cost, to any person requesting such copies.

Poll books as public records
—Carbon copies of inspector's copy to political representative.

On the day of any primary or election, general or special, the precinct election officer in charge of the inspector's copy of the poll book shall detach the two carbon copies as each page is filled, and shall make one copy available to the official representative of each major political party as shall have been designated in writing by the respective county chairmen.

SEC. 7. There is added to chapter 9, Laws of 1965 and to chapter 29.10 RCW two new sections to read as set forth in sections 8 and 9 of this amendatory act.

New sections.

SEC. 8. At the time any registration officer inspects the permanent registration records in his possession, to determine whether or not any voter's record should be canceled for failure to vote as provided in section RCW 29.10.080 as it now exists or hereafter amended, he shall also compare the voter registration record with the signature and address of each voter as it appears in the poll book used at the most recent preceding state general election. If the address of any voter, as written by the voter, in the poll book does not agree with the address of the voter as stated on his permanent registration records, the registration officer shall:

Registration transfers and cancellations. Procedural steps before cancellation due to conflicting addresses of voter.

Elections.
Registration
transfers and
cancellations.
Procedural
steps before
cancellation
due to
conflicting
addresses of
voter.

(1) Send a notice, by certified mail to addressee only, with return receipt requested, showing address where delivered, to the voter, using the address as given in the poll book and advising him that he must either have his registration transferred or register anew, as the case may be. Such notice shall also contain a prepaid postcard form addressed to the registration officer for the convenience of the voter to indicate what action the voter intends to take.

(2) If the voter believes that his registration record should not be changed, he shall so notify his registration officer who, in turn, shall promptly arrange for a hearing unless it is manifestly apparent that the voter's reasons are valid for keeping his record unchanged. If a hearing is necessary, any ruling issued by the registration officer shall be final, subject only to an appeal to the superior court under the provisions of chapter 34.04 RCW.

(3) If the notice mailed by the registration officer is either returned as undeliverable or the voter does not respond within thirty days from the date of mailing, the registration officer shall cancel the registration record concerned and notify the secretary of state of such cancellation. If the voter received the notice, as evidenced by the return receipt, the registration officer shall further notify such voter by first class mail that his registration has been canceled.

Sec. 9. The secretary of state shall cause appropriate forms to be designed to carry out the provisions of section 8 of this amendatory act, and shall furnish such forms to the various county auditors and city and town clerks.

Passed the Senate March 29, 1965.

Passed the House March 25, 1965.

Approved by the Governor April 8, 1965, with the exception of section 9 which was vetoed.

NOTE: Governor's explanation of partial veto is as follows:

Veto message.

"This bill makes a number of changes in the law relating to elections, and provides procedures for removing from the registration rolls the name of any person who no longer resides in the precinct in which he is registered.

"Section 4 and section 9 each provides that the Secretary of State shall cause appropriate forms to be designed to carry out the provisions of this amendatory act.

"However, section 9 also provides that some of the forms shall be furnished by the Secretary of State to the various county auditors and city and town clerks. The Secretary of State has never been required to furnish election supplies to the cities, towns and counties; and none of the budgets submitted to the legislature this session has provided for this expense.

"In order that the bill will be consistent with past election procedures and not involve additional expense to the state, I have vetoed section 9. The remainder of Senate Bill No. 301 is approved."

DANIEL J. EVANS,
Governor.

CHAPTER 157.

[Senate Bill No. 122.]

UNIFORM COMMERCIAL CODE.

AN ACT relating to commercial transactions; enacting a Uniform Commercial Code; repealing certain acts and parts of acts; and declaring an effective date.

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

Article 1

General Provisions

Part 1

SHORT TITLE, CONSTRUCTION, APPLICATION AND SUBJECT MATTER OF THE ACT

SECTION 1-101. *Short Title.* This Act shall be known and may be cited as Uniform Commercial Code.

Uniform
commercial
code.
Short title.

SEC. 1-102. *Purposes; Rules of Construction; Variation by Agreement.* (1) This Act shall be liberally

Purposes.