

not to exceed the recommendations of the committee on salaries (~~((created in RCW 43.03.028, upon the basis of official responsibility))~~).

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CHAPTER 128

[Substitute Senate Bill No. 2356]

PRECINCTS

AN ACT Relating to precincts; amending section 29.04.040, chapter 9, Laws of 1965 as last amended by section 3, chapter 129, Laws of 1975-'76 2nd ex. sess. and RCW 29.04.040; amending section 29.04.050, chapter 9, Laws of 1965 and RCW 29.04.050; amending section 1, chapter 129, Laws of 1975-'76 2nd ex. sess. and RCW 29.04.130; amending section 2, chapter 129, Laws of 1975-'76 2nd ex. sess. and RCW 29.04.140; adding a new section to chapter 239, Laws of 1969 ex. sess. and to chapter 43.41 RCW; and declaring an emergency.

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

Section 1. Section 29.04.040, chapter 9, Laws of 1965 as last amended by section 3, chapter 129, Laws of 1975-'76 2nd ex. sess. and RCW 29.04.040 are each amended to read as follows:

(1) ~~No paper ballot precinct shall contain more than three hundred voters. ((If at any election three hundred or more votes are cast at any such voting place, the secretary of state as ex officio chief election officer, shall report that fact to the city council, if it is a precinct lying within a first class city or to the county legislative authority if it is any other precinct.)) The ((city council of the first class city or the)) county legislative authority ((as the case may be, shall)) may divide, alter, or combine precincts so that, whenever practicable ((such)), over populated precincts shall contain no more than two hundred fifty registered voters in anticipation of future growth((, subject to the requirements and limitations of subsection (2) of this section)).~~

(2) Precinct boundaries may be altered at any time as long as sufficient time exists prior to a given election for the necessary procedural steps to be honored: PROVIDED, HOWEVER, That no precinct boundaries shall be changed during the period starting as of the thirtieth day prior to the first day for candidates to file for the ((September)) primary election and ending with the day of the ((November)) general election ((held in the even-numbered years: PROVIDED FURTHER, That no precinct boundaries shall be changed nor shall any precinct be created, divided, abolished, or consolidated during the period between February 1st of any year whose last digit is seven and December 1st of any year whose last digit is one, except whose boundaries are changed due to annexation or detachment)).

(3) Precincts in which voting machines or electronic voting devices are used may contain as many as nine hundred registered voters((, subject to the requirements and limitations of subsection (2) of this section)): PROVIDED, That ((the counties shall make such changes in the size of the precincts in anticipation of future growth, subject to the requirements and limitations of subsection (2) of this

~~section. PROVIDED FURTHER, That~~) there shall be at least one voting machine or device for each three hundred registered voters or major fraction thereof when a state primary or general election is held in an even-numbered year.

~~(4) ((Each county auditor, when reporting the official election returns to the secretary of state as provided by RCW 29.62.090, shall indicate in such report which precincts are voted by paper ballots, by voting machines, or by voting devices. In the instance of a voting machine or voting device precinct, the county auditor shall also indicate the number of such machines or devices used so that the secretary of state will be able to determine that the requirements of this section are being honored:))~~

On petition of ~~((ten))~~ twenty-five or more voters resident more than ten miles from any place of election, the ~~((board of))~~ county ~~((commissioners))~~ legislative authority shall establish a separate voting precinct therefor~~((; subject to the requirements and limitations of subsection (2) of this section))~~.

The county legislative authority of each county in the state hereafter formed shall, at their first session, divide their respective counties into election precincts with two hundred fifty voters or less and establish the boundaries of the same; the county auditor shall thereupon designate the voting place for each such precinct.

Sec. 2. Section 29.04.050, chapter 9, Laws of 1965 and RCW 29.04.050 are each amended to read as follows:

(1) Every voting precinct must be established so that it lies wholly within one senatorial or representative district and wholly within one county commissioner district.

(2) Every voting precinct shall be composed, as nearly as practicable, of contiguous and compact areas.

(3) Every voting precinct within each county shall be designated consecutively by number for the purpose of preparation of maps and the tabulation of population for apportionment purposes. The county auditor may name precincts as he deems necessary for other purposes.

Sec. 3. Section 1, chapter 129, Laws of 1975-'76 2nd ex. sess. and RCW 29.04.130 are each amended to read as follows:

(1) On or before July 1, 1980, each county auditor shall prepare and ((maintain a current and suitable)) transmit to the secretary of state maps of the county and of each city or town therein clearly delineating the ((geographical)) boundaries ((of)) which have been established for each precinct ((contained)) in the county ((and of the legislative and congressional districts in which each precinct is contained)) for the 1980 state primary and state general election. A ((description of the geographical boundaries of such precincts and districts shall be attached to each map)) correspondence listing of the census blocks and enumeration districts or the portions of such blocks and enumeration districts which are contained within each such precinct shall accompany each map or set of maps: PROVIDED, That whenever a precinct contains part of one or more census blocks or enumeration districts, the county auditor shall indicate on the correspondence listing his best judgment of the proportion of the total number of registered voters in the precinct who reside within such parts of census blocks or enumeration districts.

~~(2) ((On or before February 1, 1977;))~~ Each county auditor shall also send ~~((three copies of each current map with its descriptions to the secretary of state,~~

~~and)) one copy of the map of each city or town to the clerk of ((each affected) that city or town. ((Within thirty days after any changes in precinct or district boundaries, the county auditor shall file revised maps and descriptions in the same manner and number:))~~

(3) Such maps and ~~((descriptions))~~ listings shall be public records and shall be available for inspection by the public in the offices wherein they are kept during normal office hours. Copies shall be made available to the public for a fee necessary to cover the cost of reproduction.

Sec. 4. Section 2, chapter 129, Laws of 1975-'76 2nd ex. sess. and RCW 29.04.140 are each amended to read as follows:

(1) With regard to functions relating to census, apportionment, and the establishment of legislative and congressional districts, the secretary of state shall:

(a) Promulgate rules pursuant to chapter 34.04 RCW governing the preparation, maintenance, distribution, and filing of precinct maps and census correspondence lists prepared pursuant to RCW 29.04.130 as now or hereafter amended;

(b) Coordinate and monitor precinct mapping functions of the county auditors and county engineers;

(c) Maintain official state base maps and correspondence lists and maintain an index of all ~~((available))~~ such maps and lists;

(d) Furnish to the United States bureau of the census as needed for the decennial census of population, current, accurate, and easily readable versions of maps of all counties, cities, towns, and other areas of this state, which ~~((shall show any streets, highways, railroads, and other physical boundaries, and shall))~~ indicate current precinct boundaries together with copies of the census correspondence lists.

(2) The secretary of state shall serve as the state liaison with the United States bureau of census on matters relating to the preparation of maps and the tabulation of population for apportionment purposes.

NEW SECTION. Sec. 5. There is added to chapter 239, Laws of 1969 ex. sess. and to chapter 43.41 RCW a new section to read as follows:

Subject to a specific appropriation for that purpose, the director of the office of program planning and fiscal management is hereby authorized and directed to contract with the United States bureau of census for collection and tabulation of block statistics in any or all cities and towns.

NEW SECTION. Sec. 6. If any provision of this 1977 amendatory 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.

NEW SECTION. Sec. 7. This 1977 amendatory act is necessary for the immediate preservation of the public peace, health, and safety, the support of the state government and its existing public institutions, and shall take effect immediately.

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