

(2) There is appropriated to the department of ecology from the general fund for the biennium ending June 30, 1985, the sum of fifty thousand dollars, or so much thereof as may be necessary, for the purposes of section 2 of this act.

Passed the Senate May 24, 1983.

Passed the House May 24, 1983.

Approved by the Governor June 13, 1983.

Filed in Office of Secretary of State June 13, 1983.

CHAPTER 71

[Engrossed Substitute House Bill No. 240]

VOTING BY MAIL

AN ACT Relating to voting by mail; amending section 6, chapter 109, Laws of 1967 ex. sess. as amended by section 2, chapter 35, Laws of 1974 ex. sess. and RCW 29.36.120; amending section 7, chapter 109, Laws of 1967 ex. sess. and RCW 29.36.130; amending section 29.45.010, chapter 9, Laws of 1965 as amended by section 1, chapter 101, Laws of 1965 ex. sess. and RCW 29.45.010; adding new sections to chapter 29.36 RCW; repealing section 8, chapter 109, Laws of 1967 ex. sess., section 3, chapter 35, Laws of 1974 ex. sess. and RCW 29.36.140; and prescribing penalties.

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

Sec. 1. Section 6, chapter 109, Laws of 1967 ex. sess. as amended by section 2, chapter 35, Laws of 1974 ex. sess. and RCW 29.36.120 are each amended to read as follows:

At any primary or election, general or special, the county auditor (~~as ex officio supervisor of elections, or other officer having jurisdiction of the election;~~) may, (~~with regard to~~) in any precinct having (~~less~~) fewer than one hundred registered voters at the time of closing of (~~the~~) voter registration (~~files~~) as provided in RCW 29.07.160, (~~order~~) conduct the voting in (~~said~~) that precinct (~~for the next ensuing election, whether a primary election, general election, special election, or any other election, be~~) by mail ballot (~~only~~). For any precinct having fewer than one hundred registered voters where voting at a primary or a general election is conducted by mail ballot, the county auditor shall, not less than fifteen days prior to the date of that primary or general election, mail or deliver to each registered voter within that precinct a notice that the voting in that precinct will be by mail ballot, an application form for a mail ballot, and a postage prepaid envelope, preaddressed to the issuing officer. A mail ballot shall be issued to each voter who returns a properly executed application to the county auditor no later than the day of that primary or general election. Such application is valid for all subsequent mail ballot elections in that precinct so long as the voter remains qualified to vote.

At any nonpartisan special election not being held in conjunction with a state primary or general election, the county, city, town, or district requesting the election pursuant to RCW 29.13.010 or 29.13.020 may also request

that the election be conducted by mail ballot. The county auditor may honor the request or may determine that the election is not to be conducted by mail ballot. The decision of the county auditor in this regard is final.

In no instance shall any special election be conducted by mail ballot in any precinct with more than one hundred registered voters if candidates for partisan office are to be voted upon.

~~((Whenever such officer shall so order, he))~~ For all special elections not being held in conjunction with a state primary or state general election where voting is conducted by mail ballot, the county auditor shall, not less than fifteen days prior to the date of such election, mail or deliver to each registered voter ((within said precinct his notice that voting within said precinct shall be by mail voting only. Accompanied with such notice shall be an application form together with a postage prepaid)) a mail ballot and an envelope, preaddressed to the issuing officer. ((In order to be honored such application form, properly executed, must reach the issuing officer no later than the day of the election concerned:

~~The county auditor may continue to honor such application for all subsequent elections held in the same manner as long as the voter concerned remains qualified to vote at such elections:))~~

NEW SECTION. Sec. 2. There is added to chapter 29.36 RCW a new section to read as follows:

For any special election conducted by mail, the county auditor shall send a mail ballot with a return identification envelope to each registered voter of the district in which the special election is being conducted not sooner than the twenty-fifth day before the date of the election and not later than the fifteenth day before the date of the election. The envelope in which the ballot is mailed shall be clearly marked "Do Not Forward - Return to Sender - Return Postage Guaranteed."

NEW SECTION. Sec. 3. There is added to chapter 29.36 RCW A new section to read as follows:

(1) If a county auditor conducts an election by mail, the county auditor shall designate the county auditor's office or a central location in the district in which the election is conducted as the single place to obtain a replacement ballot. The county auditor also shall designate one or more places for the deposit of ballots not returned by mail. The places designated under this section shall be open on the date of the election for a period of thirteen hours, beginning at 7:00 a.m. and ending at 8:00 p.m.

(2) A registered voter may obtain a replacement ballot as provided in this subsection if the ballot is destroyed, spoiled, lost, or not received by the voter. A registered voter seeking a replacement ballot shall sign a sworn statement that the ballot was destroyed, spoiled, lost, or not received and shall present the statement to the county auditor no later than the day of

the election. Each spoiled ballot must be returned to the county auditor before a new one is issued. The county auditor shall keep a record of each replacement ballot provided under this subsection.

NEW SECTION. Sec. 4. There is added to chapter 29.36 RCW a new section to read as follows:

Upon receipt of the mail ballot, the voter shall mark it, sign the return identification envelope supplied with the ballot, and comply with the instructions provided with the ballot. The voter may return the marked ballot to the county auditor by United States mail or to any other place of deposit designated by the county auditor. The ballot must be returned in the return identification envelope. If mailed, a ballot must be postmarked not later than the date of the election. Otherwise, the ballot must be deposited at the office of the county auditor or the designated place of deposit not later than 8:00 p.m. on the date of the election.

Sec. 5. Section 7, chapter 109, Laws of 1967 ex. sess. and RCW 29.36-.130 are each amended to read as follows:

All ~~((such absentee))~~ mail ballots ~~((as))~~ authorized by RCW 29.36.120 shall contain the same offices, names of candidates, and propositions ~~((if any))~~ to be voted upon, including precinct offices, as if the ballot had been voted in person at the polling place. Except as otherwise provided in RCW 29.36.120 ~~((through 29.36.140))~~ and sections 2 through 4 and 6 of this act, such ~~((absentee))~~ mail ballots shall be issued ~~((, completed, returned, received, opened, counted;))~~ and canvassed ~~((, recorded and handled))~~ in the same manner as ((any)) absentee ballots issued pursuant to the request of the voter ((: PROVIDED, That)). The county canvassing board, at the request of the county auditor, may direct that ~~((such))~~ mail ballots be counted on the day of the election. If such count is made, it must be done in secrecy in the presence of at least three election officials and the results not revealed to any unauthorized person until the polls have closed. If electronic vote tallying devices are used, political party observers shall be afforded the opportunity to be present, and a test of the equipment must be performed as required by RCW 29.34.163 prior to the count of ballots. Political party observers shall be allowed to count by hand ballots from up to ten precincts selected by the observers. Any violation of the secrecy of such count shall be subject to the same penalties as provided for in RCW 29.54.035.

NEW SECTION. Sec. 6. There is added to chapter 29.36 RCW a new section to read as follows:

(1) A mail ballot shall be counted only if it is returned in the return identification envelope, if the envelope is signed by the registered voter to whom the ballot is issued, and if the signature is verified as provided in this subsection. The county auditor shall verify the signature of each voter on the return identification envelope with the signature on the voter's registration record. If the county auditor determines that a registered voter to

whom a replacement ballot has been issued has voted more than once, the county auditor shall not count any ballot cast by that voter. The county auditor must notify both the county prosecuting attorney and the state attorney general of every instance in which a voter has voted more than once.

(2) Any mail ballot may be challenged in the same manner as an absentee ballot.

Sec. 7. Section 29.45.010, chapter 9, Laws of 1965 as amended by section 1, chapter 101, Laws of 1965 ex. sess. and RCW 29.45.010 are each amended to read as follows:

At least ten days prior to any primary or election, general or special, the ~~((officer having jurisdiction of the election))~~ county auditor 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))~~ that primary or election), other than those precincts designated as vote-by-mail precincts pursuant to RCW 29.36.120, from among the names contained on the lists ~~((therefor))~~ furnished by the chairman of the county central committee of the political parties entitled 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))~~ county auditor 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))~~ presidential 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, general or special, and shall supersede the provisions of any and all other statutes, whether general or special in nature, having different requirements.

NEW SECTION. Sec. 8. There is added to chapter 29.36 RCW a new section to read as follows:

The secretary of state shall adopt rules and regulations not inconsistent with the provisions of this chapter to:

- (1) Ensure that standards and procedures are established to prevent fraud and to facilitate the accurate processing and canvassing of mail ballots;
- (2) Ensure that standards and procedures are established to guarantee the secrecy of the ballot;
- (3) Ensure that uniformity exists among the counties of the state in the conduct of mail ballot elections.

NEW SECTION. Sec. 9. There is added to chapter 29.36 RCW a new section to read as follows:

A person who wilfully violates any provision of this chapter is guilty of a class C felony.

NEW SECTION. Sec. 10. Section 8, chapter 109, Laws of 1967 ex. sess., section 3, chapter 35, Laws of 1974 ex. sess. and RCW 29.36.140 are each repealed.

Passed the House May 24, 1983.

Passed the Senate May 23, 1983.

Approved by the Governor June 14, 1983.

Filed in Office of Secretary of State June 14, 1983.

CHAPTER 72

[Second Substitute Senate Bill No. 3155]

HIGH TECHNOLOGY EDUCATION AND TRAINING ACT

AN ACT Relating to high-technology education and training; adding new sections to chapter 223, Laws of 1969 ex. sess. as a new chapter in Title 28B RCW; adding new sections to chapter 223, Laws of 1969 ex. sess. and to chapter 28B.20 RCW; adding new sections to chapter 223, Laws of 1969 ex. sess. and to chapter 28B.30 RCW; creating a new section; repealing section 1, chapter 4, Laws of 1974 ex. sess. and RCW 28B.80.130; repealing section 2, chapter 4, Laws of 1974 ex. sess. and RCW 28B.80.140; making appropriations; providing an effective date; and declaring an emergency.

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

NEW SECTION. Sec. 1. This act may be known and cited as the Washington high-technology education and training act.

NEW SECTION. Sec. 2. The legislature finds that:

(1) A coordinated state policy is needed to stimulate the education and training of individuals in high-technology fields, in order to improve productivity, strengthen the state's competitive position, and reindustrialize declining areas;

(2) The Washington high-technology education and training program will give persons from all backgrounds opportunities to pursue training and education programs leading to baccalaureate and graduate degrees consistent with present and future needs of high-technology industries;

(3) Incentives to stimulate increased collaboration between community colleges, regional universities, and the state universities and private-sector industrial, commercial, and labor interests are essential to the development of a pool of skilled high-technology workers; and

(4) Investment in education is the most feasible method for state assistance to the high-technology industry.

NEW SECTION. Sec. 3. Unless the context clearly requires otherwise, the definitions in this section apply throughout this chapter:

(1) "Board" means the high-technology coordinating board.